



Licensing and Regulatory Sub-Committee (Hearing)

Time and Date

10.00 am on Monday, 14th December, 2020

Place

This meeting will be held remotely. The meeting can be viewed live by pasting this link into your browser: <https://youtu.be/t5k6EaFBQII>

Public Business

1. **Appointment of Chair**
2. **Apologies**
3. **Declarations of Interest**
4. **Licensing Act 2003 - Application for a New Premises Licence (Pages 3 - 46)**

To consider an application for a new Premises Licence in respect of Papp's Café, 225 Holbrook Lane, Coventry.

Note: The applicant and their representative have been invited to attend the hearing.

Persons who have made representations have been invited to attend.

The City Council's Statement of Licensing Policy is available on the Council's website. Alternatively, please contact us if you require a hard copy.

5. **Any Other Business**

To consider any other items of business which the Chair decides to take as a matter of urgency because of the special circumstances involved.

Private Business

Nil

Julie Newman, Director of Law and Governance, Council House, Coventry

Friday 4 December, 2020

Note: The person to contact about the agenda and documents for this meeting is Usha Patel Tel: 024 7697 2301, Email: usha.patel@coventry.gov.uk

Membership: Councillors J Birdi, R Lakha and C Thomas

Usha Patel

Tel: 024 7697 2301

Email: usha.patel@coventry.gov.uk



Licensing & Regulatory Sub-Committee

14 December 2020

Name of Cabinet Member:

Not applicable

Director Approving Submission of the report:

Director of Street Scene and Regulatory Services

Ward(s) affected:

Holbrooks

Title: Application for a Premises Licence under the Licensing Act 2003

Is this a key decision?

No

Executive Summary:

The purpose of this report is to consider an application for a New Premises Licence under the Licensing Act 2003 for Papp's Cafe, 225 Holbrook Lane, Coventry, CV6 4DE.

Recommendations:

The Sub-Committee is recommended to consider whether to:

1. Grant the application as requested.
2. Grant the application subject to such conditions that are necessary to promote the Licensing Objectives.
3. Refuse the application wholly or in part where it is necessary in order to promote the Licensing Objectives

List of Appendices included:

1. Premises Licence application
2. DPS Consent Form
3. Plan of Premises
4. Representations
5. Mediation Minutes
6. Location Plan
7. Hearing Procedure Note
8. Relevant Hearing Briefing Note

Other useful background papers:

Section 182 Licensing Act 2003 Guidance

It is a statutory obligation of the Sub-Committee to take into account the Government's Guidance to the Licensing Act 2003 before reaching a decision.

Statement of Licensing Policy

The Council will have regard to the policy when making a decision on applications made under the Act.

Other Useful documents

None

Has it been or will it be considered by Scrutiny?

Not applicable

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

Not applicable

Report title: Premises Licence Application

1. Context (or background)

- 1.1 The Licensing Act 2003 requires Coventry City Council, as the Licensing Authority, to carry out its various licensing functions so as to promote the following four Licensing Objectives:
- The Prevention of crime & disorder
 - The Protection of public safety
 - The Prevention of public nuisance
 - The Protection of children from harm
- 1.2 A Premises Licence application for Papp's Cafe was received on 19 October 2020. The application is requesting the sale/supply of alcohol (on & off sales); Monday to Sunday, 08.00 to 18.00 hours.
- 1.3 A mediation meeting between the applicant and objector was arranged for 10am on 24th November 2020. The applicant was happy to be present but unfortunately the Objectors failed to attend the meeting.
- 1.4 In addition to the mandatory conditions, the Sub-Committee should refer to the operating schedule detailed in the application (Appendix 1).
- 1.5 The Licensing Act 2003 requires the Council to publish a 'Statement of Licensing Policy' which sets out the policies the Council will have regard to and apply to promote the Licensing Objectives when making a decision on applications made under the Act. The Policy will be available at the hearing for reference purposes.
- 1.6 It is essential that the Sub-Committee takes into account the government's guidance to the Licensing Act before reaching a decision. The applicant, Responsible Authorities, or any other persons, should bring to the Sub-Committee's attention any relevant paragraphs. However, it is suggested good practice for Members of the Sub-Committee to read the relevant paragraph(s) of the guidance prior to the hearing.

