



Licensing and Regulatory Sub-Committee (Hearing)

Time and Date

10.00 am on Friday, 27th May, 2022

Place

Diamond Rooms 1 and 2 - Council House

Public Business

1. **Appointment of Chair**
2. **Apologies**
3. **Declarations of Interest**
4. **Licensing Act 2003 - Application for a New Premises Licence (Bistro, War Memorial Park) (Pages 3 - 54)**

To consider an application for a New Premises Licence in respect of Bistro, War Memorial Park, Kenilworth Road, 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. **Licensing Act 2003 - Application for a New Premises Licence (The Sundae Club, War Memorial Park) (Pages 55 - 112)**

To consider an application for a New Premises Licence in respect of The Sundae Club, War Memorial Park, Kenilworth Road, 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.

6. **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

19 May 2022

Note: The person to contact about the agenda and documents for this meeting is
Usha Patel/Carolyn Sinclair
Email: usha.patel@coventry.gov.uk/carolyn.sinclair@coventry.gov.uk

Membership: Councillors L Bigham, J Birdi and C Thomas

Public Access

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<https://www.coventry.gov.uk/publicAttendanceMeetings>

Usha Patel/Carolyn Sinclair

Email:

usha.patel@coventry.gov.uk/carolyn.sinclair@coventry.gov.uk



Licensing & Regulatory Sub-Committee

27 May 2022

Name of Cabinet Member:

Not applicable

Director Approving Submission of the report:

Chief Operating Officer (Section 151 Officer)

Ward(s) affected:

Earlsdon

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 Bistro, War Memorial Park, Kenilworth Road, Coventry, CV3 6BT.

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
 - 1a) Sale/supply of alcohol hours reduced
 - 1b) Updated operating schedule
2. DPS Consent Form
3. Plan of Premises
4. Representations
5. Letters of Support
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 Bistro was received on 5 April 2022. The application is requesting the sale/supply of alcohol (on sales only); Monday to Sunday 11.00hrs - 23.00hrs, and the provision of live and recorded music Monday to Sunday 11.00hrs - 23.00hrs.
- 1.3 During the 28 day consultation period, the applicant agreed to amend the application to reduce the sale/supply of alcohol to 20:00hrs Monday to Sunday and to fully remove live and recorded music as a licensable activity, following discussion with Police and Environmental Protection. (Appendix 1a). An updated operating schedule was submitted by the applicant on 19 April 2022. (Appendix 1b).
- 1.4 One representation from a member of the public (other persons) representing Friends of War Memorial Park, has been received for the application (outlined in paragraph 3.3) (Appendix 4).
- 1.5 Two letters of support have been received for the application (outlined in paragraph 3.4) (Appendix 5).
- 1.6 The operating schedule detailed in the application has now been superseded following discussion with Police and Environmental Protection. The applicant agreed to submit a more robust operating schedule during the consultation period to fully satisfy the Responsible Authorities concerns about alcohol sales in the park. Therefore, in addition to the mandatory conditions, the Sub-Committee should refer to the updated operating schedule (Appendix 1b).
- 1.7 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.
- 1.8 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 reason for this recommendation is that the applicant has voluntarily updated and adjusted the application and operating schedule following discussion with Police and Environmental Protection.

The Responsible Authorities who responded to the Consultation have not offered up further conditions because they consider the application to be suitably conditioned by the applicant for the type of business model and operation intended at the premise and if problems do occur then the Review procedure is available to both Responsible Authorities and any other persons.

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	Yes	No	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 from a member of the public (other persons) representing Friends of War Memorial Park has been received (Appendix 4). The grounds for the representation is that the granting of a Premises Licence would undermine the licensing objective of Prevention of Crime and Disorder, Prevention of Public Nuisance and Protection of Children from Harm.
- 3.4 Letters of support for the application have been received from members of the public. (Appendix 5)
- 3.5 Mediation was attempted by the Licensing Officer on behalf of the applicant and the objector, but a common ground was not found.

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 Chief Operating Officer (Section 151 Officer) 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):

Name and job title:

Billy Rawlings, Licensing Officer

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Enquiries should be directed to the above person.

Contributor/approver name	Title	Service	Date doc sent out	Date response received or approved
Contributors:				
Usha Patel / Carolyn Sinclair	Governance Services Officer	Law and Governance	04/05/22	09/05/22
Debbie Cahalin-Heath	Strategic Manager of Regulation	Regulatory Services	04/05/22	09/05/22
Davina Blackburn	Strategic Lead of Regulation	Regulatory Services	04/05/22	09/05/22
Names of approvers for submission: (officers and members)				
Syeda Ahmed	Solicitor	Law and Governance	04/05/22	10/05/22
Cath Crosby	Lead Accountant	Finance	04/05/22	04/05/22
Barry Hastie	Director	Finance & Corporate Resources	10/05/22	13/05/22

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[Insert name and address of relevant licensing authority and its reference number (optional).]

**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 Coombe Abbey Park Limited

(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			
Bistro in the War Memorial Park, Kenilworth Road			
Post town	Coventry	Postcode	CV3 6BT

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£0

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual * please complete section (B)
- i. as a limited company please complete section (B)
- ii. as a partnership please complete section (B)
- iii. as an unincorporated association or please complete section (B)
- iv. other (for example a statutory corporation) 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:

Please tick yes

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		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal 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		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal 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 Coombe Abbey Park Limited
Address Coombe Abbey Hotel Brinklow Road, Binley, Coventry, CV3 2AB
Registered number (where applicable) 02700383
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any) 02476 450450
E-mail address (optional) ron.terry@coombeabbey.com

Part 3 Operating Schedule

When do you want the premises licence to start? ASAP

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

Café bistro in the War Memorial Park (formally known as Conroys)

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 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) **live music (if ticking yes, fill in box E)**
- f) **recorded music (if ticking yes, fill in box F)**
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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 n/a

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			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 5)		
Sat					
Sun					

B n/a

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur								
Fri						<u>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</u> (please read guidance note 5)		
Sat								
Sun								

C n/a

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			<u>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</u> (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

D n/a

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>		
Day				Start	Finish	Outdoors	<input type="checkbox"/>
						Both	<input type="checkbox"/>
Mon	11.00	23.00	Please give further details here (please read guidance note 3) Live music may be played occasionally				
Tue	11.00	23.00					
Wed	11.00	23.00	State any seasonal variations for the performance of live music (please read guidance note 4) n/a				
Thur	11.00	23.00					
Fri	11.00	23.00	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 (please read guidance note 5) n/a				
Sat	11.00	23.00					
Sun	11.00	23.00					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3) Recorded music may be played					
Mon	11.00	23.00						
	-----	-----						
Tue	11.00	23.00						
	-----	-----						
Wed	11.00	23.00				State any seasonal variations for the playing of recorded music (please read guidance note 4) n/a		
	-----	-----						
Thur	11.00	23.00						
	-----	-----						
Fri	11.00	23.00	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 5) n/a					
	-----	-----						
Sat	11.00	23.00						
	-----	-----						
Sun	11.00	23.00						
	-----	-----						

G n/a

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur								
Fri						<u>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</u> (please read guidance note 5)		
Sat								
Sun								

H n/a

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			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 2)	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 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<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 5)		
Sun					

I n/a

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur								
Fri						<u>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</u> (please read guidance note 5)		
Sat								
Sun								

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 7)	On the premises	x			
				Off the premises				
				Both				
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) n/a					
Mon	11.00	23.00						
Tue	11.00	23.00						
Wed	11.00	23.00						
Thur	11.00	23.00						
Fri	11.00	23.00						
Sat	11.00	23.00						
Sun	11.00	23.00						
						<u>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</u> (please read guidance note 5) n/a		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

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 8).
n/a

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) n/a
Day	Start	Finish	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 (please read guidance note 5) n/a
Mon	11.00	23.00	
Tue	11.00	23.00	
Wed	11.00	23.00	
Thur	11.00	23.00	
Fri	11.00	23.00	
Sat	11.00	23.00	
Sun	11.00	23.00	

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 9)

The premises is owned by Coventry City Council and Coombe Abbey Park Limited. As such best practice from these organisations will be embedded.

b) The prevention of crime and disorder

Training will be given to staff to cover things like how to deal with difficult situations, when not to serve customers, zero tolerance toward unacceptable behaviour and ensuring a quiet and orderly departure of guests. Furthermore, a CCTV system will be in operation which will be monitored remotely by Coventry City Council.

c) Public safety

The following measures will be put in place:

- Risk Assessments completed to ensure a safe environment for customers and colleagues alike
- Regular testing of the Fire Alarm and measures in place to maintain a fully functioning system
- Training programmes for all colleagues to be aware of their responsibilities in the event of fire / emergency
- Independent audits on both Health & Safety and Food Hygiene
- CCTV will be in operation and monitored by Coventry City Council.

d) The prevention of public nuisance

Appropriate authorities will be notified of any unacceptable behaviour and CCTV will be in operation.

e) The protection of children from harm

As a venue owned by Coventry City Council, staff will be provided with appropriate training to create a safe environment for all. Furthermore, CCTV will be in operation monitored by Coventry City Council.

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.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	04.04.2022
Capacity	Applicant’s solicitor

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Band Hatton Button LLP, Earlsdon Park, 53-55 Butts Road

Post town	Coventry	Postcode	CV1 3BH
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Telephone number (if any)	02476 493112
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional) RKD@bandhattonbutton.com

Notes for Guidance

1. 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

From: [Rawlings, Billy](#)
Sent: 04 May 2022 09:24
To: [Rawlings, Billy](#)
Subject: FW: Memorial Park applications

From: Raman Dhillon <RKD@bandhattonbutton.com>
Sent: 13 April 2022 12:44
To: Chaplin, Neil <Neil.Chaplin@coventry.gov.uk>
Subject: RE: Memorial Park applications

Hi Neil

Following a meeting with the council this morning, it has been agreed that the opening hours will be reduced to 8pm.

In view of this, please remove live and recorded music from the application.

The music will in any event be basically background noise in the café and diner premises to create ambience and will not be audible beyond the premises boundary and certainly not audible in nearby residential premises. The music will be kept at low volumes as you would expect in cafes and diners where it is not commonplace or appropriate for music to be played loudly.

Kind regards

Raman Dhillon

Associate - Litigation

Direct Tel: [024 7649 3112](tel:02476493112)

Main Tel: [024 7663 2121](tel:02476632121) **Ext:** [128](tel:128)

Email: RKD@bandhattonbutton.com

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

Bistro

a) General – All four Licensing Objectives

The premises is owned by Coventry City Council and Coombe Abbey Park Limited. As such best practice from these organisations will be embedded.

The DPS and Premises license holder fully understand their roles and responsibilities concerning the four licensing objectives and will take full responsibility for ensuring staff are appropriately trained and measures and conditions implemented.

A record of staff training will be maintained and can be made available to Responsible Authorities upon request.

CCTV will be in operation which will be monitored remotely by Coventry City Council. Footage will be stored for 28 days and can be made available to the police within 48 hours upon request.