2. Options considered and recommended proposal

- 2.1 There are three courses of action available to the Sub-Committee in relation to this application:
- (i) Grant the application as requested. If the Sub-Committee consider that granting the application would not undermine any of the Licensing Objectives, it should be granted in full as submitted. This would be granted subject to mandatory conditions and conditions consistent with the applicant's operating schedule, and any other conditions agreed by the applicant as part of the consultation / mediation process. Any conditions to be attached to a licence must be appropriate to promote the Licensing Objectives.
 - (ii) Grant the application as above, but the Sub-Committee could impose extra conditions as it thinks fit, or make amendments to the operating schedule conditions, and/or proposed hours. This option may include adding any conditions suggested by other parties at the hearing, including the applicant. Any conditions to be attached to a licence must be appropriate to promote the Licensing Objectives.
 - (iii) If the Sub-Committee concludes that no additional conditions would ensure that the Licensing Objectives would be upheld, then the whole application should be rejected.

- 2.2 Your officer recommends option (i).
The reasons for this recommendation are as follows: Due to the absence of representation at a proposed mediation meeting and no representations being made by Responsible Authorities, including the Licensing Authority, the application should be granted as requested.
- 2.3 The Sub-Committee are advised that they may depart from the officer recommendation if, having heard all the evidence, they believe it is appropriate to do so. Should the Sub-Committee decide to depart from the recommendation and choose an alternative option, they must provide full reasons for this decision, based on the promotion of the Licensing Objectives. This application should be considered on its own merits and all the circumstances taken into account before a decision is made.
- 2.4 The Sub-Committee must also be aware that licences can be reviewed at any time by any Responsible Authority or any 'other person', if it is considered that any of the Licensing Objectives have been undermined following the grant of the Premises Licence.

3. Results of consultation undertaken

- 3.1 As prescribed by the Licensing Act 2003, the application has been out for consultation to statutory consultees (Responsible Authorities) and any other persons for 28 days in the form of a notice displayed on the premises, and a notice published in a local newspaper.
- 3.2 Responsible Authorities have received a copy of the application. Please see below responses received:

Responsible Authority	Response Received	Objections	Conditions Agreed
Licensing	No	-	-
Police	Yes	No	No
Environmental Protection	Yes	No	No
Fire Safety	No	-	-
Health & Safety	No	-	-
Trading Standards	Yes	No	No
Planning	No	-	-
Safeguarding Children	Yes	No	No
Public Health	No	-	-
Secretary of State	No	-	-

- 3.3 One representation has been received from a member of the public (Appendix 4) which comprises an additional 14 petitioner signatories. The representation is presented on the grounds that the granting of the Premises Licence would undermine all four licensing objectives: Prevention of Crime and Disorder, Prevention of Public Nuisance, Protection of Public Safety and Protection of Children from Harm.
- 2.4 A mediation meeting between the applicant and objector was arranged for 10am on 24th November 2020. The applicant was happy to be present but unfortunately the Objectors failed to attend the meeting.

4. Timetable for implementing this decision

4.1 The Appeal period is 21 days beginning on the date that the Appellant(s) receive notification of the decision of the Licensing Authority.

5. Comments from Director of Finance and Corporate Services and Director of Law and Governance

5.1 Financial implications

There are no financial implications arising directly from this report. However, there are possible cost implications if an appeal against the decision is made to the Magistrates Court and the decision of the Sub-Committee is not upheld.

5.2 Legal implications

The Licensing Act 2003 sets out how applications for Premises Licences should be dealt with where valid representations have been submitted. The Sub-Committee have to decide the outcome of the application taking into account the four Licensing Objectives.

In accordance with the provisions of the Act, if a Licensing Authority rejects in whole or in part, an application to grant a Premises Licence, the applicant may appeal against the decision, to a Magistrates' court within 21 days of receiving notification of the decision.

Similarly, where a person who made relevant representations in relation to the application contends that the licence ought not to have been granted or that alternative or additional conditions should have been imposed on the licence, they may appeal against the decision, to a Magistrates' court within 21 days of receiving notification of the decision.

6. Other implications

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint or Coventry Sustainable Community Strategy

It is the Regulatory Services team's responsibility to ensure that members of the public in Coventry are not put at risk. This contributes to the Council's core aim of ensuring that citizens live longer healthier lives. The business' failure to uphold the Licensing Objectives may have an adverse effect on Public Safety and citizen's quality of life.