Signage will be displayed advertising that CCTV is in operation.

Please see below.

b) The prevention of crime and disorder

Annual training will be given to staff to cover things like how to deal with difficult situations, the Challenge 25 policy, when not to serve customers, zero tolerance toward unacceptable behaviour and ensuring a quiet and orderly departure of guests.

CCTV will be in operation which will be monitored remotely by Coventry City Council. Footage will be stored for 28 days and can be made available to the police within 48 hours upon request. Signage will be displayed advertising that CCTV is in operation.

No glass will be used to serve beverages.

A barrier will be placed around the outdoor seating area of the premises preventing people other than customers from sitting there.

Any events at the War Memorial Park will be the subject of a separate risk assessment to determine the risk posed and the level of SIA presence required. When employed, a register of SIA door staff shall be maintained at the premises and shall include the identity of each member of door staff, their SIA registration number and the dates and times the door staff are on duty.

All customers who look under the age of 25 shall be challenged when purchasing alcohol to prove their identity with only valid forms of identification accepted.

A refusals log will be kept and maintained at the premises and will be made available to Responsible Authorities on request. A customer dispersal policy will be in place for customers leaving the premises. People who appear to be drunk or under the influence of drugs will be asked to leave the premises.

c) Public safety

Risk Assessments will be completed to ensure a safe environment for customers and colleagues alike. There will be regular testing of the Fire Alarm and measures in place to maintain a fully functioning system. Training programmes will be provided to all staff to be aware of their responsibilities in the event of fire / emergency. Independent audits on both Health & Safety and Food Hygiene will be carried out.

CCTV will be in operation and monitored by Coventry City Council. Footage will be stored for 28 days and can be made available to the police within 48 hours upon request. Signage will be displayed advertising that CCTV is in operation.

No glass will be used to serve beverages.

Any events at the War Memorial Park will be the subject of a separate risk assessment to determine the risk posed and the level of SIA presence required. When employed, a register of SIA door staff shall be maintained at the premises and shall include the identity of each member of door staff, their SIA registration number and the dates and times the door staff are on duty.

All customers who look under the age of 25 shall be challenged when purchasing alcohol to prove their identity with only valid forms of identification accepted.

A refusals log will be kept and maintained at the premises and will be made available to Responsible Authorities on request. A customer dispersal policy will be in place for customers leaving the premises. First Aid training will be given to staff. An incident and accident book will be maintained and will be available for inspection by Responsible Authorities upon request. People who appear to be drunk or under the influence of drugs will be asked to leave the premises.

d) The prevention of public nuisance

CCTV will be in operation and monitored by Coventry City Council. Footage will be stored for 28 days and can be made available to the police within 48 hours upon request. Signage will be displayed advertising that CCTV is in operation.

No glass will be used to serve beverages.

A barrier will be placed around the outdoor seating area of the premises preventing people other than customers from sitting there.

Recorded and any occasional live music will only be played as background music and at low volume during the café's daytime opening hours.

Any events at the War Memorial Park will be the subject of a separate risk assessment to determine the risk posed and the level of SIA presence required. When employed, a register of SIA door staff shall be maintained at the premises and shall include the identity of each member of door staff, their SIA registration number and the dates and times the door staff are on duty.

All customers who look under the age of 25 shall be challenged when purchasing alcohol to prove their identity with only valid forms of identification accepted. A refusals log will be kept and maintained at the premises and will be made available to Responsible Authorities on request. A customer dispersal policy will be in place for customers leaving the premises. People who appear to be drunk or under the influence of drugs will be asked to leave the premises.

e) The protection of children from harm

All customers who look under the age of 25 shall be challenged when purchasing alcohol to prove their identity with only valid forms of identification accepted. Annual training will be provided to staff on the Challenge 25 policy.

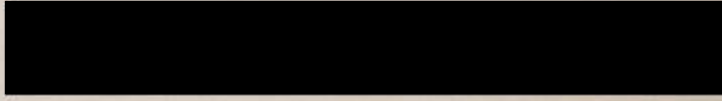
As a venue owned by Coventry City Council, staff will be provided with appropriate training to create a safe environment for all including training to raise awareness of adults trying to purchase alcohol on behalf of children/young people and to remain vigilant.

CCTV will be in operation monitored by Coventry City Council. Footage will be stored for 28 days and can be made available to the police within 48 hours upon request. Signage will be displayed advertising that CCTV is in operation.

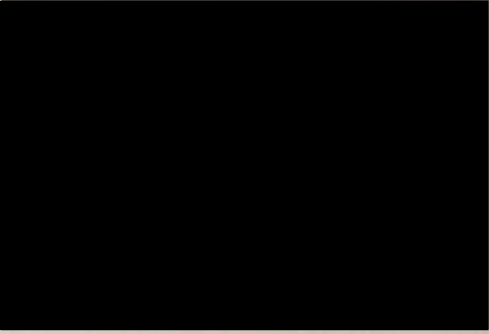
People who appear to be drunk or under the influence of drugs will be asked to leave the premises.

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Consent of individual to being specified as premises supervisor

I 

[full name of prospective premises supervisor]

of


[home address of prospective premises supervisor]

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

A premises license for the supply of alcohol

[type of application]

by

Coombe Abbey Park Limited

[name of applicant]

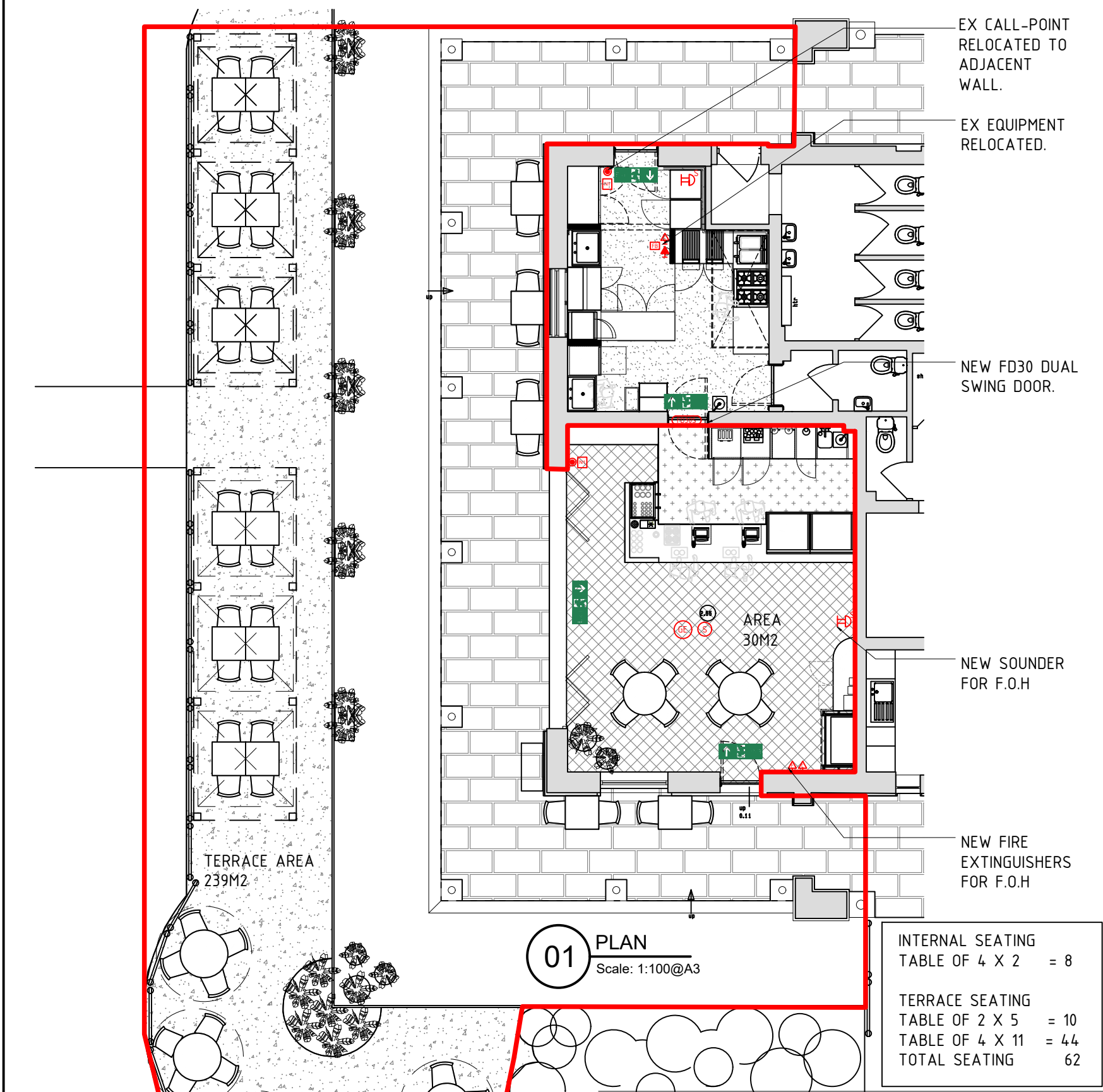
relating to a premises licence

[number of existing licence, if any]

for

Retail units in War Memorial Park, Kenilworth Road, Coventry, CV3 6PT

[name and address of premises to which the application relates]



EX CALL-POINT RELOCATED TO ADJACENT WALL.

EX EQUIPMENT RELOCATED.

NEW FD30 DUAL SWING DOOR.

NEW SOUNDER FOR F.O.H

NEW FIRE EXTINGUISHERS FOR F.O.H

01 PLAN
Scale: 1:100@A3

INTERNAL SEATING
TABLE OF 4 X 2 = 8

TERRACE SEATING
TABLE OF 2 X 5 = 10
TABLE OF 4 X 11 = 44
TOTAL SEATING 62

GENERAL NOTES:

1. ALL DIMENSIONS IN MM. ALL MEASUREMENTS MUST BE CHECKED ON SITE PRIOR TO COMMENCING WORKS AND ANY DISCREPANCIES BROUGHT TO THE ATTENTION OF THE DESIGNER. DO NOT SCALE OFF THE DRAWING.
© COPYRIGHT HETERARCHY LTD T/A FABER DESIGN & ARCHITECTURE

MEANS OF ESCAPE

FIRE DOORS TO BE HALF HOUR FIRE RESISTING, SELF CLOSING AND INDICATED BY SIGNS STATING 'FIRE DOOR KEEP CLOSED'. DOORS TO SATISFY BS476 PART 22: 1987 AND BE FD30/30 STANDARD. DOORS PROTECTING MEANS OF ESCAPE SHOULD BE FITTED WITH INTUMESCENT STRIPS AND COLD SMOKE SEALS.

STRUCTURES IN RED ARE JUDGED TO BE A REASONABLE FIRE RESISTING STANDARD FOR PURPOSES OF MEANS OF ESCAPE OR FIRE COMPARTMENTATION.

INNER WALL SURFACES IN ALL AREAS SHOULD BE CLASS 1 SURFACE SPREAD OF FLAME PROPAGATION BS 476-6,7

FIRE ALARM
BUILDING TO BE FITTED WITH FIRE ALARM SYSTEM CONFORMING TO PART L5 OF BS 5839-1:2002 FIRE DETECTION AND FIRE ALARM SYSTEMS FOR BUILDINGS.

MANUAL CALL POINTS (BREAK GLASS SENSORS) TO BE TESTED BI-WEEKLY.

FIRE FIGHTING EQUIPMENT
ALL FIRE FIGHTING EQUIPMENT TO BE SET SO THAT THE CARRY HANDLES ARE LOCATED 1.5M ABOVE FLOOR LEVEL.

ALL EQUIPMENT TO BE SUBJECT TO ANNUAL TESTING BY A COMPETENT PERSON.

EMERGENCY LIGHTING
PREMISES TO BE COVERED WITH EMERGENCY LIGHTING TO STANDARD SET OUT IN BS 5266: PART 1:2002 THE CODE OF PRACTICE FOR THE EMERGENCY LIGHTING OF PREMISES OTHER THAN CINEMAS.

NOTE:

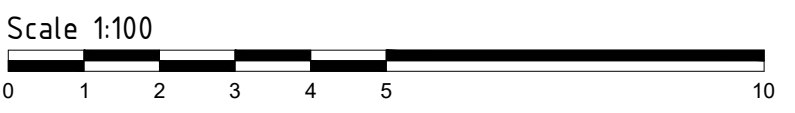
ALL NEW EMERGENCY EQUIPMENT TO BE LINKED TO EXISTING FIRE ALARM SYSTEM, SITE DEPENDENT.

FIRE SAFETY KEY

	AREA TO BE COVERED BY A HEAT DETECTOR
	AREA TO BE COVERED BY SMOKE DETECTOR
	30 MINUTE INTEGRITY/30 MINUTE INSULATION FIRE DOOR WITH SMOKE SEALS AND FITTED WITH A SELF CLOSING DEVICE
	EMERGENCY LIGHTING ILLUMINATED EXIT BOX
	EMERGENCY LIGHTING ILLUMINATED DIRECTIONAL EXIT BOX
	DISABLED REFUGE POINT
	GENERAL EMERGENCY LIGHTING - (TO BE RECESSED LED)
	FIRE NOTICE GENERAL NOTICE
	FIRE NOTICE FIRE EXIT KEEP CLEAR NOTICE
	LICENSED AREAS
	9ltr WATER EXTINGUISHER (CLASS A FIRES)
	FOAM EXTINGUISHER (CLASS A & B FIRES)
	POWDER EXTINGUISHER (CLASS A, B & C FIRES)
	2kg CO2 EXTINGUISHER (CLASS B & ELECTRICAL)
	WET CHEMICAL EXTINGUISHER (CLASS A & F FIRES)
	WATER MIST EXTINGUISHER (CLASS A, B, C, F & ELECTRICAL FIRES)
	FIRE BLANKET
	MANUAL CALL POINT
	FIRE ALARM SOUNDER

FIRE CLASSES

A	FIRES INVOLVING SOLID MATERIALS SUCH AS WOOD, PAPER OR TEXTILES
B	FIRES INVOLVING FLAMMABLE LIQUIDS SUCH AS PETROL, DIESEL OR OILS
C	FIRES INVOLVING GASES
D	FIRES INVOLVING FLAMMABLE METALS
F	FIRES INVOLVING COOKING OILS
	FIRES INVOLVING ELECTRICAL EQUIPMENT



Drawing Status: **FOR APPROVAL**

Client / Project: **THE BISTRO - WAR MEMORIAL PARK COVENTRY**

Title: **PROPOSED LICENSING PLAN**

Rev	Description	Date
A2	KITCHEN ADDED TO DWG.	01.03.22
A1	FOR APPROVAL	03.02.22

MD	-	1:100 @ A3	1395	128	A2
DRAWN	CHECKED	SCALE	PROJECT	DRAWING NUMBER	REV

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OBJECTION TO THE APPLICATION FOR AN ALCOHOL LICENCE AT 'BISTRO', WAR MEMORIAL PARK, KENILWORTH ROAD, COVENTRY BY COOMBE ABBEY PARK LIMITED

The Friends of the War Memorial Park (The Friends), a community organisation recognised as a charity by HMRC, objects to the application by Coombe Abbey Park Limited for an alcohol licence at two premises within the War Memorial Park

- at the proposed Sundae Club Dessert Diner, adjacent to the Park Visitor Centre
- at the proposed Bistro, adjacent to the Park Tennis Pavilion.

This objection relates to the latter.

The War Memorial Park is Coventry's largest public park, and which celebrated its centenary in 2021. The Park is a large 122 acre greenspace with formal gardens, sports pitches, childrens play areas and informal open space. Up to 2019 it attracted an estimated 400,000 visits a year. In the recent pandemic years estimated visits have increased to some 900,000 a year, as the Coventry public has recognised the value and amenity of such a quality greenspace within the city.

The Park was created, partly by public subscription, as a lasting war memorial to honour the 2,600 Coventry men killed in the First World War. It opened in July 1921. The war memorial itself was dedicated in October 1927. Some 678 trees have been planted in the Park in memory of Coventry men and women killed in armed conflict in the past century. The Park is one of only a few parks in England dedicated as a memorial to those fallen in battle. Given this importance the Park has been designated by English Heritage as Grade II and the War Memorial as Grade II*. In recognition of its national significance in 2015 it was one of the first public parks to be dedicated, in perpetuity, as a Field in Trust.

In recognition of its history as a war memorial, and the importance of the Park to all sections of society in Coventry, and to prevent anti-social behaviour the City Council for some years has had in place a Public Space Protection Order so as to ban drinking in public. The Friends support this restriction for the public good. Derogations from this status are given to major events, such as the Godiva Festival. However, for the majority of time the Park is managed with the needs of its wide variety of users of all ages in mind, and thus designated as being alcohol-free.

As noted above, the Friends are committed to the development and management of the Park. In this context we have welcomed the initiative of the Council in seeking new investment in the two cafes in the Park . We have met with the developers/franchisees Coombe Abbey Park Limited and been impressed with the scale of their ambition. In our view, investments in the two cafes will make a significant difference to the quality of the food available within the Park. However, we do take exception to the current application for an alcohol licences for the 'Bistro' cafe (with proposals for indoor and outdoor

seating) because, in relation to the City Council's four licensing objectives we object on three grounds to this application :

Prevention of crime and disorder: we fear that crime, disorder or anti-social behavior may result from alcohol being available from 11.00-20.00 hrs every day of the week at the premises, and in their surrounds, near the Tennis Pavilion. While the licence holder may not generally be held responsible for the conduct of individuals once they leave the premises, and the applicant says he will 'ensure the quiet and orderly departure of guests', it has to be recognised that these premises are situated in the middle of a major public park, used by all sections of the community throughout the day and evening. How can the location be deemed appropriate when persons are able to leave the premises under the influence of alcohol in the immediate presence of people of all ages, including young people and children? How can anti-social behaviour be avoided? The applicants proposed 'customer dispersal policy' will only decant their problems into the Park!

Protection of children from harm: Permitting drinking alcohol outside in a public park in full view of children should not be permitted. It is banned throughout the Park via a PSPO. This licence should not be an excuse for varying this Order. The premises are particularly inappropriate in that at the Tennis Pavilion the Bistro's open seating cafe area is located immediately outside a childrens play area. Protection of children by CCTV, as the applicant proposes, is nugatory.

Prevention of public nuisance: The City Council's own park by-law, prohibiting the use of alcohol while in the Park will be compromised through the proposed use of outdoor seating. Though not stated in the application, from plans we have seen it is intended that there be more outdoor seating than indoor, as the premises have modest indoor floorspace. In our view it will prove impossible for Park staff to 'police' the by-law's prohibition throughout the Park while customers at the outdoor area the premises are able to consume alcohol in public view. Council park staff will be placed in an impossible position in relation to controlling who can and cannot drink alcohol.

The applicants seek to open the Bistro until 8.00pm. However, the public conveniences in the Park are closed by the Council at 4.30pm daily, even in summer. The Bistro has no toilets of its own, relying on those provided to the public nearby. In these circumstances how will the applicants prevent the occurrence of public nuisance through urination and defecation within the Park in the evenings? How will the applicants ensure that alcoholic beverages are not taken into the public toilets, and who, from the applicants, will be monitoring the public toilets for anti-social behavior during licensing hours? Additionally, the applicants in the first line of their application refer to an amendment, at consultation stage, to remove the reference to live and recorded music from their application. However they continue to refer to the provision of live and recorded music in their application (Section c, Public Safety). Are they trying to secure the playing of music by stealth?

Taken together, we feel that these three grounds of objection should be the reason for the Licensing Committee to determine that serving alcohol in the

'Bistro' cafe within War Memorial Park is incompatible with the status of the Park as the city's war memorial and its grade II listed status.

We ask that the licence application be rejected.

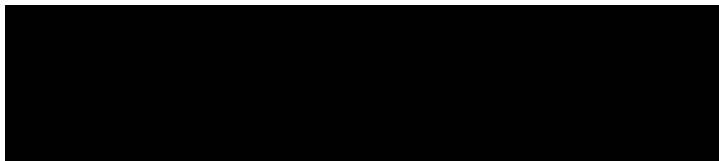
[REDACTED]

Chair,
Friends of The War Memorial Park

[REDACTED]

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From:
Sent:
To:
Subject:



From: [Redacted]
Sent: 16 April 2022 08:45
To: Licensing <licensing@coventry.gov.uk>
Cc: Sandhu, Kindy (Cllr) <kindy.sandhu@coventry.gov.uk>; Tucker, Antony (Cllr) <Antony.Tucker@coventry.gov.uk>; Gittins, Becky (Cllr) <becky.gittins@coventry.gov.uk>
Subject: Re: SUPPORT Alcohol and music licence - Memorial Park

Dear Councillor,
As a Styvechale resident who lives 2 minutes walk away from memorial park, I fully support the application to sell alcohol and play music until 2200. The city requires a selection of venues that caters to a diverse community - only then will it truly become a 'cultured' city. Cities such as Liverpool, Manchester, Brighton etc would embrace such a request. From speaking to local tenants, the vast majority support this licensing request and I hope the council will approve the application.



Leamington Road, Styvechale.

All e-mails are monitored by Coventry City Council's ICT Security, using Mimecast in accordance with the Regulations of Investigatory Powers Act 2000.

From: [Licensing](#)
Sent: 19 April 2022 09:47
To: [Rawlings, Billy](#)
Subject: FW: License at cafe in memorial park

From: [REDACTED]
Sent: 15 April 2022 12:07
To: Licensing <licensing@coventry.gov.uk>
Subject: License at cafe in memorial park

Hi

I am writing to offer support to owners to have license to sell alcohol and play live music. I think it's a shame some people could ruin it for many who would like to have this facility in place like other cities do.

For decisions such as these, polls should be run to attract a wider citizen voice and vote rather than the same demographic who ruin the fun for the rest.