6.2 How is risk being managed?

If the application is not handled in line with the Licensing Act 2003, there is a risk of judicial appeals, reviews and associated costs.

6.3 What is the impact on the organisation?

None

6.4 Equalities / EIA

This decision will not affect the service provision and therefore details of the Equalities Impact Assessment are not relevant in this case.

6.5 Implications for (or impact on) climate change and the environment

None

6.6 Implications for partner organisations?

The Council recognises that the licensing function is only one means of promoting delivery of the above objectives and should not therefore be seen as a means for solving all problems within the community. The Council will therefore continue to work with the West Midlands Police, Community Safety Partnership, local people and those involved in child

protection (Coventry Safeguarding Children Board) to promote the common objectives as outlined.

6.7 Human Rights Act Implications

None

Report author(s): Billy Rawlings

Name and job title: Licensing Officer

Service: Street Scene and Regulatory Service

Telephone: 024 7697 2249

Email: billy.rawlings@coventry.gov.uk

Enquiries should be directed to the above person.

Contributor/approver name	Title	Service	Date doc sent out	Date response received or approved
Contributors:				
Carolyn Sinclair	Governance Services Officer	Law and Governance	24/11/2020	24/11/20
Davina Blackburn	Strategic Lead of Regulation	Street Scene and Regulatory Services	24/11/2020 & 02/12/20	02/12/20
Names of approvers for submission: (officers and members)				
Andrew Walster	Director	StreetScene and Regulatory Services	02/12/20	02/12/20
Amy Wright	Solicitor	Law and Governance	24/11/2020	24/11/20
Cath Crosby	Lead Accountant	Finance	24/11/2020	24/11/20

This report is published on the Council's website:

www.coventry.gov.uk/councilmeetings

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Papp's Café Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Papp's Café 225 Holbrook Lane			
Post town	Coventry	Postcode	CV6 4DE

Telephone number at premises (if any)	n/a
Non-domestic rateable value of premises	£3,150 (Band A)

Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate Please tick as appropriate

- | | | |
|------------------------------------------------------|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)


Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Papp's Café Ltd
Address 
Registered number (where applicable) 12180583
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any) n/a
E-mail address (optional) n/a

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

The premises is a cafe, serving afternoon tea, sandwiches, salads, cake and a light snack menu.

The proposal is to allow the premises to serve customers with wine, beer, cognac etc.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

n/a

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

- | Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
|-------------------------------------------------------------------------------------------------------------|----------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Occasional showing of films for customers, either in the background or as a main event, ancillary to the sale of alcohol.			
Mon						
Tue			State any seasonal variations for the exhibition of films (please read guidance note 5)			
Wed						
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)			
Fri						
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) State any seasonal variations for the performance of dance (please read guidance note 5) Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Thur			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					


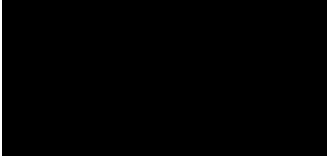


I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	08:00	18:00			
Tue	08:00	18:00			
Wed	08:00	18:00			
Thur	08:00	18:00			
Fri	08:00	18:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	08:00	18:00			
Sun	08:00	18:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Cornelia Paureanu	
Date of birth 	
	
Postcode	
Personal licence number (if known) 	
Issuing licensing authority (if known) Coventry City Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	08:00	18:30	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>
Tue	08:00	18:30	
Wed	08:00	18:30	
Thur	08:00	18:30	
Fri	08:00	18:30	
Sat	08:00	18:30	
Sun	08:00	18:30	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Please see attached.

b) The prevention of crime and disorder

Please see attached.

c) Public safety

Please see attached.

d) The prevention of public nuisance

Please see attached.

e) The protection of children from harm

Please see attached.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

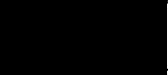
Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none">● [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).● The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
--------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Date	
Capacity	

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	14/10/2020
Capacity	DIRECTOR

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Paul Uren TLT Solicitors One Redcliff Street			
Post town	Bristol	Postcode	BS1 6TP
Telephone number (if any)	03330 060213 or 07919 925374		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) paul.uren@TLTsolicitors.com			

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.

Papp's Café, 225 Holbrook Lane, Coventry CV6 4DE
Proposed Licensing Conditions

Hours

To permit the sale of alcohol from 08.00 hours to 18.00 hours every day.
To allow for thirty minutes drinking up time following the last permitted sale of alcohol.