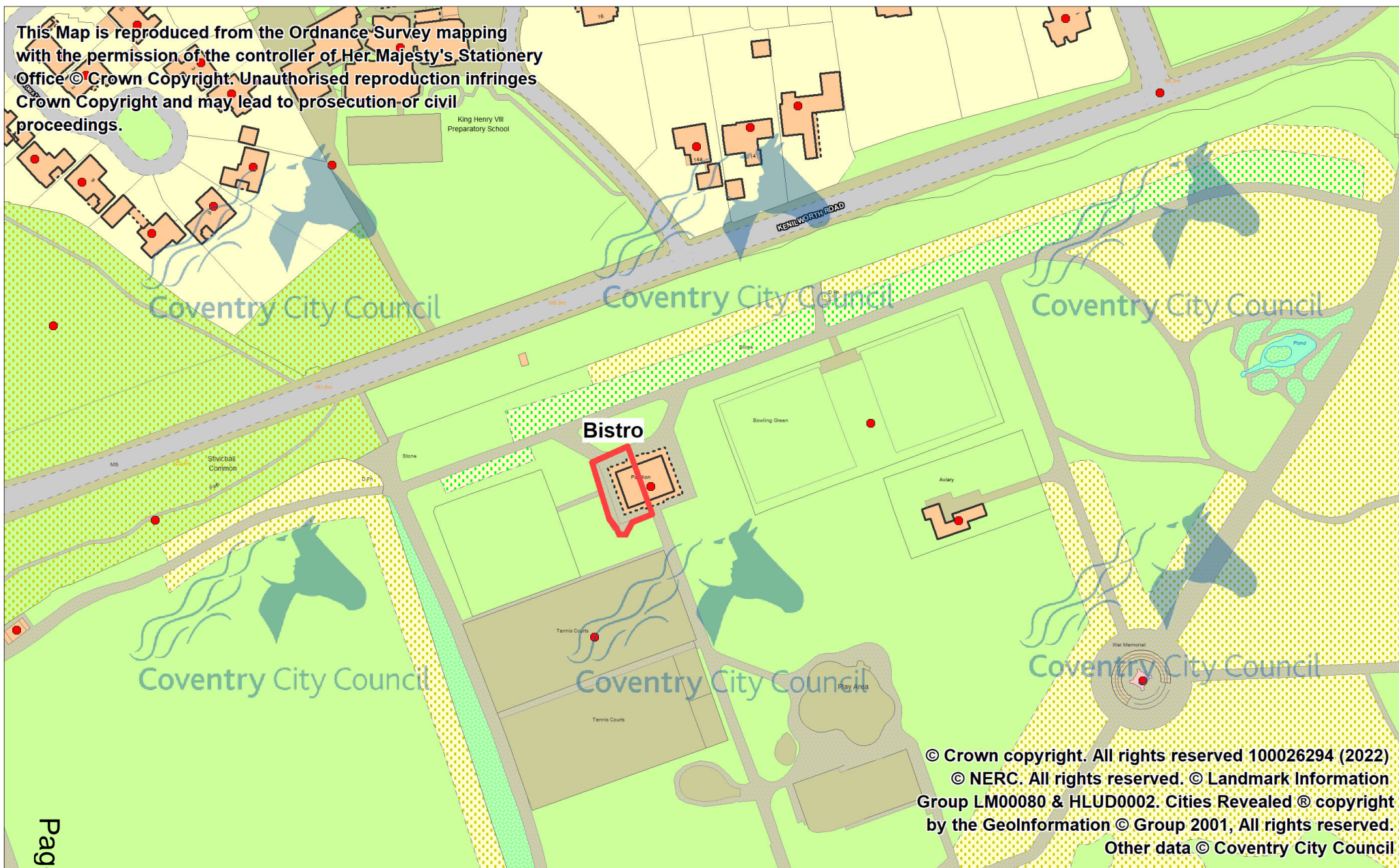
I confirm I don't have any affiliation with owner or place.

Thanks
[REDACTED]

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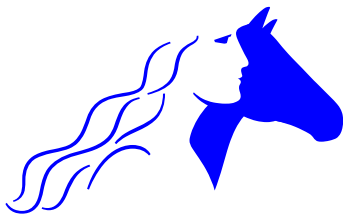


Environmental Protection
Coventry City Council
One Friargate
Coventry CV1 2GN



Page 4/3

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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.



Notice of Attendance

(Reg.8 Licensing Act 2003 (Hearings) Regulations 2005)

Date/Time of Hearing: Friday 27th May 2022. 10am. The Council House.

Applicant: Coombe Abbey Park Limited

Premises: Bistro

Please complete this form, * delete as appropriate and return along with any papers referred to in 6 below to the Licensing Team, Street Scene & Regulatory Services, PO Box 15, Council House, Coventry, CV1 5RR

Or E-mail: licensing@coventry.gov.uk

1. Please print your name: Ron Terry and Rob Andrews for the Applicant
2. I would like this matter to be decided with a hearing
3. I will be present at the hearing
4. I will not be represented at the hearing. Give the name and address of your representative:

My representative is Raman Dhillon of Band Hatton Button LLP, Earlsdon Park, 53 – 55 Butts Road, Coventry, CV1 3BH who will not be attending the hearing but who submits this form on my behalf.

5. I do want permission for a witness to address the hearing in support of my case. If so, please provide the following information:
 - a) the name and address of each witness
Ron Terry
 - b) the points to be raised by each witness
The points raised in my statement
6. I do want the hearing to consider further documents in addition to my application/representation. If so, list the documents and the points to which they relate in the space below:

My statement signed on 12 May 2022

Any documents not listed here may only be allowed with all the other parties' consent

Signed

Date...12 May 2022

Note: Representations can only be made in relation to the four licensing objectives as detailed in Coventry City Council's Statement of Licensing Policy attached.

Failure to return this form by the date indicated may result in you losing your right to take part in the hearing.

**REPRESENTATIONS IN SUPPORT OF COOMBE ABBEY PARK LIMITED'S APPLICATION FOR A
PREMISES LICENSE FOR THE BISTRO AND SUNDAE CLUB IN WAR MEMORIAL PARK, COVENTRY**

I, Ron Terry, an operations director for Coombe Abbey Park Limited ("Coombe") will say as follows:

1. I make these representations/statement in support of Coombe's application for a premises license for the Bistro and Sundae Club café and dessert diner that Coombe intends to shortly open in the War Memorial Park ("WMP") in Coventry.
2. Those who regularly visit the WMP will know of the need for decent venues there where people can purchase food and drink while visiting. It is intended that the Bistro will provide hot and cold meals like a café while the Sundae Club will supply desserts like crepes, waffles, milkshakes etc. in the settings of a 1950s inspired diner.
3. Supplementary to the sale of these meals and desserts (and I would like to stress that the main aspect of the business of the Bistro and Sundae Club will be the supply of food rather than beverages), it is intended to supply alcohol in addition to non-alcoholic cold and hot drinks. We would like to offer more choice to customers and make the venues more appealing to them. We also feel that this is likely to be a successful business venture.
4. The alcoholic drinks we intend to supply are very limited. It is intended to only supply bottled wines, prosecco and beer (decanted into disposable cups) and these drinks can only be purchased when purchasing other food items from the Bistro and Sundae Club. Premises licenses are required to do this nonetheless.
5. The Bistro and Sundae Club have limited opening hours. It is only intended to open the venues during daylight hours where the venues will close by 5pm in the winter months and 8pm in the summer months.
6. There seems to be some misunderstanding over the intention to supply alcohol. We will not be running premises like a bar or a pub. The nature of the business of the Bistro and Sundae Club is the supply of food where the supply of alcohol is supplemental to this much like any other restaurant style premises.
7. I believe the only objection to this application has been received from [REDACTED] I am pleased to note the representations in support of the application received from [REDACTED] and [REDACTED] [REDACTED] who are also local residents like [REDACTED]
8. [REDACTED] application has been made on behalf of the Friends of the WMP ("Friends") but he has not specified who else from the Friends specifically objects to the applications apart from himself. I refer to the email I enclose to this statement from [REDACTED] who is also a member of the Friends where she states:

"I, personally, didn't have an issue with the license application and hope your plans go well".

9. General feedback we have received from the public regarding our applications has been positive and many are in favour of and support our plans for the venues at the WMP. Our plans were discussed by BBC Coventry and Warwickshire on the Phil Upton CWR breakfast radio show on 26 April 2022 at just before and after 8am and before 9am where general members of the public were asked for their comments on our applications for premises licenses by their reporter Nishal Chauhan. Here are their comments:

"As long as its treated in the right way and people respect it I don't see any problem. It will be nice to have a beer in the evening and chill out!"

"As long as its not abused. I just think its nice for an early summer evening".

"I don't see why it will be much of a problem. As long as people understand to drink responsibly and make sure they don't do loads of littering and stuff like that I honestly don't think it's a problem!"

"I don't see it being a problem. If its in the evenings there is generally no kids around here at the park in the evenings and if they are responsible, you know at the end of the day, it is a family park and they need to take that into consideration".

"Everyone brings their own alcohol anyway. I would prefer not to bring alcohol to the park. Sometimes you only want a glass of wine or something. People drink here anyway and all through the festivals they drink it".

"Well on the one hand it sounds like a great idea. I could see it's a lovely park. Summer evenings, sitting out, glass of wine – what could be nicer than that with the trees around. Some kids playing around, sounds great. My concern really I suppose would be some of the older youngsters, maybe 18/19, whether they are just going to be responsible enough to be just a bit more cautious with it than you often see about".

"If people are bringing their own alcohol here at least if you buy it from the cafe its more controlled that way you don't have kids buying alcohol!"

"Yeh I think it will be a good idea so that people can come here in the evening over summer and have a drink".

"It shouldn't be a problem. I think it will make us feel more continental!"

Phil Upton – *"So pretty positive there reaction on the whole".*

10. We have already set out in our applications how the 4 licensing objectives will be satisfied but I will say as follows in respect of the comments made by [REDACTED] about the licensing objectives in his objection:

- a. Prevention of crime and disorder – as stated above, limited types of alcohol will be supplied during the limited opening hours of the venues only to people who are purchasing food from

the venues. This is not a bar or a venue where people can drink excessive levels of alcohol and then leave the venue to cause issues outside.

b. Protection of children from harm – just like alcohol is supplied in restaurants in front of children who attend them, it is intended that limited types of alcohol will be available to purchase at the Bistro and Sundae Club.

c. Prevention of public nuisance – I repeat what is stated at paragraph 10a above. I also note the objector [REDACTED] has suggested that he wants the opening hours to reflect those of the public toilet facilities in the WMP. We have actually reached an agreement with the council for us to close the public toilet facilities to coincide with the Bistro and Sundae Club's opening hours.

11. I believe this is an exciting venture for the WMP which has long needed suitable venues where people can purchase food and refreshments. I would be grateful if our applications for premises licenses for the Bistro and Sundae Club could please be granted.

Signed.

Ron Terry

Dated this 2nd day of May 2022

From: [Ron Terry](#)
To: [Raman Dhillon](#)
Subject: Fw: Friends WMP
Date: 29 April 2022 10:24:53

REDACTED [redacted]
[redacted]
[redacted]
[redacted]

[redacted]

[redacted]
[redacted]



[redacted]

From: [redacted]
Sent: 28 April 2022 17:08
To: Ron Terry <ron.terry@coombeabbey.com>
Subject: Re: Friends WMP

Thank you for your reply, Ron, which I have forwarded to the FWMP secretary and I will pass your message on to [redacted]. I, personally, didn't have an issue with the license application and hope your plans go well. The WMP is totally different to Coombe Park.

Best wishes,
[redacted]

Sent from my iPad

On 28 Apr 2022, at 15:33, Ron Terry <ron.terry@coombeabbey.com> wrote:



Licensing & Regulatory Sub-Committee

27 May 2022

Name of Cabinet Member:

Not applicable

Director Approving Submission of the report:

Chief Operating Officer (Section 151 Officer)

Ward(s) affected:

Earlsdon

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 The Sundae Club, War Memorial Park, Kenilworth Road, Coventry, CV3 6BT.

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
 - 1a) Sale/supply of alcohol hours reduced
 - 1b) Updated operating schedule
2. DPS Consent Form
3. Plan of Premises
4. Representations
5. Letters of Support
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 The Sundae Club was received on 5 April 2022. On the 6 April 2022, the applicant confirmed by e-mail that the Premises name should be corrected to Sundae Club (previously Sunday Club) The application is requesting the sale/supply of alcohol (on sales only); Monday to Sunday 11.00hrs - 23.00hrs, and the provision of live and recorded music Monday to Sunday 11.00hrs - 23.00hrs.
- 1.3 During the 28 day consultation period, the applicant agreed to amend the application to reduce the sale/supply of alcohol to 20:00hrs Monday to Sunday and to fully remove live and recorded music as a licensable activity, following discussion with Police and Environmental Protection. (Appendix 1a). An updated operating schedule was submitted by the applicant on 19 April 2022. (Appendix 1b).
- 1.4 One representation from a member of the public (other persons) representing Friends of War Memorial Park, has been received for the application (outlined in paragraph 3.3) (Appendix 4)
- 1.5 Two letters of support have been received for the application (outlined in paragraph 3.4) (Appendix 5).
- 1.6 The operating schedule detailed in the application has now been superseded following discussion with Police and Environmental Protection. The applicant agreed to submit a more robust operating schedule during the consultation period to fully satisfy the Responsible Authorities concerns about alcohol sales in the park. Therefore, in addition to the mandatory conditions, the Sub-Committee should refer to the updated operating schedule (Appendix 1b).
- 1.7 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.
- 1.8 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 reason for this recommendation is that the applicant has voluntarily updated and adjusted the application and operating schedule following discussion with Police and Environmental Protection.

The Responsible Authorities who responded to the Consultation have not offered up further conditions because they consider the application to be suitably conditioned by the applicant for the type of business model and operation intended at the premise and if problems do occur then the Review procedure is available to both Responsible Authorities and any other persons.

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	Yes	No	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 from a member of the public (other persons) representing Friends of War Memorial Park has been received (Appendix 4). The grounds for the representation is that the granting of a Premises Licence would undermine the licensing objective of Prevention of Crime and Disorder, Prevention of Public Nuisance and Protection of Children from Harm.

3.4 Letters of support for the application have been received from members of the public. (Appendix 5)

3.5 Mediation was attempted by the Licensing Officer on behalf of the applicant and the objector, but a common ground was not found.

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 Chief Operating Officer (Section 151 Officer) 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):

Name and job title:

Billy Rawlings, 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:				
Usha Patel / Carolyn Sinclair	Governance Services Officer	Law and Governance	04/05/22	09/05/2022
Debbie Cahalin-Heath	Strategic Manager of Regulation	Regulatory Services	04/05/22	09/05/2022
Davina Blackburn	Strategic Lead of Regulation	Regulatory Services	04/05/22	09/05/2022
Names of approvers for submission: (officers and members)				
Syeda Ahmed	Solicitor	Law and Governance	04/05/22	10/05/22
Cath Crosby	Lead Accountant	Finance	04/05/22	04/05/22
Barry Hastie	Director	Finance & Corporate Resources	10/05/22	13/05/22

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www.coventry.gov.uk/councilmeetings

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[Insert name and address of relevant licensing authority and its reference number (optional).]

**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 Coombe Abbey Park Limited

(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			
The Sunday Club in the War Memorial Park Visitor Centre, Kenilworth Road			
Post town	Coventry	Postcode	CV3 6BT

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£0

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i. as a limited company please complete section (B)
- ii. as a partnership please complete section (B)
- iii. as an unincorporated association or please complete section (B)
- iv. other (for example a statutory corporation) 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:

Please tick yes

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		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal 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		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal 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 Coombe Abbey Park Limited
Address Coombe Abbey Hotel Brinklow Road, Binley, Coventry, CV3 2AB
Registered number (where applicable) 02700383
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any) 02476 450450
E-mail address (optional) ron.terry@coombeabbey.com

Part 3 Operating Schedule

When do you want the premises licence to start? ASAP

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

Diner in the War Memorial Park called The Sunday Club (situated in the Visitor Centre and the terraced area at the rear of the Visitor Centre)

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 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) **live music (if ticking yes, fill in box E)**
- f) **recorded music (if ticking yes, fill in box F)**
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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 n/a

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

B n/a

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur								
Fri						<u>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</u> (please read guidance note 5)		
Sat								
Sun								

C n/a

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>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</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D n/a

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>		
Day				Start	Finish	Outdoors	<input type="checkbox"/>
						Both	<input type="checkbox"/>
Mon	11.00	23.00	<u>Please give further details here</u> (please read guidance note 3) Live music may be played occasionally				
Tue	11.00	23.00					
Wed	11.00	23.00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) n/a				
Thur	11.00	23.00					
Fri	11.00	23.00	<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 5) n/a				
Sat	11.00	23.00					
Sun	11.00	23.00					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3) Recorded music may be played					
Mon	11.00	23.00						
Tue	11.00	23.00						
Wed	11.00	23.00				State any seasonal variations for the playing of recorded music (please read guidance note 4) n/a		
Thur	11.00	23.00						
Fri	11.00	23.00				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 5) n/a		
Sat	11.00	23.00						
Sun	11.00	23.00						

G n/a

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur								
Fri						<u>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</u> (please read guidance note 5)		
Sat								
Sun								

H n/a

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			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 2)	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 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<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 5)		
Sun					

I n/a

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur								
Fri						<u>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</u> (please read guidance note 5)		
Sat								
Sun								

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	x			
				Off the premises				
				Both				
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) n/a					
Mon	11.00	23.00						
Tue	11.00	23.00						
Wed	11.00	23.00						
Thur	11.00	23.00						
Fri	11.00	23.00						
Sat	11.00	23.00						
Sun	11.00	23.00						
						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 5) n/a		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

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 8).
n/a

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4) n/a
Day	Start	Finish	<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 5) n/a
Mon	11.00	23.00	
Tue	11.00	23.00	
Wed	11.00	23.00	
Thur	11.00	23.00	
Fri	11.00	23.00	
Sat	11.00	23.00	
Sun	11.00	23.00	

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 9)

The premises is owned by Coventry City Council and Coombe Abbey Park Limited. As such best practice from these organisations will be embedded.

b) The prevention of crime and disorder

Training will be given to staff to cover things like how to deal with difficult situations, when not to serve customers, zero tolerance toward unacceptable behaviour and ensuring a quiet and orderly departure of guests. Furthermore, a CCTV system will be in operation which will be monitored remotely by Coventry City Council.

c) Public safety

The following measures will be put in place:

- Risk Assessments completed to ensure a safe environment for customers and colleagues alike
- Regular testing of the Fire Alarm and measures in place to maintain a fully functioning system
- Training programmes for all colleagues to be aware of their responsibilities in the event of fire / emergency
- Independent audits on both Health & Safety and Food Hygiene
- CCTV will be in operation and monitored by Coventry City Council.

d) The prevention of public nuisance

Appropriate authorities will be notified of any unacceptable behaviour and CCTV will be in operation.

e) The protection of children from harm

As a venue owned by Coventry City Council, staff will be provided with appropriate training to create a safe environment for all. Furthermore, CCTV will be in operation monitored by Coventry City Council.

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.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	04.04.2022
Capacity	Applicant’s solicitor

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Band Hatton Button LLP, Earlsdon Park, 53-55 Butts Road

Post town	Coventry	Postcode	CV1 3BH
-----------	-----------------	----------	----------------

Telephone number (if any)	02476 493112
---------------------------	--------------

If you would prefer us to correspond with you by e-mail, your e-mail address (optional) RKD@bandhattonbutton.com

Notes for Guidance

1. 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

From: [Rawlings, Billy](#)
Sent: 04 May 2022 09:24
To: [Rawlings, Billy](#)
Subject: FW: Memorial Park applications

From: Raman Dhillon <RKD@bandhattonbutton.com>
Sent: 13 April 2022 12:44
To: Chaplin, Neil <Neil.Chaplin@coventry.gov.uk>
Subject: RE: Memorial Park applications

Hi Neil

Following a meeting with the council this morning, it has been agreed that the opening hours will be reduced to 8pm.

In view of this, please remove live and recorded music from the application.

The music will in any event be basically background noise in the café and diner premises to create ambience and will not be audible beyond the premises boundary and certainly not audible in nearby residential premises. The music will be kept at low volumes as you would expect in cafes and diners where it is not commonplace or appropriate for music to be played loudly.

Kind regards

Raman Dhillon

Associate - Litigation

Direct Tel: [024 7649 3112](tel:02476493112)

Main Tel: [024 7663 2121](tel:02476632121) **Ext:** [128](tel:128)

Email: RKD@bandhattonbutton.com

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

The Sundae Club

a) General – All four Licensing Objectives

The premises is owned by Coventry City Council and Coombe Abbey Park Limited. As such best practice from these organisations will be embedded.

The DPS and Premises license holder fully understand their roles and responsibilities concerning the four licensing objectives and will take full responsibility for ensuring staff are appropriately trained and measures and conditions implemented.

A record of staff training will be maintained and can be made available to Responsible Authorities upon request.

CCTV will be in operation which will be monitored remotely by Coventry City Council. Footage will be stored for 28 days and can be made available to the police within 48 hours upon request.

Signage will be displayed advertising that CCTV is in operation.

Please see below.

b) The prevention of crime and disorder

Annual training will be given to staff to cover things like how to deal with difficult situations, the Challenge 25 policy, when not to serve customers, zero tolerance toward unacceptable behaviour and ensuring a quiet and orderly departure of guests.

CCTV will be in operation which will be monitored remotely by Coventry City Council. Footage will be stored for 28 days and can be made available to the police within 48 hours upon request. Signage will be displayed advertising that CCTV is in operation.

No glass will be used to serve beverages.

A barrier will be placed around the outdoor seating area of the premises preventing people other than customers from sitting there.