General – all four licensing objectives

Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.
Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.
Substantial food and substantial beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
The premises will be laid out to no less than 80% tables and chairs.
Waiter/waitress service will be available.

The Prevention of Crime and Disorder

CCTV will be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system will record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available immediately on request to an Authorised Officer or a Police Officer (subject to GDPR) throughout the 31-day period following any incident. A member of staff with knowledge of the CCTV system will be present on site whilst the premises are open to the public to aid any enquiry from a Police Officer or Authorised Officer requiring recent CCTV recordings with the minimum of delay when requested.
A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
Any alcohol sold for consumption on the premises, will be to customers who are seated at a table only.
Any stock of alcohol that is not on display for service to customers will be secured safely in a designated area within the stock room.
A security alarm is fitted at the premises.
Any alcohol sold for consumption off the premises will be served in sealed containers only.

Public Safety

Appropriate fire safety measures will be installed and maintained as shown on the drawings accompanying the application.
Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.
Public areas will be maintained free from obstruction and trip hazards.
All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

The Prevention of Public Nuisance

All highway and public spaces within the vicinity of the premises will be kept litter free to the satisfaction of the licencing authority.
Refuse such as bottles will be placed into receptacles outside the premise at times that will minimize the disturbance to nearby property.
No deliveries will take place between 10pm and 6am.

No collection, including refuses and recyclable food waste shall take place between 10pm and 6am. Customer notice is to be displayed at all exits asking patrons to leave the premises quietly and respect the needs of the local residents.

No noise generated on the premises or by its associated plant or equipment shall emanate from the premises nor vibration will be transmitted through the structure of the premises which gives rise to a nuisance.

No fumes, steam or odours shall be emitted from the licence premises so as to cause a nuisance to any person living or carrying on business in the area where the premises are situated.

The premises licence holder shall ensure that any patrons drinking and or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure there is no public nuisance or disruption of the public highway.

During the hours of operation of the premises the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises and that this area will be swept and or washed and litter and sweepings collected and stored in the accordance of the approved refuse storage arrangements by close of business.

The Protection of Children from Harm

A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport, military identification, EU identity card, or proof of age card with the PASS Hologram. Appropriate signage will be in place at the point of sale.

A refusal to serve log will be maintained and made available for inspection to officers upon request. This log shall include the date, time, name and signature of the staff member who refused the sale. This log will be countersigned by the DPS of the premises on a monthly basis.

DPS CONSENT FORM

Consent of Individual to being specified as premises supervisor

Cornelia Papureanu

.....
(full name of prospective premises supervisor)

of

[REDACTED]
.....
(home address of prospective premises supervisor)

[REDACTED]
.....
(date of birth)

[REDACTED]
.....
(place of birth)

[REDACTED]
.....
(nationality)

Hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

New Premises Licence

.....
(type of application)

By

~~Cornelia Papureanu~~ Papp's Cafe Ltd

.....
(name of applicant)

Relating to premises licence

n/a
.....
(number of existing licence, if any)

For

...Papp' Café, 225 Holbrook Lane, CV6 4DE, Coventry

.....
(name and address of premises to which the application relates)

and any premises licence to be granted or varied in respect of this application made by

[REDACTED] Papp's Cafe Ltd
.....
(name of applicant)

Concerning the supply of alcohol at

Papp's Café, 225 Holbrook Ln, CV6 4DE
.....
(name and address of premises to which application relates)