Any events at the War Memorial Park will be the subject of a separate risk assessment to determine the risk posed and the level of SIA presence required. When employed, a register of SIA door staff shall be maintained at the premises and shall include the identity of each member of door staff, their SIA registration number and the dates and times the door staff are on duty.

All customers who look under the age of 25 shall be challenged when purchasing alcohol to prove their identity with only valid forms of identification accepted.

A refusals log will be kept and maintained at the premises and will be made available to Responsible Authorities on request. A customer dispersal policy will be in place for customers leaving the premises. People who appear to be drunk or under the influence of drugs will be asked to leave the premises.

c) Public safety

Risk Assessments will be completed to ensure a safe environment for customers and colleagues alike. There will be regular testing of the Fire Alarm and measures in place to maintain a fully functioning system. Training programmes will be provided to all staff to be aware of their responsibilities in the event of fire / emergency. Independent audits on both Health & Safety and Food Hygiene will be carried out.

CCTV will be in operation and monitored by Coventry City Council. Footage will be stored for 28 days and can be made available to the police within 48 hours upon request. Signage will be displayed advertising that CCTV is in operation.

No glass will be used to serve beverages.

Any events at the War Memorial Park will be the subject of a separate risk assessment to determine the risk posed and the level of SIA presence required. When employed, a register of SIA door staff shall be maintained at the premises and shall include the identity of each member of door staff, their SIA registration number and the dates and times the door staff are on duty.

All customers who look under the age of 25 shall be challenged when purchasing alcohol to prove their identity with only valid forms of identification accepted.

A refusals log will be kept and maintained at the premises and will be made available to Responsible Authorities on request. A customer dispersal policy will be in place for customers leaving the premises. First Aid training will be given to staff. An incident and accident book will be maintained and will be available for inspection by Responsible Authorities upon request. People who appear to be drunk or under the influence of drugs will be asked to leave the premises.

d) The prevention of public nuisance

CCTV will be in operation and monitored by Coventry City Council. Footage will be stored for 28 days and can be made available to the police within 48 hours upon request. Signage will be displayed advertising that CCTV is in operation.

No glass will be used to serve beverages.

A barrier will be placed around the outdoor seating area of the premises preventing people other than customers from sitting there. Recorded and any occasional live music will only be played as background music and at low volume during the café's daytime opening hours.

Any events at the War Memorial Park will be the subject of a separate risk assessment to determine the risk posed and the level of SIA presence required. When employed, a register of SIA door staff shall be maintained at the premises and shall include the identity of each member of door staff, their SIA registration number and the dates and times the door staff are on duty.

All customers who look under the age of 25 shall be challenged when purchasing alcohol to prove their identity with only valid forms of identification accepted. A refusals log will be kept and maintained at the premises and will be made available to Responsible Authorities on request. A customer dispersal policy will be in place for customers leaving the premises. People who appear to be drunk or under the influence of drugs will be asked to leave the premises.

e) The protection of children from harm

All customers who look under the age of 25 shall be challenged when purchasing alcohol to prove their identity with only valid forms of identification accepted. Annual training will be provided to staff on the Challenge 25 policy.

As a venue owned by Coventry City Council, staff will be provided with appropriate training to create a safe environment for all including training to raise awareness of adults trying to purchase alcohol on behalf of children/young people and to remain vigilant.

CCTV will be in operation monitored by Coventry City Council. Footage will be stored for 28 days and can be made available to the police within 48 hours upon request. Signage will be displayed advertising that CCTV is in operation.

People who appear to be drunk or under the influence of drugs will be asked to leave the premises.

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Consent of individual to being specified as premises supervisor

[Redacted]

[full name of prospective premises supervisor]

of

[Redacted]

[home address of prospective premises supervisor]

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

A premises license for the supply of alcohol

[type of application]

by

Coombe Abbey Park Limited

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

Retail units in War Memorial Park, Kenilworth Road, Coventry, CV3 6PT

[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

Coombe Abbey Park Limited

[name of applicant]

concerning the supply of alcohol at

Retail units in War Memorial Park, Kenilworth Road, Coventry, CV3 6PT

[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 licence issuing authority

[REDACTED]

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

[REDACTED]

Name (please print)

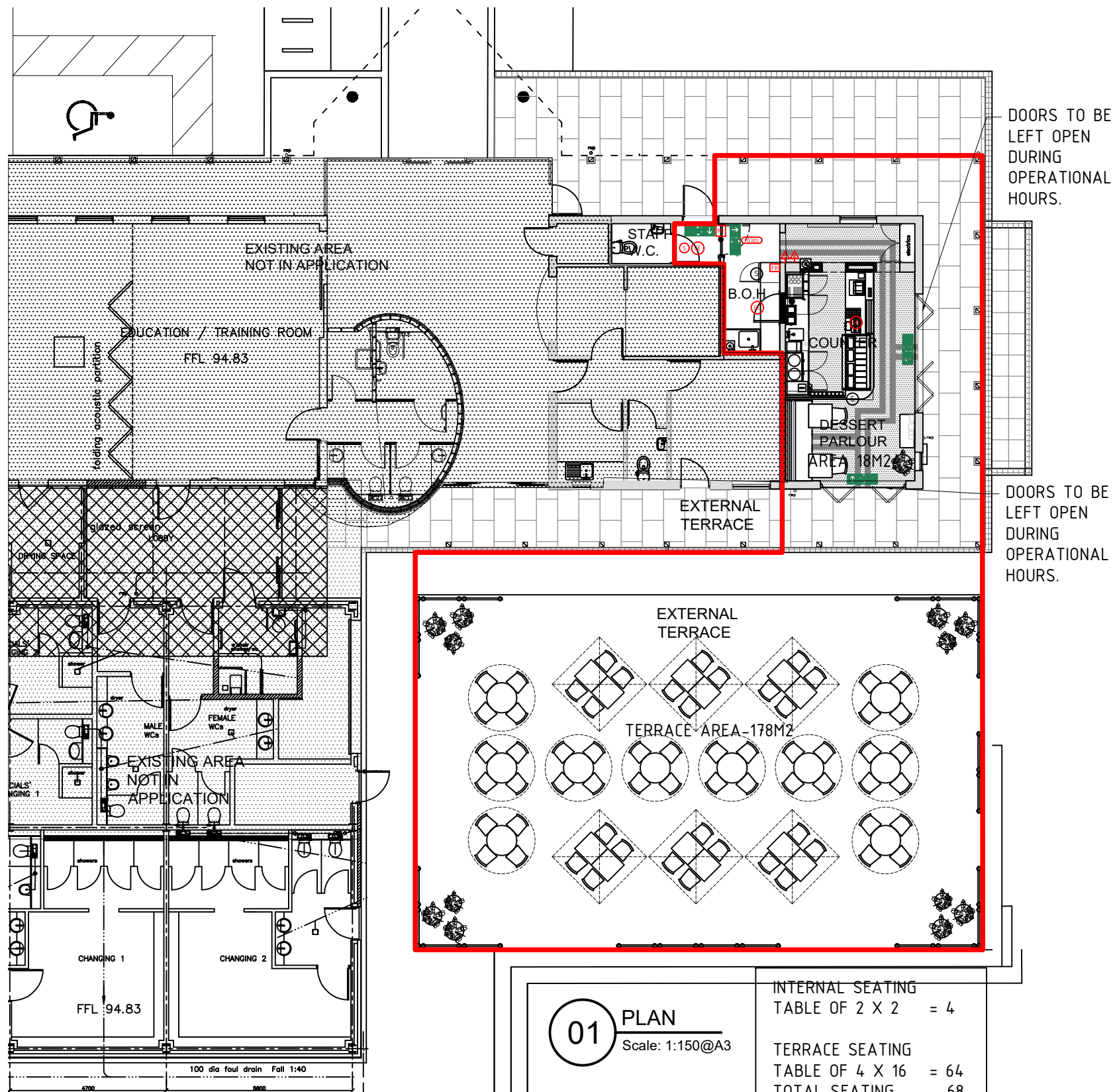
[REDACTED]

Date

22.03.22

GENERAL NOTES:

1. ALL DIMENSIONS IN MM. ALL MEASUREMENTS MUST BE CHECKED ON SITE PRIOR TO COMMENCING WORKS AND ANY DISCREPANCIES BROUGHT TO THE ATTENTION OF THE DESIGNER. DO NOT SCALE OFF THE DRAWING.
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MEANS OF ESCAPE

FIRE DOORS TO BE HALF HOUR FIRE RESISTING, SELF CLOSING AND INDICATED BY SIGNS STATING 'FIRE DOOR KEEP CLOSED'. DOORS TO SATISFY BS476 PART 22: 1987 AND BE FD30/30 STANDARD. DOORS PROTECTING MEANS OF ESCAPE SHOULD BE FITTED WITH INTUMESCENT STRIPS AND COLD SMOKE SEALS.

STRUCTURES IN RED ARE JUDGED TO BE A REASONABLE FIRE RESISTING STANDARD FOR PURPOSES OF MEANS OF ESCAPE OR FIRE COMPARTMENTATION.

INNER WALL SURFACES IN ALL AREAS SHOULD BE CLASS 1 SURFACE SPREAD OF FLAME PROPAGATION BS 476-6,7

FIRE ALARM BUILDING TO BE FITTED WITH FIRE ALARM SYSTEM CONFORMING TO PART L5 OF BS 5839-1:2002 FIRE DETECTION AND FIRE ALARM SYSTEMS FOR BUILDINGS.

MANUAL CALL POINTS (BREAK GLASS SENSORS) TO BE TESTED BI-WEEKLY.

FIRE FIGHTING EQUIPMENT ALL FIRE FIGHTING EQUIPMENT TO BE SET SO THAT THE CARRY HANDLES ARE LOCATED 1.5M ABOVE FLOOR LEVEL.

ALL EQUIPMENT TO BE SUBJECT TO ANNUAL TESTING BY A COMPETENT PERSON.

EMERGENCY LIGHTING PREMISES TO BE COVERED WITH EMERGENCY LIGHTING TO STANDARD SET OUT IN BS 5266: PART 1:2002 THE CODE OF PRACTICE FOR THE EMERGENCY LIGHTING OF PREMISES OTHER THAN CINEMAS.

NOTE:

ALL NEW EMERGENCY EQUIPMENT TO BE LINKED TO EXISTING FIRE ALARM SYSTEM, SITE DEPENDENT.

FIRE SAFETY KEY

	AREA TO BE COVERED BY A HEAT DETECTOR
	AREA TO BE COVERED BY SMOKE DETECTOR
	30 MINUTE INTEGRITY/30 MINUTE INSULATION FIRE DOOR WITH SMOKE SEALS AND FITTED WITH A SELF CLOSING DEVICE
	EMERGENCY LIGHTING ILLUMINATED EXIT BOX
	EMERGENCY LIGHTING ILLUMINATED DIRECTIONAL EXIT BOX
	DISABLED REFUGE POINT
	GENERAL EMERGENCY LIGHTING - (TO BE RECESSED LED)
	FIRE NOTICE GENERAL NOTICE
	FIRE NOTICE FIRE EXIT KEEP CLEAR NOTICE
	LICENSED AREAS
	9ltr WATER EXTINGUISHER (CLASS A FIRES)
	FOAM EXTINGUISHER (CLASS A & B FIRES)
	POWDER EXTINGUISHER (CLASS A, B & C FIRES)
	2kg CO2 EXTINGUISHER (CLASS B & ELECTRICAL)
	WET CHEMICAL EXTINGUISHER (CLASS A & F FIRES)
	WATER MIST EXTINGUISHER (CLASS A, B, C, F & ELECTRICAL FIRES)
	FIRE BLANKET
	MANUAL CALL POINT
	FIRE ALARM SOUNDER

FIRE CLASSES

A	FIRES INVOLVING SOLID MATERIALS SUCH AS WOOD, PAPER OR TEXTILES
B	FIRES INVOLVING FLAMMABLE LIQUIDS SUCH AS PETROL, DIESEL OR OILS
C	FIRES INVOLVING GASES
D	FIRES INVOLVING FLAMMABLE METALS
F	FIRES INVOLVING COOKING OILS
	FIRES INVOLVING ELECTRICAL EQUIPMENT



01 PLAN
Scale: 1:150@A3

INTERNAL SEATING
TABLE OF 2 X 2 = 4

TERRACE SEATING
TABLE OF 4 X 16 = 64
TOTAL SEATING 68

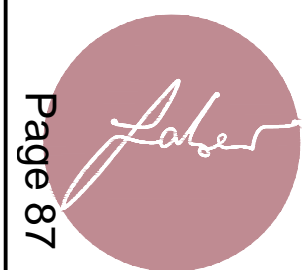
Drawing Status: **FOR APPROVAL**

Rev	Description	Date
A3	EXTERNAL TERRACED ADDED.	21.03.22
A2	UPDATE - EX SMOKE DETECTORS ADDED.	01.03.22
A1	FOR APPROVAL	03.02.22

Client / Project: **THE SUNDAE CLUB - WAR MEMORIAL PARK COVENTRY**

Title: **PROPOSED LICENSING PLAN**

MD	-	1:150 @ A3	1395	108	A3
DRAWN	CHECKED	SCALE	PROJECT	DRAWING NUMBER	REV



Faber Design & Architecture
215 Zellig, The Custard Factory
Gibb Street, Birmingham, B9 4AA
Email: info@faber.design
www.faber.design

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OBJECTION TO THE APPLICATION FOR AN ALCOHOL LICENCE AT 'SUNDAE CLUB', WAR MEMORIAL PARK, KENILWORTH ROAD, COVENTRY BY COOMBE ABBEY PARK LIMITED

The Friends of the War Memorial Park (The Friends), a community organisation recognised as a charity by HMRC, objects to the application by Coombe Abbey Park Limited for an alcohol licence at two premises within the War Memorial Park

- at the proposed Sundae Club Dessert Diner, adjacent to the Park Visitor Centre
- at the proposed Bistro, adjacent to the Park Tennis Pavilion.

This objection refers to the former.

The War Memorial Park is Coventry's largest public park, and which celebrated its centenary in 2021. The Park is a large 122 acre greenspace with formal gardens, sports pitches, childrens play areas and informal open space. Up to 2019 it attracted an estimated 400,000 visits a year. In the recent pandemic years estimated visits have increased to some 900,000 a year, as the Coventry public has recognised the value and amenity of such a quality greenspace within the city.

The Park was created, partly by public subscription, as a lasting war memorial to honour the 2,600 Coventry men killed in the First World War. It opened in July 1921. The war memorial itself was dedicated in October 1927. Some 678 trees have been planted in the Park in memory of Coventry men and women killed in armed conflict in the past century. The Park is one of only a few parks in England dedicated as a memorial to those fallen in battle. Given this importance the Park has been designated by English Heritage as Grade II and the War Memorial as Grade II*. In recognition of its national significance in 2015 it was one of the first parks to be dedicated, in perpetuity, as a Field in Trust.

In recognition of its history as a war memorial, and the importance of the Park to all sections of society in Coventry, and to prevent anti-social behaviour the City Council has for some years designated and managed the Park as an alcohol-free zone. The Friends support this restriction for the public good. Derogations from this status are given to major events, such as the Godiva Festival. However, for the majority of time the Park is managed with the needs of its wide variety of users of all ages in mind, and thus designated as being alcohol-free.

As noted above, the Friends are committed to the development and management of the Park. In this context we have welcomed the initiative of the Council in seeking new investment in the two cafes in the Park . We have met with the developers/franchisees Coombe Abbey Park Limited and been impressed with the scale of their ambition. In our view, investments in the two cafes will make a significant difference to the quality of the food available within the Park. However, we do take exception to the current application for

an alcohol licence for the 'Sundae Club' cafe (with proposals for indoor and outdoor seating) because, in relation to the City Council's four licensing objectives we object on three grounds to this application:

Prevention of crime and disorder: we fear that crime, disorder or anti-social behavior may result from alcohol being available from 11.00-23.00 hrs every day of the week at the two premises, and in their surrounds near the Visitor Centre. While the licence holder may not generally be held responsible for the conduct of individuals once they leave the premises, and the applicant says he will 'ensure the quiet and orderly departure of guests', it has to be recognised that these premises are situated in the middle of a major public park, used by all sections of the community throughout the day and evening. Moreover, the Visitor Centre is currently a focus of anti-social behaviour in the evenings and during school holidays. How, then, can the location be deemed appropriate when persons are able to leave the premises under the influence of alcohol in the immediate presence of young people and children? How can further anti-social behaviour be avoided? The applicants proposed customer dispersal policy' will only decant their problems into the Park!

Protection of children from harm: Permitting drinking alcohol in a public park in full view of children should not be permitted. It is banned throughout the Park via PSPO. The premises are particularly inappropriate in that at the Visitor Centre access to the public toilets will have to be accessed through rear of the Sundae Club open cafe area. Protection of children by CCTV, as the applicant proposes, is nugatory.

Prevention of public nuisance: The City Council's own park by-law, prohibiting the use of alcohol while in the Park will be compromised through the proposed use of outdoor seating. Though not stated in the applications, from plans we have seen it is intended that there be more outdoor seating than indoor, as the premises have modest indoor floorspace. In our view it will prove impossible for Park staff to 'police' the by-law's prohibition throughout the Park while customers at the outdoor areas of both premises are able to consume alcohol in public view. Council park staff will be placed in an impossible position in relation to controlling who can and cannot drink alcohol. The applicants seek to open the Sundae Club until 8.00pm. However, the public conveniences in the Park are closed by the Council at 4.30pm daily, even in summer. The Sundae Club has no toilets of its own, relying on those provided to the public immediately adjacent. In these circumstances how will the applicants prevent the occurrence of public nuisance through urination and defecation within the Park in the evenings? How will the applicants ensure that alcoholic beverages are not taken into the public toilets, and who, from the applicants, will be monitoring the public toilets for anti-social behavior during licensing hours? Additionally, the applicants in the first line of their application refer to an amendment, at consultation stage, to remove the reference to live and recorded music from their application. However they continue to refer to the provision of live and recorded music in their application (Section c, Public Safety). Are they trying to secure the playing of music by stealth?

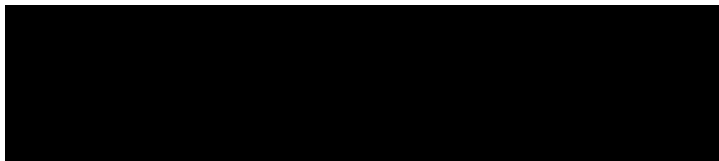
Taken together, we feel that these three grounds of objection should also be the reason for the Licensing Committee to determine that serving alcohol in the Sundae Club cafe within the War Memorial Park is incompatible with the status of the Park as the city's war memorial and its grade II listed status.

We ask that the licence applications be rejected.


Chair,
Friends of The War Memorial Park


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From:
Sent:
To:
Subject:



From: [Redacted]
Sent: 16 April 2022 08:45
To: Licensing <licensing@coventry.gov.uk>
Cc: Sandhu, Kindy (Cllr) <kindy.sandhu@coventry.gov.uk>; Tucker, Antony (Cllr) <Antony.Tucker@coventry.gov.uk>; Gittins, Becky (Cllr) <becky.gittins@coventry.gov.uk>
Subject: Re: SUPPORT Alcohol and music licence - Memorial Park

Dear Councillor,
As a Styvechale resident who lives 2 minutes walk away from memorial park, I fully support the application to sell alcohol and play music until 2200. The city requires a selection of venues that caters to a diverse community - only then will it truly become a 'cultured' city. Cities such as Liverpool, Manchester, Brighton etc would embrace such a request. From speaking to local tenants, the vast majority support this licensing request and I hope the council will approve the application.



Leamington Road, Styvechale.

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From: [Licensing](#)
Sent: 19 April 2022 09:47
To: [Rawlings, Billy](#)
Subject: FW: License at cafe in memorial park

From: [REDACTED]
Sent: 15 April 2022 12:07
To: Licensing <licensing@coventry.gov.uk>
Subject: License at cafe in memorial park

Hi

I am writing to offer support to owners to have license to sell alcohol and play live music. I think it's a shame some people could ruin it for many who would like to have this facility in place like other cities do.

For decisions such as these, polls should be run to attract a wider citizen voice and vote rather than the same demographic who ruin the fun for the rest.