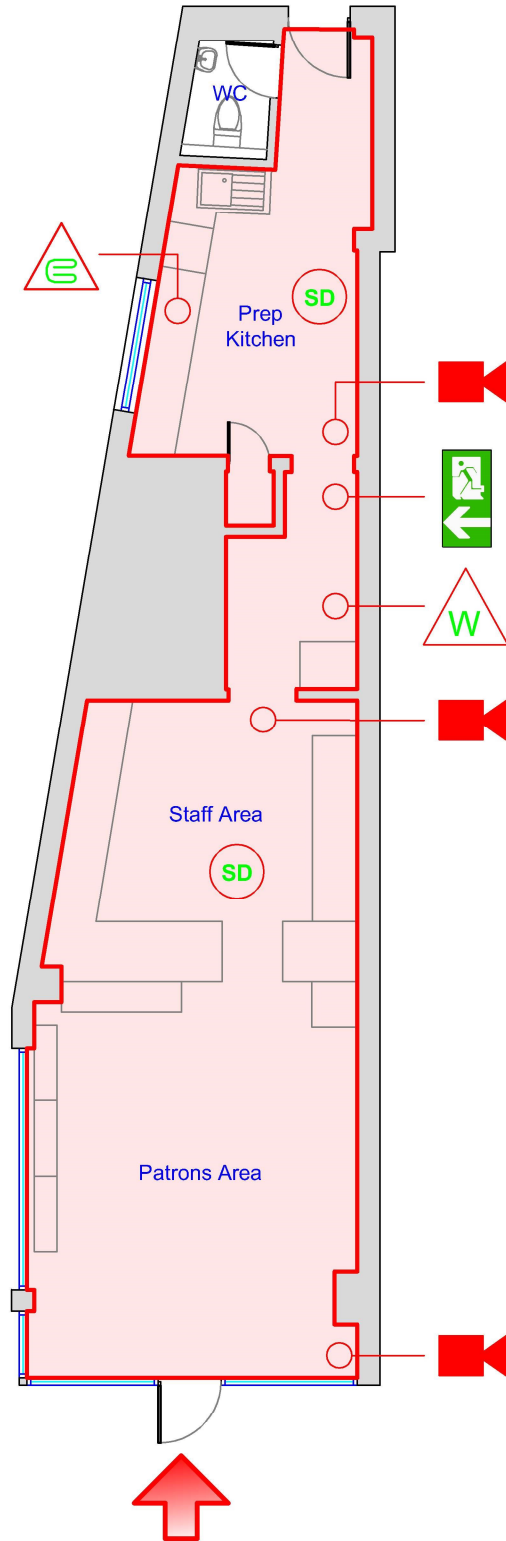
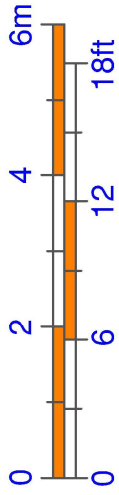
I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal Licence Number
.....
[REDACTED]
.....
(insert personal licence number, if any)

Personal Licensing issuing Authority
Coventry City Council, CV1 5RR
.....
(insert name and address and telephone number of personal licence issuing authority, if any)








Signed **[REDACTED]**
.....
Name (please print) CORNELIA PAPUREANU
.....
Date 07.10.2020
.....

GROUND FLOOR PLAN



Main Entrance

SYMBOL KEY

-  : Smoke Detector
-  : Fire Blanket
-  : Fire Extinguisher - Water
-  : CCTV
-  : Fire Exit Directional
-  : Property Purchased
-  : Licensed Area

Notes:
This drawings have been produced to the standards set out within the Licensing Act 2003.
No deviation may be made from the details shown on this drawing without prior written permission of UK Surveyors. Any discrepancy found between this drawing and any other document should be referred immediately to UK Surveyors.
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Studio 4, The Thorn Tree, Elmhurst Business Park
Elmhurst, Lichfield WS13 8EX
☎ : **Freephone:** 0808 168 9059
☎ : **Head Office:** 01889 220 880
✉ : enquiries@uksurveyors.net
🌐 : www.uksurveyors.net

Licensed Floor Area
Total Licensed Floor Area: **54.72m²**

PAPP'S CAFE 225 Holbrook Lane,
Coventry CV6 4DE

Licensing Plan
Ground Floor

Drawn by DJR	Checked by DJR	Approved by DJR
Date 16/07/2020		
Status COMPLETED	Scale @ A4 1:100	
Drawing Number 004318	Revision A	

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10 November 2020


Dear Sir or Madam

To Whom It May Concern

Coventry City Council Licensing Authority
P.O. Box 15
Earl Street
Coventry
CV1 5RR

Ref: Pap's Café, 225 Holbrook Lane (Application for permission to sell alcohol from 08:00 to 18:00)

I would like to take this opportunity to express and air my concerns regarding the issue pertaining to the abovementioned application. My concerns are as follows;

1. The property is on a residential and is a terraced property with very young children living upstairs and in the next door . These minors attend school, and some are reaching their teen years. The influx of strangers/customers to the place to buy alcohol will obviously have an impact on these young ones which raises a safeguarding issue. This will impact on their studies due to noise from the music played at the Café which we currently experience daily. It will impact on their confidence, self-esteem, and schoolwork.
2. The lingering of strangers around the area will trigger some safeguarding issues and will affect our family life and confidence in the public. Waiting strangers lean on our wall dividing the café and our house an often observed smoking while lingering and the problem will be exacerbated by the sale of alcohol as it will increase the influx of people coming to dine and buy alcohol. The family and home environment for children will be compromised and privacy will be affected to a great extent as already some people stand in our yard to smoke.
3. Management of cross infection particularly during this time of the pandemic – COVID 19, how is the virus going to be contained and prevented from infecting others as some

customers tend to lean on the wall where our young ones often lean on when playing and touching the wall when outside. Their health and that of others will be compromised to some extent.

4. Public disorder will be on increase as some youths loiter aimlessly without any purpose in front of our driveway and leaning on the wall and smoking illicit drugs and leaving their empty cans of drinks and litter on our wall. Let alone with the sale of alcohol the problem will get worse. (Evidence based).

5. Burglary will be on the increase as once experienced in the past on the same premises and with such occurrences it affects our car insurances and property as a whole and people are struggling to make ends meet due to loss of jobs during the pandemic.

6. There is going to be a great increase in cars and vans parked outside our drive ways which is a hazard and an accident waiting to happen and the fact we are by the main road and frustrations will increase due to blocked drive ways, constantly calling out for drivers to move their cars when one is from work/night shifts and during school runs or shopping.

7. We have vulnerable elderly people who reside less than a stone throw in the nearby bungalows. This will increase their vulnerability to abuse and burglary and other unwanted activities and some might end up falling back into past habits of alcohol abuse.

8. As neighbours, we hold responsible and key roles and do night shifts and some work from home and it is going to affect one's mental health and well-being due to noise and disturbed sleep or sleep deprivation. Already there is a busy road and constant renovations around and use of machinery. With these factors noise pollution will be on the increase and will affect one's performance at work and a quiet environment will be compromised if one works from home.

9. Customers are often observed smoking outside leaning on the wall which is right next to our windows, hence it affects one's right to liberty to a fresh environment and windows cannot be opened as the cigarette smoke comes straight to the next house. Every human being has a right to fresh air and smoke free environment without any fear for passive smoking and we are afraid such behaviours will manifest some phobias of going outside the house in fear of harm and brewing other mental health conditions.

10. Our community is blessed with public drinking areas where alcohol is leisurely sold and families enjoy such spaces as they are situated out of residential and family sphere in respect of family private life. We have a pub less than 200 metres, Social club and a Convenience store all within reachable distance and are on standalone Property without impinging on the family quiet time and values.

11. It is with great concern that mental health is apparent and prevalent within our communities particularly during the pandemic. People are suffering with their own internal challenges and experiences, hence it becomes a concern if we as community exacerbate conditions by granting some permits at the expense of family function and life and affecting children in the long run for personal gains and profit. Every human being is entitled to a peaceful environment and one desires to own a property that increases in value and am not sure how the sale of alcohol will lure future buyers and how attractive will the post code be with an influx of alcohol outlets everywhere even in residential terraced houses.

12. The application does not place a good picture of our needs and values as a neighbourhood. We all want to lead a quality life in areas we live and all desire to be great citizens and good neighbours. We expect the same from investors in our areas to have children's well fare, vulnerable elderly people at heart and the community at large. As much as we have a café next door, we feel we were not properly consulted regarding its purpose and plan.

I do object to the application of alcohol sale as the café is in residential place and terraced. As well as this request to sell alcohol does not add any value to the community but may increase the issues of malfunction within a community that is already struggling with so many issues.

Thank you for your support and cooperation in this matter.

Yours faithfully


Cc Councillor Joseph Clifford

14 November 2020

Dear Sir or Madam

To Whom It May Concern

Coventry City Council Licensing Authority

P.O. Box 15

Earl Street

Coventry

CV1 5RR

Ref: Pap's Café, 225 Holbrook Lane (Application for permission to sell alcohol from 08:00 to 18:00)

We would like to take this opportunity to express and air our concerns regarding the issue pertaining to the abovementioned application. Our concerns are as follows;

1. The property is on a residential and terraced property with very young children living upstairs and in the next door and around. These minors attend school and some are reaching their teen years. The influx of strangers/customers to the place to buy alcohol will obviously have an impact on these young ones which raises safeguarding issues. This will impact on their studies due to noise and car emissions pollution. It will impact on their well-being, confidence, self-esteem and school-work.
2. The lingering of strangers around the area will trigger some safeguarding issues and will affect our family life and confidence in the public. Strangers lean on our walls while waiting for their orders and the problem will be exacerbated by the sell of alcohol as it will increase the influx of people coming to dine and buy alcohol. The family and home environment for children will be compromised and neglected and privacy tempered with.
3. Management of cross infection particularly during this time of the pandemic – COVID 19, how is the virus going to be contained and prevented from infecting others as some customers tend to lean on the wall where school children passing by and our young

ones often lean on when playing and touching the wall when outside. Their health and of others will be compromised to some extent.

4. Public disorder will be on increase as some youth loiter aimlessly without any purpose in front of our driveway and leaning on the wall and smoking illicit drugs and leaving their empty cans of drinks and litter on our wall. Let alone with the sale of alcohol the problem will get worse. (Evidence based).
5. Burglary will be on the increase as once experience in the past on the same premises and with such occurrences it affects our car insurances and property as a whole and people are struggling to make ends meet due to loss of jobs during the pandemic.
6. There is going to be a great increase in cars and vans parked outside our drive ways and frustrations will increase due to blocked drive ways, constantly calling out for drivers to move their cars when one is from work/night shifts and during school runs.
7. We have vulnerable elderly people who reside less than a stone throw in the nearby bungalows. This will increase their vulnerability to abuse and burglary and other unwanted activities and some might end up falling back into past habits of alcohol abuse.
8. As neighbours, we hold responsible and key roles and do night shifts and some work from home and it is going to affect one's mental health and well-being due to noise and disturbed sleep. Already there is a busy road and constant renovations around and use of machinery. With these factors noise pollution will be on the increase and will affect one's performance at work and a quietness environment will be compromised if one works from home.
9. Our community is blessed with public drinking areas where alcohol is sold at leisurely and families enjoy such spaces as there are situated out of residential and family sphere in respect of family private life. We have a pub less than 200 metres, Social club and a Convenience store all with reachable distance and are on standalone land without impinging on the family quiet time and bonding.
10. It is with great concern that mental health is apparent and prevalent within our communities particularly during the pandemic. People are suffering with their own internal challenges and experiences, hence it becomes a concern if we as community we exacerbate conditions by granting some permits at the expense of family function and life and affecting children in the long run for personal gains and profit. Every human being is entitled to a peaceful environment and one desires to own a property that increases in value. We are not sure how the sale of alcohol will lure future buyers and how attractive will the post code be with an influx of alcohol outlets everywhere even in residential terraced houses.
11. The application does not place a good picture of our needs and values as a neighbourhood. We all want to lead a quality life in areas we live and all desire to be great citizens and good neighbours. We expect the same from investors in our areas to have children well fare, vulnerable elderly people and the community at large. We do object to the application of alcohol safe as the café is in residential place and terraced.

Thank you for your support and cooperation in this matter.

Yours faithfully

Holbrook Lane Neighbourhood Community

CC: Councillor Joseph Clifford

[Redacted]

[Redacted]

awfa

Mediation Meeting between Applicant and Objector

Both the applicant and the objector responded positively to my email asking if they were happy to attend a mediation meeting.

The mediation meeting was arranged for 10am on Tuesday 24th November to be held at Papp's Café.

I arrived at 9.50am where I met with the applicant Cornelia Papureanu.

We waited for the objector until 10.30am but unfortunately [REDACTED] failed to show up to the meeting.

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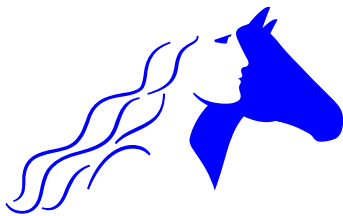


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Environmental Protection
Coventry City Council
One Friargate
Coventry CV1 2GN



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Coventry City Council

LICENSING ACT 2003

LICENSING SUB-COMMITTEE

HEARING PROCEDURE NOTE

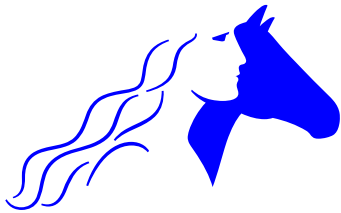
1. The Members of the Sub-committee will enter the hearing room.
2. The Chair will introduce the Members of the Sub-committee and its supporting officers (normally a legal adviser and a minute taker) and will ask each of the parties (and their representatives) to identify themselves.
3. The Chair will ask if the parties have received and understood the procedure note (and in particular that cross-examination by the parties is not allowed) and whether anyone present would like the procedure explained further?
4. The Chair will confirm any relevant further documents the licensing authority has received before the hearing and will be considering, and will ask the parties whether there are any other documents they now wish to present (subject to the other parties' consent) and their reasons for doing so.
5. The Chair will ask if any party wishes to call witnesses in support of their case and their reasons for doing so.
6. The Licensing Officer will give a brief description of the application, confirm whether all relevant application formalities have been complied with and where relevant, that the authority has notified the parties of any points that the authority wanted clarification on at the hearing?
7. The Chair will invite the applicant/licensee/review applicant (or representative) to present their case (maximum 20 minutes).
8. The Chair will invite Members of the Sub-committee to ask the applicant/licensee/review applicant (or representative) questions.
9. The Chair will invite each objector/review review respondent (or representative) to present their case (maximum 20 minutes each)
10. The Chair will invite Members of the Sub-committee to ask each objector/review respondent (or representative) questions.
11. The Chair will invite each objector/review respondent (or representative) to sum up their case and if they wish, to comment on anything said by any other party (maximum 10 minutes).
12. The Chair will invite the applicant/licensee/review applicant to sum up their case and if they wish, to comment on anything said by any other party (maximum 10 minutes).

*[13. The Members of the Sub-committee will retire with their supporting officers to make their decision.

14 The Members of the Sub-committee and their supporting officers will return to the hearing room and the Chair will invite the Committee Solicitor to inform the meeting of the decision made, any facts relied on, the reasons for the decision and any specific legal advice given.]

15. The Sub-committee's decision will be confirmed in a written Notice of Determination that will be issued to all parties within 10 working days of the determination.

* Where permitted by the Act, the Chair may close the meeting at this point and re-convene the meeting in private at a later date for the Sub-committee to make its decision.



Coventry City Council

Licensing Act 2003

Briefing Note 1 – Hearing to Consider a Premises Licence Application

Background

A Premises Licence is required before any licensable activity can take place on any land, vehicle or vessel and where that activity will not be covered by a Club Premises Certificate or a Temporary Event Notice. The application can be made by a living individual aged 18+ or by a corporation. The application must include an "operating schedule" and a plan of the premises. If it is intended to supply alcohol from the premises, the application must specify a "Designated Premises Supervisor" who will be the person having day-to-day responsibility for the premises. The "Operating Schedule" states the kinds of licensable activities that will be taking place on the premises, the proposed times of opening and the steps proposed to promote the four licensing objectives. Premises Licences remain in force indefinitely unless a time-limited licence has been requested.

A hearing is required because "relevant representations" (i.e. relevant to the licensing objectives) have been made by a "responsible authority" (i.e. police, fire or local government agencies) or any other person or both.

Section 182 Guidance (Apr 2018)

Particular reference should be made to Parts 9 and 10.

Local Statement of Licensing Policy (2016)

Particular reference should be made to Parts 4, 5, 6, 7

Human Rights Act

The hearing procedure and the availability of a statutory right of appeal comply with the Article 6 requirement to provide a fair hearing when determining the applicant's and objectors' civil rights. A decision to grant a licence will only be regarded as infringing the Article 8 rights of local residents/businesses if any noise/disturbance likely to be caused is of an extreme nature. Given the police powers to close premises in these circumstances this is unlikely to be an issue at application stage.

The Sub-committee's powers

Having heard from the applicant and the other parties the sub-committee may:

- (a) grant the application; or
- (b) grant the application with additional or modified conditions; or
- (c) exclude one or more licensable activities from taking place on the premises; or
- (d) where the Police have objected to the proposed DPS, refuse to agree to the proposed "designated premises supervisor"; or
- (e) reject the application outright

Rights of Appeal

An aggrieved applicant can appeal to Coventry Magistrates' Court against any decision made by the sub-committee that falls within (b) – (e) above. An aggrieved objector can also appeal against the grant of an application.

Monitoring/Enforcement

If an application is approved, monitoring and enforcement of Premises Licence conditions will be carried out in accordance with the Licensing Enforcement Policy.