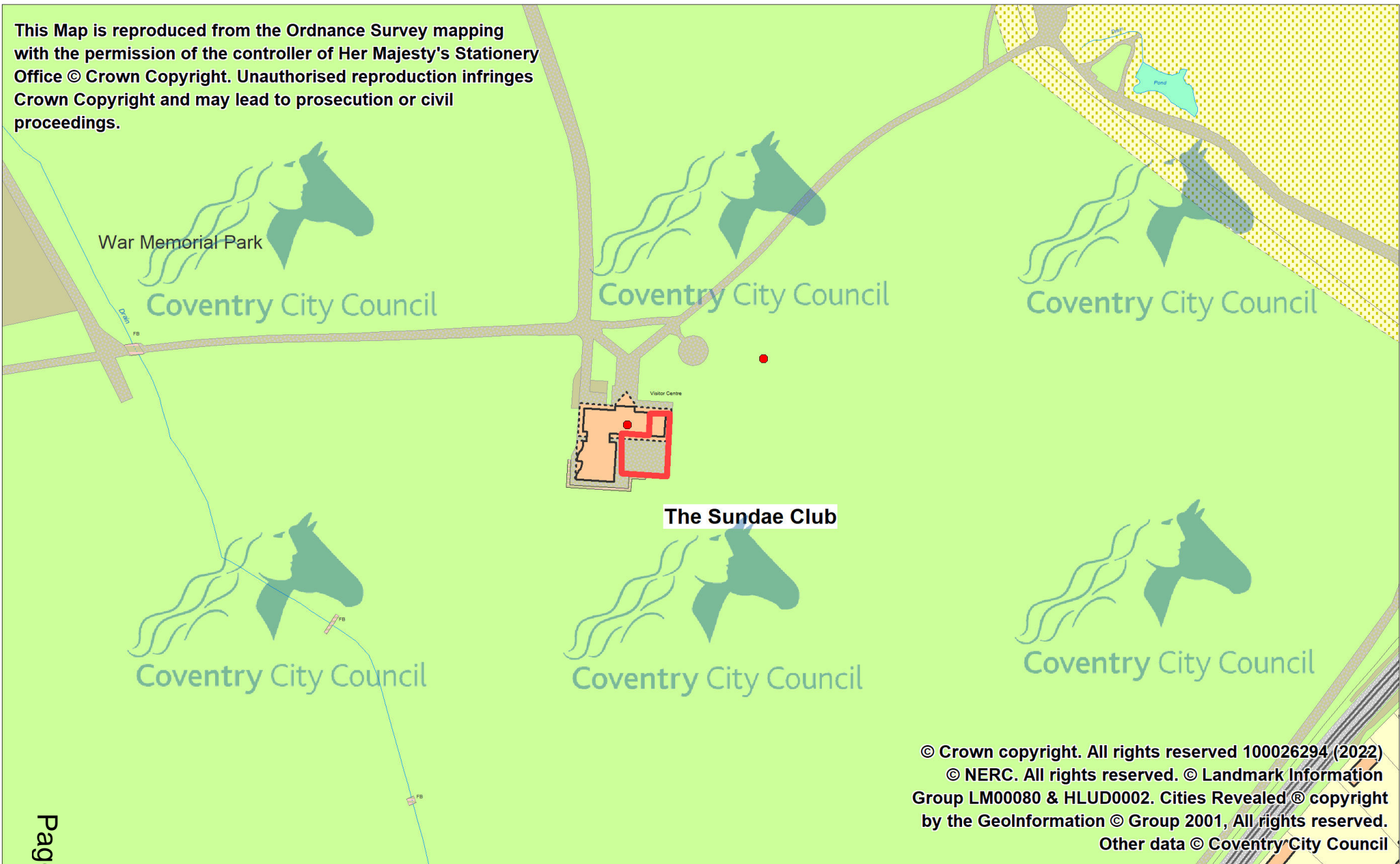
I confirm I don't have any affiliation with owner or place.

Thanks
[REDACTED]

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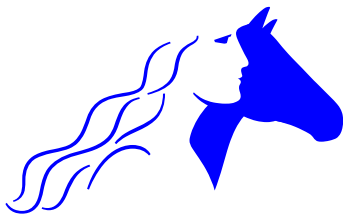


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Pages
Environmental Protection
Coventry City Council
One Friargate
Coventry CV1 2GN



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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.



Coventry City Council

Notice of Attendance

(Reg.8 Licensing Act 2003 (Hearings) Regulations 2005)

Date/Time of Hearing: Friday 27th May 2022. 10am. The Council House.

Applicant: Coombe Abbey Park Limited

Premises: The Sundae Club

Please complete this form, * delete as appropriate and return along with any papers referred to in 6 below to the Licensing Team, Street Scene & Regulatory Services, PO Box 15, Council House, Coventry, CV1 5RR

Or E-mail: licensing@coventry.gov.uk

1. Please print your name: Ron Terry and Rob Andrews for the Applicant
2. I would like this matter to be decided with a hearing
3. I will be present at the hearing
4. I will not be represented at the hearing. Give the name and address of your representative:

My representative is Raman Dhillon of Band Hatton Button LLP, Earlsdon Park, 53 – 55 Butts Road, Coventry, CV1 3BH who will not be attending the hearing but who submits this form on my behalf.

5. I do want permission for a witness to address the hearing in support of my case. If so, please provide the following information:

- a) the name and address of each witness

Ron Terry

- b) the points to be raised by each witness

The points raised in my statement

6. I do want the hearing to consider further documents in addition to my application/representation. If so, list the documents and the points to which they relate in the space below:

My statement signed on 12 May 2022

Any documents not listed here may only be allowed with all the other parties' consent

Signed ...

Date... 12 May 2022

Note: Representations can only be made in relation to the four licensing objectives as detailed in Coventry City Council's Statement of Licensing Policy attached.

Failure to return this form by the date indicated may result in you losing your right to take part in the hearing.

**REPRESENTATIONS IN SUPPORT OF COOMBE ABBEY PARK LIMITED'S APPLICATION FOR A
PREMISES LICENSE FOR THE BISTRO AND SUNDAE CLUB IN WAR MEMORIAL PARK, COVENTRY**

I, Ron Terry, an operations director for Coombe Abbey Park Limited ("Coombe") will say as follows:

1. I make these representations/statement in support of Coombe's application for a premises license for the Bistro and Sundae Club café and dessert diner that Coombe intends to shortly open in the War Memorial Park ("WMP") in Coventry.
2. Those who regularly visit the WMP will know of the need for decent venues there where people can purchase food and drink while visiting. It is intended that the Bistro will provide hot and cold meals like a café while the Sundae Club will supply desserts like crepes, waffles, milkshakes etc. in the settings of a 1950s inspired diner.
3. Supplementary to the sale of these meals and desserts (and I would like to stress that the main aspect of the business of the Bistro and Sundae Club will be the supply of food rather than beverages), it is intended to supply alcohol in addition to non-alcoholic cold and hot drinks. We would like to offer more choice to customers and make the venues more appealing to them. We also feel that this is likely to be a successful business venture.
4. The alcoholic drinks we intend to supply are very limited. It is intended to only supply bottled wines, prosecco and beer (decanted into disposable cups) and these drinks can only be purchased when purchasing other food items from the Bistro and Sundae Club. Premises licenses are required to do this nonetheless.
5. The Bistro and Sundae Club have limited opening hours. It is only intended to open the venues during daylight hours where the venues will close by 5pm in the winter months and 8pm in the summer months.
6. There seems to be some misunderstanding over the intention to supply alcohol. We will not be running premises like a bar or a pub. The nature of the business of the Bistro and Sundae Club is the supply of food where the supply of alcohol is supplemental to this much like any other restaurant style premises.
7. I believe the only objection to this application has been received from [REDACTED]. I am pleased to note the representations in support of the application received from [REDACTED] and [REDACTED] who are also local residents like [REDACTED].
8. [REDACTED] application has been made on behalf of the Friends of the WMP ("Friends") but he has not specified who else from the Friends specifically objects to the applications apart from himself. I refer to the email I enclose to this statement from [REDACTED] who is also a member of the Friends where she states:

"I, personally, didn't have an issue with the license application and hope your plans go well".

9. General feedback we have received from the public regarding our applications has been positive and many are in favour of and support our plans for the venues at the WMP. Our plans were discussed by BBC Coventry and Warwickshire on the Phil Upton CWR breakfast radio show on 26 April 2022 at just before and after 8am and before 9am where general members of the public were asked for their comments on our applications for premises licenses by their reporter Nishal Chauhan. Here are their comments:

"As long as its treated in the right way and people respect it I don't see any problem. It will be nice to have a beer in the evening and chill out!"

"As long as its not abused. I just think its nice for an early summer evening".

"I don't see why it will be much of a problem. As long as people understand to drink responsibly and make sure they don't do loads of littering and stuff like that I honestly don't think it's a problem!"

"I don't see it being a problem. If its in the evenings there is generally no kids around here at the park in the evenings and if they are responsible, you know at the end of the day, it is a family park and they need to take that into consideration".

"Everyone brings their own alcohol anyway. I would prefer not to bring alcohol to the park. Sometimes you only want a glass of wine or something. People drink here anyway and all through the festivals they drink it".

"Well on the one hand it sounds like a great idea. I could see it's a lovely park. Summer evenings, sitting out, glass of wine – what could be nicer than that with the trees around. Some kids playing around, sounds great. My concern really I suppose would be some of the older youngsters, maybe 18/19, whether they are just going to be responsible enough to be just a bit more cautious with it than you often see about".

"If people are bringing their own alcohol here at least if you buy it from the cafe its more controlled that way you don't have kids buying alcohol".

"Yeh I think it will be a good idea so that people can come here in the evening over summer and have a drink".

"It shouldn't be a problem. I think it will make us feel more continental!"

Phil Upton – *"So pretty positive there reaction on the whole"*.

10. We have already set out in our applications how the 4 licensing objectives will be satisfied but I will say as follows in respect of the comments made by [REDACTED] about the licensing objectives in his objection:

- a. Prevention of crime and disorder – as stated above, limited types of alcohol will be supplied during the limited opening hours of the venues only to people who are purchasing food from

the venues. This is not a bar or a venue where people can drink excessive levels of alcohol and then leave the venue to cause issues outside.

- b. Protection of children from harm – just like alcohol is supplied in restaurants in front of children who attend them, it is intended that limited types of alcohol will be available to purchase at the Bistro and Sundae Club.
 - c. Prevention of public nuisance – I repeat what is stated at paragraph 10a above. I also note the objector [REDACTED] has suggested that he wants the opening hours to reflect those of the public toilet facilities in the WMP. We have actually reached an agreement with the council for us to close the public toilet facilities to coincide with the Bistro and Sundae Club's opening hours.
11. I believe this is an exciting venture for the WMP which has long needed suitable venues where people can purchase food and refreshments. I would be grateful if our applications for premises licenses for the Bistro and Sundae Club could please be granted.

Signed.

Ron Terry

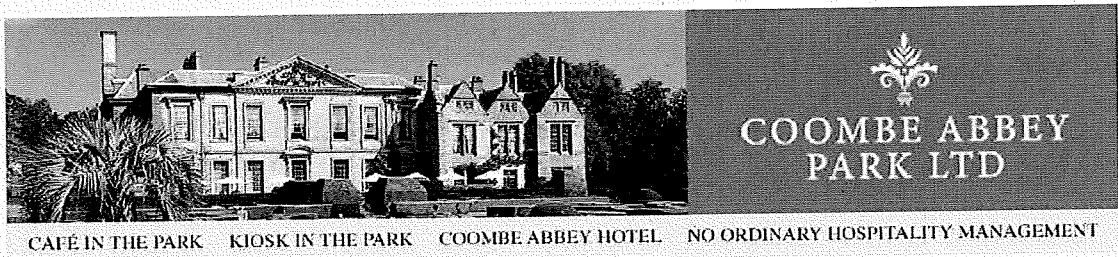
Dated this 12th day of May 2022

From: Ron Terry
To: Raman Dhillon
Subject: Fw: Friends WMP
Date: 29 April 2022 10:24:53

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

From: [REDACTED]
Sent: 28 April 2022 17:08
To: Ron Terry <ron.terry@coombeabbey.com>
Subject: Re: Friends WMP

Thank you for your reply, Ron, which I have forwarded to the FWMP secretary and I will pass your message on to [REDACTED]. I, personally, didn't have an issue with the license application and hope your plans go well. The WMP is totally different to Coombe Park.

Best wishes,
[REDACTED]

Sent from my iPad

On 28 Apr 2022, at 15:33, Ron Terry <ron.terry@coombeabbey.com> wrote:

