
Licensing and Regulatory Sub-Committee (Hearing)

Time and Date

10.00 am on Tuesday, 7th February, 2023

Place

Committee Room 3 - Council House

Public Business

1. **Appointment of Chair**
2. **Apologies**
3. **Declarations of Interest**
4. **Application for a Temporary Event Notice under the Licensing Act 2003**
(Pages 3 - 50)

To consider an application for a Temporary Event Notice in respect of Kasbah, Primrose Hill Street, Coventry

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

Persons who have made representations have been invited to attend.

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

5. **Any Other Business**

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

Private Business

Nil

Julie Newman, Chief Legal Officer, Council House, Coventry

Friday, 3 February 2023

Note: The person to contact about the agenda and documents for this meeting is

Usha Patel/Carolyn Sinclair Email:

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Membership: Councillors F Abbott, L Bigham and A Masih

Public Access

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Usha Patel/Carolyn Sinclair

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Public report Licensing & Regulatory Committee

Licensing & Regulatory Sub-Committee

7 February 2023

Name of Cabinet Member:

Not applicable

Director Approving Submission of the report:

Director of Street Scene and Regulatory Services

Ward(s) affected:

St Michael's

Title: Application for a Temporary Event Notice 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 Temporary Event Notice under the Licensing Act 2003 for Kasbah, Primrose Hill Street, Coventry, CV1 5LY.

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. Temporary Event Notice application
2. Representation
3. Current Premises Licence
4. Location Plan
5. Hearing Procedure Note
6. 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: Temporary Event Notice 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 Temporary Event Notice application for Kasbah, Primrose Hill Street, Coventry was received on 25 January 2023. The application is requesting the sale/supply of alcohol (on sales only) and Regulated Entertainment on Saturday 1 April 2023 at 14:00hrs – 22:00hrs for an event to take place in the outdoor area of the premises. There is a current Premise Licence in place and a condition on the operating schedule that states “no outside amplified music”. Any conditions attached to a Premises Licence do not apply to a Temporary Event Notice, unless volunteered by the applicant or imposed by the Sub - Committee.
- 1.3 The applicant for the Temporary Event Notice is the Designated Premises Supervisor named on the Premises Licence.
- 1.4 A representation has been received from the Environmental Protection Team in relation to the Prevention of Public Nuisance objective. (Appendix 2). The representation states that an event of this nature could breach the noise abatement notice currently in place for the premises and be a breach of the Planning Condition which prohibits the playing of amplified music in the outside space.
- 1.5 The Licensing Act 2003 requires the Council to publish a ‘Statement of Licensing Policy’ which sets out the policies the Council will have regard to and apply to promote the Licensing Objectives when making a decision on applications made under the Act. The Policy will be available at the hearing for reference purposes.
- 1.6 It is essential that the Sub-Committee takes into account the government’s guidance to the Licensing Act before reaching a decision. The applicant, Responsible Authorities, or any other persons, should bring to the Sub-Committee’s attention any relevant paragraphs. However, it is suggested good practice for Members of the Sub-Committee to read the relevant paragraph(s) of the guidance prior to the hearing.

2. Options considered and recommended proposal

2.1 There are three courses of action available to the Sub-Committee in relation to this application:

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

2.2 Your officer recommends option (iii).

The reason for this recommendation is that Environmental Protection have confirmed that there is an existing noise abatement notice in place and there is an existing planning condition prohibiting the playing of amplified music in the outdoor space. The granting of the TEN would undermine the Prevention of Public Nuisance Licensing Objective.

Should the TEN be granted, any outstanding enforcement actions taken by other departments in relation to the Noise Abatement Notice & Planning Permission will still apply under other relevant legislation.

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 Temporary Event Notice.

3. Results of consultation undertaken

3.1 As prescribed by the Licensing Act 2003, the application has been out for consultation to statutory consultees (Police and Environmental Protection) for 3 working days.

- 3.2 Responsible Authorities have received a copy of the application. Please see below responses received:

Responsible Authority	Response Received	Objections	Conditions Agreed
Police	Yes	No	-
Environmental Protection	Yes	Yes	-

- 3.3 One representation from Environmental Protection has been received (Appendix 2). The grounds for the representation is that the granting of the Temporary Event Notice would undermine the licensing objective of Prevention of Public Nuisance.

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 Interim Chief Executive (Section 151 Officer) and Chief Legal Officer

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 Temporary Event Notices 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 Temporary Event Notice, 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:

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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	Governance Services Officer	Law and Governance	31/01/2023	01/02/2023
Debbie Cahalin-Heath	Strategic Manager of Regulation	Regulatory Services	31/01/2023	02/02/2023
Davina Blackburn	Strategic Lead of Regulation	Regulatory Services	31/01/2023	02/02/2023
Names of approvers for submission: (officers and members)				
Amy Wright	Regulatory Lawyer	Law and Governance	31/01/2023	01/02/2023
Cath Crosby	Lead Accountant	Finance	31/01/2023	01/02/2023
Andrew Walster	Director	Street Scene & Regulatory Services		

This report is published on the Council's website:

www.coventry.gov.uk/councilmeetings

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	Gadhia
Forenames	Rakesh
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	
4. Your place of birth	
5. National Insurance Number	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
Kasbah, Primrose Hill St,	
Post town Coventry	Postcode CV1 5LY
7. Other contact details	
Telephone numbers Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	

Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
<p>This TEN application is for the outside garden area of the club known as the Kasbah. The nightclub, including the garden has a premises license. This TEN is to allow the playing of amplified music from 2pm to 10pm on the stated day.</p> <p>Kasbah Primrose Hill St Hillfields Coventry CV1 5LY</p>	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
As above the garden area will be used to play amplified music for stated time in front of audience, not more than 350 persons.	
Please describe the nature of the premises below. (Please read note 4)	
Nightclub	

Please describe the nature of the event below. (Please read note 5)
Daytime dance event

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
Saturday 1 st April 2023		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)		
14:00 – 22:00		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		
350		
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)

Amplified music by DJ 14:00 – 22:00
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4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If “Yes” please provide the details of your personal licence below.		
Issuing licensing authority	Coventry City Council	
Licence number		
Date of issue		
Any further relevant details		

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)

<p>The information contained in this form is correct to the best of my knowledge and belief.</p> <p>I understand that it is an offence:</p> <p>(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and</p> <p>(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.</p>	
Signature	R Gadhia
Date	24.01.23
Name of Person signing	R Gadhia

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

Notes for Guidance

General

In these notes, a person who gives a temporary event notice is called a “premises user”.

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 8 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (15 times or, for event periods occurring wholly or partly in 2022 or 2023, 20 times a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days or, for event periods (or any part of those periods) occurring in 2022 or 2023, 26 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 16 below sets out the definition of an “associate”.

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice is prominently displayed at the premises; or
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (subject to an unlimited fine on conviction);
- allowing the sale of alcohol to children under 18 (subject to an unlimited fine on conviction);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (subject to an unlimited fine, on conviction);
- allowing disorderly behaviour on the premises (subject to a fine not exceeding level 3 on the standard scale, on conviction);
- the sale of alcohol to a person who is drunk (subject to a fine not exceeding level 3 on the standard scale, on conviction);
- obtaining alcohol for a person who is drunk (subject to a fine not exceeding level 3 on the standard scale, on conviction);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (subject to a fine not exceeding level 1 on the standard scale, on conviction); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (subject to a fine not exceeding level 3 on the standard scale, on conviction).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed “premises user”. Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers’ market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Note 7

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance; and
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community

- premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 8

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 9

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Note 10

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48-hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 11

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise

you. The maximum figure of 499 includes not only the audience, spectators or consumers but also, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 12

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 13

Relevant entertainment is defined in the Local Government (Miscellaneous Provisions) Act 1982 (“the 1982 Act”) as *any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means)*. Relevant entertainment therefore includes, but is not limited to, lap dancing and pole dancing.

The 1982 Act requires premises which provide relevant entertainment to be licensed under that Act for this purpose. Premises at which there have not been more than eleven occasions on which such entertainment has been provided within a period of 12 months, no such occasion has lasted for more than 24 hours and there has been a period of at least one month between each such occasion are exempt from the requirement to obtain a licence under the 1982 Act. Such premises are likely instead to require an authorisation under the Licensing Act 2003 to be used for such activities as these are a licensable activity (the provision of regulated entertainment — see note 6 above). A temporary event notice may be given for this purpose.

Note 14

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 15

As stated under Note 14, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 10 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1st January to 31st December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices for each year. However, only one notice needs to be given. The limits are:

- i. for event periods occurring wholly or partly in 2022 or 2023, up to 20 times in the calendar year for each premises;
- ii. for other event periods, 15 times in a calendar year for each premises;
- iii. for event periods (or any part of a period) occurring in 2022 or 2023, 26 days in the calendar year for each premises;
- iv. for other event periods, 21 days in a calendar year for each premises;
- v. 50 per personal licence holder each calendar year; and
- vi. 5 for non-holders each calendar year.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year),

temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 16 below sets out the definition of an “associate”.

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user. Note 16 below sets out the definition of an “associate”.

Note 16

An “associate” of the proposed premises user is:

- a. the spouse or civil partner of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or
- d. the spouse or civil partner of a person within (b) or (c).

For these purposes, a person living with another as that person’s husband or wife is to be treated as that person’s spouse.

Note 17

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the further police force and local authority exercising environmental health functions.

Note 18

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 19

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement.) To do so could result in prosecution and an unlimited fine.

Note 20

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of its receipt of the notice.

From: Taylor, Frances <Frances.Taylor@coventry.gov.uk>

Sent: 30 January 2023 14:36

To: Glover, Jody <Jody.Glover@coventry.gov.uk>

Subject: Application for a Temporary Event Notice for 1st April 2023 at The Kasbah, Primrose Hill Street, Coventry

Dear Mr Gadhia

RE: Application for a Temporary Event Notice for 1st April 2023 at The Kasbah, Primrose Hill Street, Coventry

I am objecting to the above application under the Prevention of Public Nuisance licensing objective.

While I appreciate this is a TEN for regulated entertainment between the hours of 2pm and 10pm only, you want to hold the event in the garden area which is surrounded by residential properties and with a DJ planned and the existing noise abatement notice in place for 2 previous events which were similar in nature, there is the potential for noise nuisance to be caused to these residents. I should also draw your attention to your planning conditions which prohibit the playing of music in your outside space.

The application does not include any means of controlling noise and disturbance to local residents, and given the on-going complaints I feel I have no choice but to object.

Regards

Frances Taylor
Environmental Health Officer

Coventry City Council
Environmental Protection

One Friargate
Coventry
CV1 2GN

Direct Dial: 024 7697 2263

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LICENSING ACT 2003

Full Premises Licence

Kasbah

Premises licence number	LN/205000940
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Part One – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description Kasbah Primrose Hill Street	
Post town Coventry	Post code CV1 5LY
Telephone number	

Where the licence is time limited the dates N/A

The times the licence authorises the carrying out of Licensable Activities			
	Indoors		
Live Music		From	To
	Sunday	10:00	06:00
	Monday	10:00	06:00
	Tuesday	10:00	06:00
	Wednesday	10:00	06:00
	Thursday	10:00	06:00
	Friday	10:00	06:00
	Saturday	10:00	06:00
Live music, all general, with and without amplification.			
On New Year's Eve through into New Year's day consistent with the Government's orders which have permitted licensed premises to be open continually from the commencement of trading on December 31st through to the end of trading on January 1st			

LICENSING ACT 2003

Full Premises Licence

Indoors		
Indoor Sporting Event	From	To
Sunday	10:00	06:00
Monday	10:00	06:00
Tuesday	10:00	06:00
Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
<p>For the removal of any doubt, to enable darts, pool, bowls and similar 'pub games', activities, or quizzes to take place a regulated entertainment if they are competitions, tournaments or have additional spectator involvement or charges.</p> <p>On New Year's Eve through into New Year's Day, consistent with the Government's orders permitting licensed premises to be open continually from the commencement of trading on December 31st through to the end of trading on January 1st.</p> <p>Exceptionally the premises might be used for marathon, record breaking, sponsored or charity type events outside the standard timings in which case special consideration will be given to the need to achieve the licensing objectives. These might include limited or even no general public access, additional security, liaison with statutory bodies etc.</p>		

Indoors		
Recorded Music		
Sunday	00:01	00:00
Monday	00:01	00:00
Tuesday	00:01	00:00
Wednesday	00:01	00:00
Thursday	00:01	00:00
Friday	00:01	00:00
Saturday	00:01	00:00

Indoors		
Performances of Dance	From	To
Sunday	10:00	06:00
Monday	10:00	06:00
Tuesday	10:00	06:00
Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
<p>Occasionally demonstrations, or performances might be given most likely but not exclusively, as part of a live bands performance or eg: Irish dance performance on St Patrick's Day and where not already exempted are to be treated as regulated entertainment.</p> <p>On New Year's Eve through into New Year's Day, consistent with the Govt's orders which have permitted licensed premises to be open continually from the commencement of trading on December 31st through to the end of trading January 1st</p>		

LICENSING ACT 2003

Full Premises Licence

Indoors		
Other entertainment	From	To
Sunday	10:00	06:00
Monday	10:00	06:00
Tuesday	10:00	06:00
Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
For the removal of doubt as to its status within regulated entertainment the premises may be used for 'Karaoke', quizzes, and similar events involving audience/ customer participation.		
On New Year's Eve through into New Year's day, consistent with the Gov't's orders permitting licensed premises to be open continually from the commencement of trading on December 31st through to the end of trading on January 1st		

Indoors		
Late Night Refreshment	From	To
Sunday	23:00	05:00
Monday	23:00	05:00
Tuesday	23:00	05:00
Wednesday	23:00	05:00
Thursday	23:00	05:00
Friday	23:00	05:00
Saturday	23:00	05:00
On New Year's Eve through into New Year's day, consistent with the Gov't's orders permitting licensed premises to be open continually from the commencement of trading on December 31st through to the end of trading on January 1st		

On and Off Sales		
Supply of Alcohol	From	To
Sunday	10:00	06:00
Monday	10:00	06:00
Tuesday	10:00	06:00
Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
On New Year's Eve through into New Year's day, consistent with the Gov't's orders permitting licensed premises to be open continually from the commencement of trading on December 31st through to the end of trading on January 1st.		

LICENSING ACT 2003

Full Premises Licence

Premise		
Open to the Public	From	To
Sunday	10:00	06:00
Monday	10:00	06:00
Tuesday	10:00	06:00
Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
The premises may of course be used at any time for any permitted licensable activities and at any time for other activities not comprising licensable activities. At the discretion of the manager- the premises may continue open after the end of any retail sales of alcohol or the actual sale of other refreshments for the purpose of enabling drinking up or the completion of meals previously purchased within the terms of the premises licence.		

Where the licence authorises supplies of alcohol whether these are on and/or off supplies
ON AND OFF SALES

Part Two

Name, (registered) address, telephone number(s) and email (where relevant) of holder of premises licence

Varinder Kullar
Primrose Hill Street
Coventry
CV1 5LY

Registered number of holder, for example company number, charity number (where applicable)
N/A

Name (registered) address, and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Rakesh Gadhia

LICENSING ACT 2003

Full Premises Licence

Personal Licence Number and Issuing Authority of Personal Licence held by Designated Premises Supervisor where the premises authorises the supply of alcohol
Licence number - **CV205000593 - Coventry City Council**

Dated this 1st February 2023



Regulatory Services Manager
Regulatory Services
Licensing Team
Streetscene & Regulatory Services
PO Box 15
Coventry City Council
Earl Street
Coventry
CV1 5RR

Annex 1**Mandatory Conditions****Section 19 Licensing Act 2003**

Where this licence authorises the supply of alcohol,

1. No supply of alcohol may be made under the licence:
 - a. at a time when there is no designated premises supervisor (DPS) in respect of the licence, or
 - b. at a time when the DPS does not hold a personal licence or that licence is suspended
2. Every supply of alcohol under the licence must be made or authorised by a person who holds a personal licence

Section 20 Licensing Act 2003

Where this licence authorises the exhibition of films,

- (1) the admission of children to the exhibition of any film will be restricted.
- (2) Where the film classification body is specified in the licence, unless otherwise stated, admission of children must be restricted in accordance with any recommendation made by that body.
- (3) Where :
 - i. the film classification body is not specified in the licence,
or
 - ii. the licensing authority has notified the holder of the licence that this subsection applies to the film in question,
admission of children must be restricted in accordance with any recommendation made by that licensing authority.

Section 21 Licensing Act 2003

Where this licence includes a condition that at specified times one or more individuals must be on the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

Where a licence authorises alcohol to be consumed on the premises the following conditions apply:

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request,

before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

4. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

Conditions consistent with the Operating Schedule

Licensees Statement of Operating Schedule as attached including:

Part 1

- A) General all four licensing objectives**
- B) The Prevention of Crime and Disorder**
- C) Public Safety**
- D) Prevention of Public Nuisance**
- E) Protection of Children from Harm**

Voluntary Condition agreed with the Responsible Authorities

Part 2

Conditions reproducing the effect of all conditions currently attached to the existing licence (both standard and special conditions).

Licensing Act 1964 - None

Theatres Act 1968- None

Cinemas Act 1985 – None

Public Entertainment - None

Numbers:

Majestic Room 550

Majestic Room Balcony, 100 each balcony

Orchis Suite 240

Globe Bar 100

The capacity numbers attached to the present entertainment licence may be varied in accordance with any ongoing management risk assessment and or professional advice according to the prevailing conditions of the premises in force at any particular time.

For the removal of doubt Part 7, 145-153 inc Licensing Act 2003 (children and alcohol) shall prevail over any conflicting conditions of the Licensing Act 1964.

For the removal of doubt a modification or removal of drinking up time imposed by Licensing Act 1964 in favour of the details set out in section O.

For the removal of doubt any embedded pre-conditions relating to section 77 (Special Hours Certificates) or any other conditions of the Licensing Act 1964 shall cease.

For the removal of doubt a modification or removal of drinking up time imposed by Licensing Act 2003 in favour of details set out in the opening hours.

For the removal of doubt a modification or removal of drinking up time imposed by Licensing Act 1964 in favour of the details set out in the opening hours.

for the removal of doubt any embedded pre-conditions relating to section 77 (Special Hours Certificates) or any other conditions of the Licensing Act 1964 shall cease.

Annex 3

Conditions Attached after a Hearing by the Licensing Authority

Annex 4

Plans

The Plan attached to this licence as attached.

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The premises licence and business is continuing under the same management principles and ownership as prior to the Licensing Act 1964 and the subsequent initial premises licence.
There are already policies in place dealing with staff training, fire alarm, emergency evacuation and emergency evacuations and emergency lighting tests and recording, policies dealing with disabled access, policies dealing with searching if weapons or drug abuse is suspected. CCTV monitoring already operates at the premises, door teams comply with security industry requirements.
Staff training to provide a professional and good customer service
All staff to show politeness and respect to customers
To abide by all Licensing laws and to have a good working relationship with Authorities.

b) The prevention of crime and disorder

The extended hours for licensable activities and the proposed continuing 'open' hours for 'drinking up time' will promote the LA 2003 objectives avoid rushed drinking and a mass exodus from the premises.

Installation of extra camera to monitor new area onto existing CCTV

Deployment of extra security (SIA Trained)

Random searches if deemed necessary for weapons/drugs

c) Public safety

Existing Health and Safety policy to be extended to new area

Sufficient lighting to include whole area

Maintain records of training to include whole area

Maintain records of training and to maintain all electrical, firefighting equipment to above level required

N.B. The management has a Fire Protection service agreement which will continue and the inspections and fire protection 'warning' alarms and detectors etc. will be extended into the enlarged area

d) The prevention of public nuisance

Customers who are identified as causing a nuisance or disturbance in the proximity of the premises will, if necessary be prohibited from using the premises. The nature of the variations is not expected to create any difficulties.

All customers to be dealt with calmly and politely

Troublesome customers will be ejected without fuss

Maintain a close liaison with the Police to preserve the peace.

No outside amplified music

e) The protection of children from harm

Specifically the business policy has not so far promoted any events such as strip tease, gentlemen or ladies of an 'adult' or 'top shelf' nature. If ever was to promote such events an appropriate age exclusion policy would be implemented and the nature of such entertainment, and exclusion, made clear before persons were able to gain admittance into the premises. The venue does not necessarily set out to provide entertainment for under 16 years.

All admissions to be checked by SIA staff to ensure entrants are over 18 years old

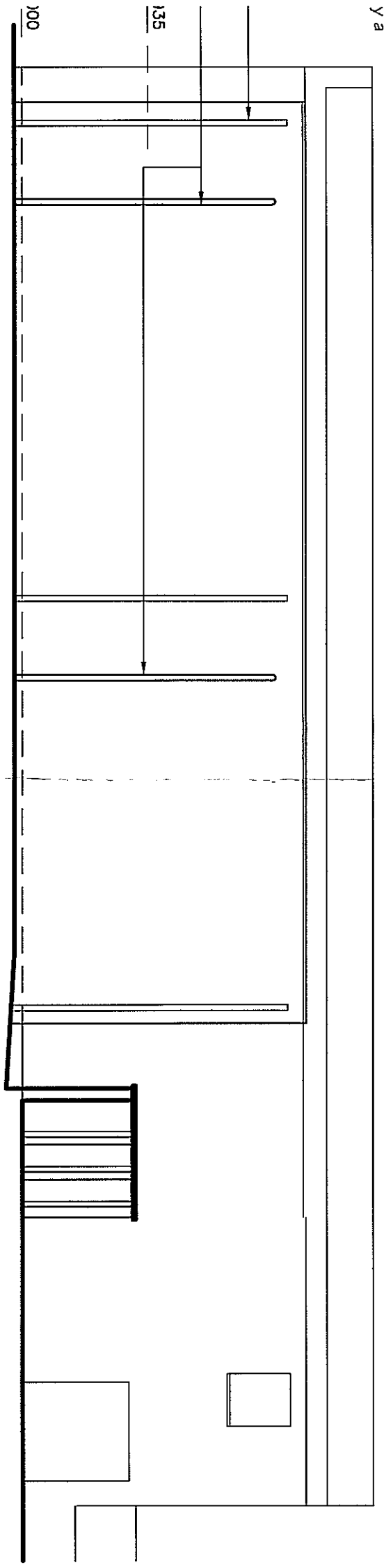
If they look under 21 to check I.D.

Accept only valid passports and driving licences as proof of age

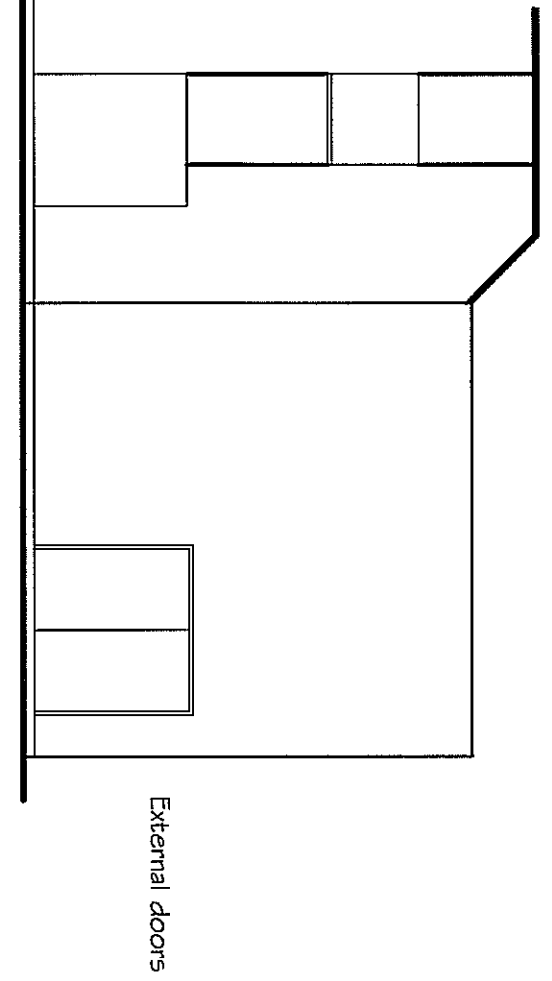
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Do not scale of this drawing - All dimensions and settings are to be written on site. If in doubt contact the engineer for clarification.

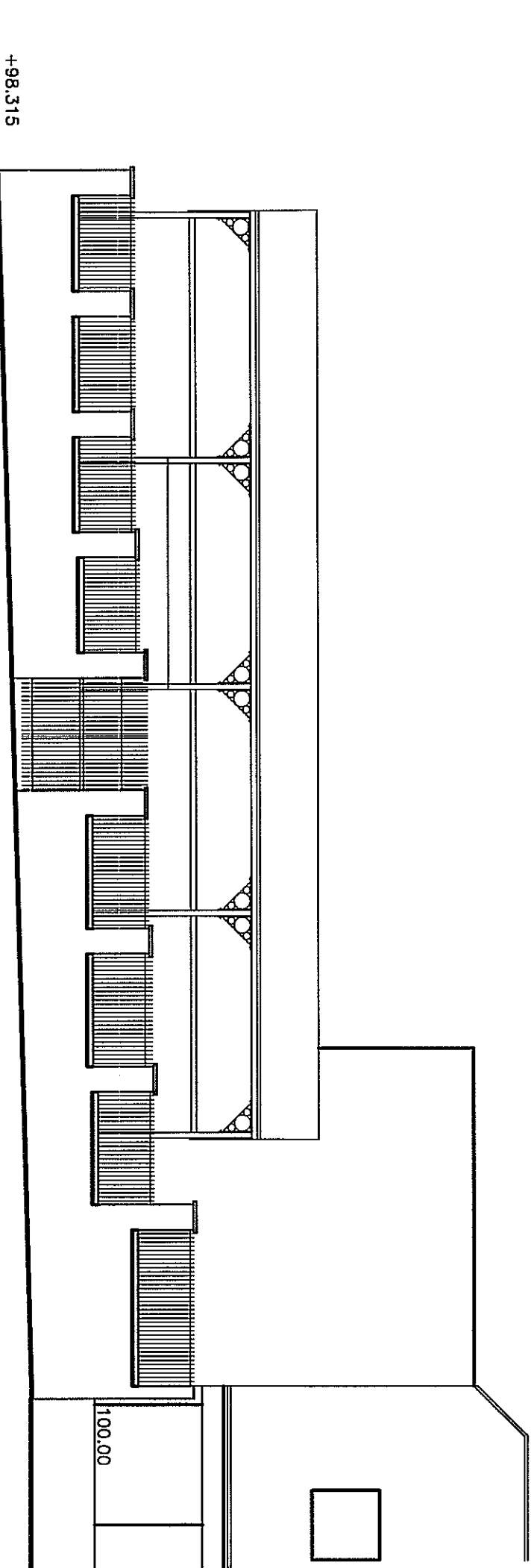
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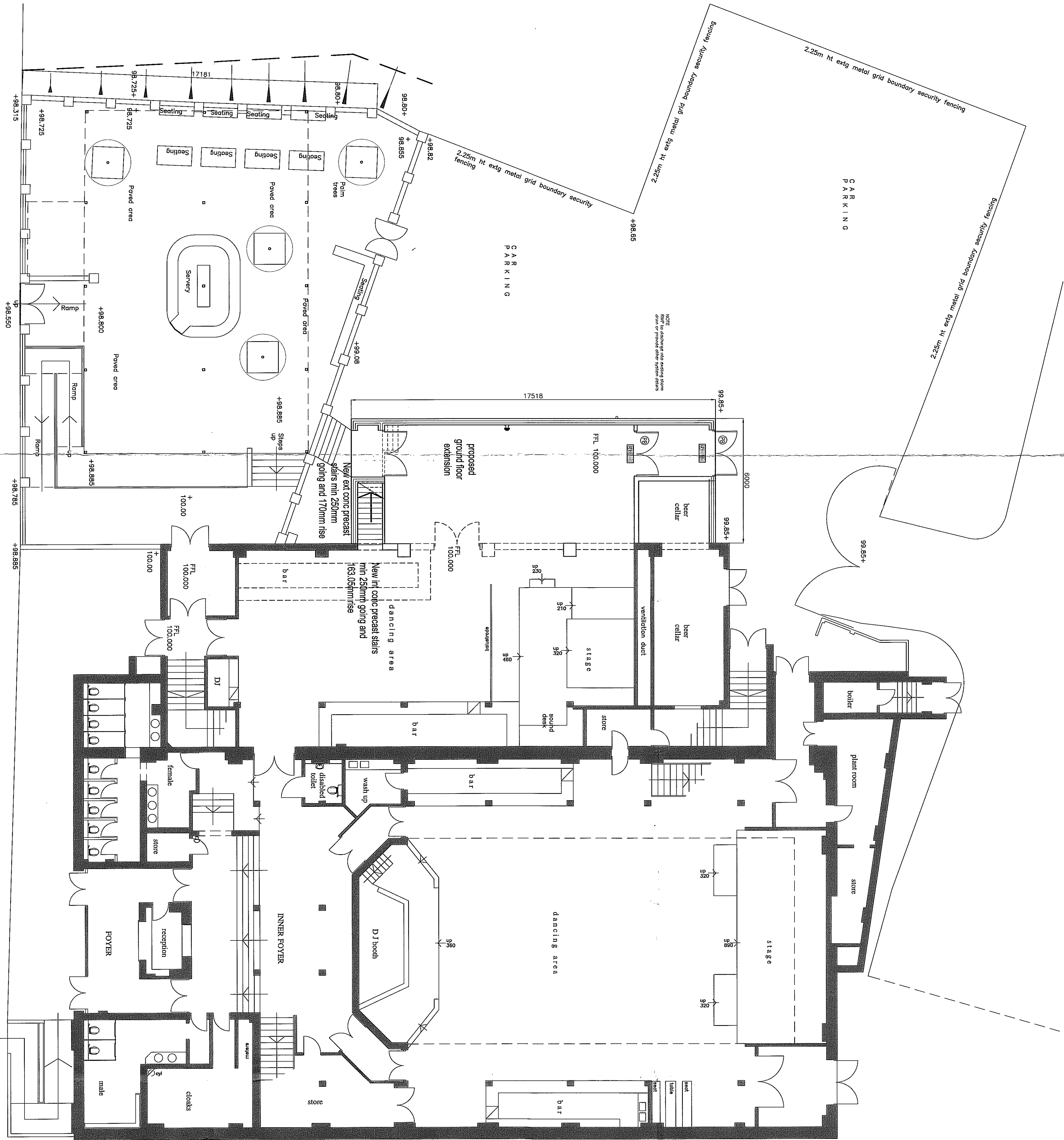
PROPOSED SIDE ELEVATION
SCALE 1:100



PROPOSED REAR ELEVATION
SCALE 1:100



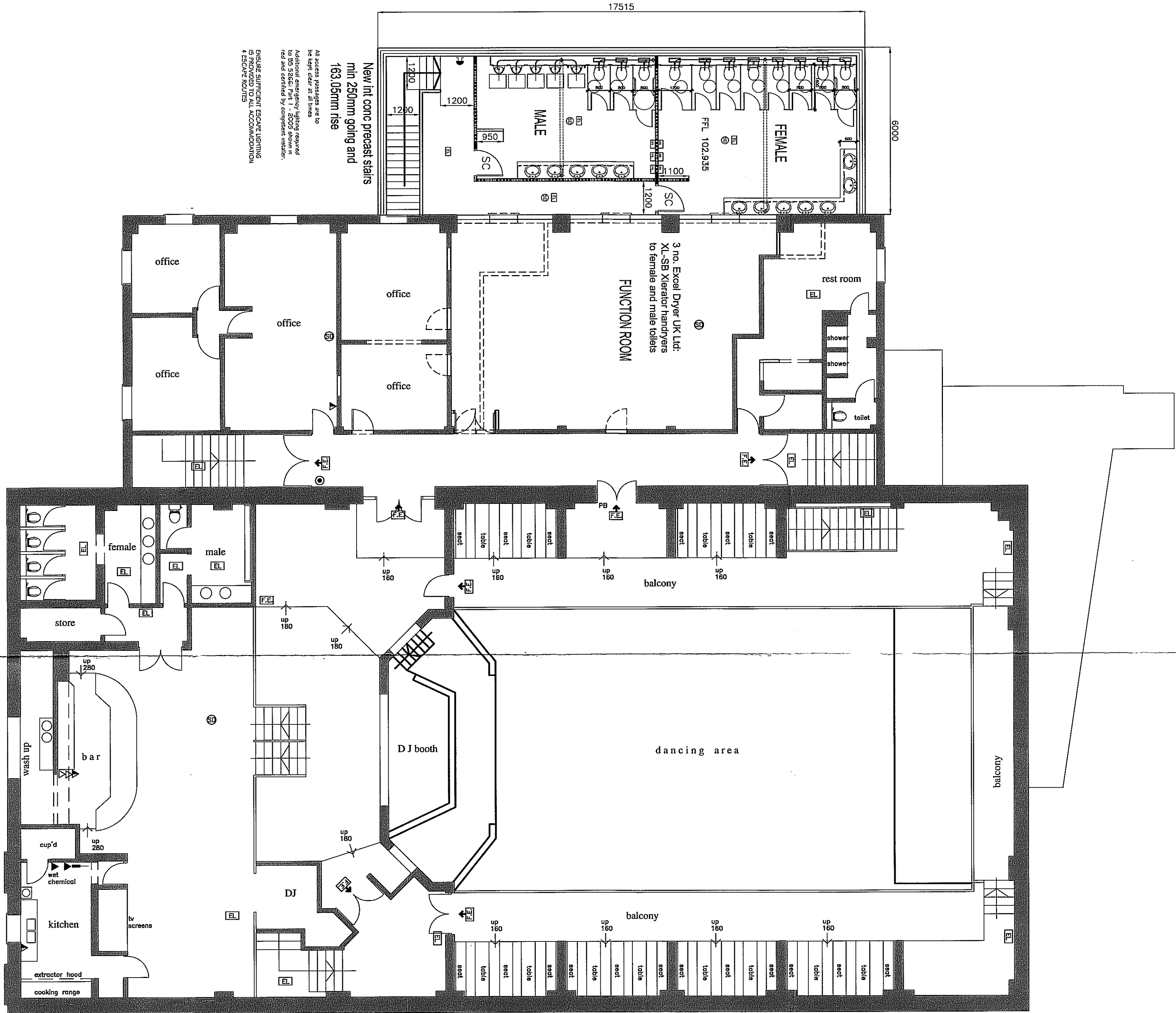
PROPOSED ELEVATION FROM PRIMROSE HILL STREET
SCALE 1:100



PRIMROSE HILL STREET

PROPOSED GROUND FLOOR PLAN

Scale 1:100
0 10 20 30 40 50



PROPOSED FIRST FLOOR PLAN

Rev	Date	Description	By	Check
1		Preliminary		
2		For Tender		
3		For Comment		
4		For Approval		
5		For Construction		
6		For Record		

Client:

Consultant:
ARCHITECTURAL CONSULTANTS
Heron Way, Lymington, Hampshire, SO41 1AA
Tel: 01753 840000
www.spg-consultants.co.uk



Project Title:
Keston Nightclub, Princes Hill Street, Coventry CV1 1AY

Drawing Title:
Proposed Double Storey Side Extension

Project No.	Draw No.	Revision
4207	02	
Scale	1:100 @ A0	Date
SD		Apr 2013

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LICENSING ACT 2003

Summary Licence

To Be Displayed

Kasbah

Premises licence number	LN/205000940
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Postal address of premises, or if none, ordnance survey map reference or description Kasbah Primrose Hill Street	
Post town Coventry	Post code CV1 5LY
Telephone number	

Where the licence is time limited the dates N/A
--

The times the licence authorises the carrying out of licensable activities			
	Indoors		
Live Music		From	To
	Sunday	10:00	06:00
	Monday	10:00	06:00
	Tuesday	10:00	06:00
	Wednesday	10:00	06:00
	Thursday	10:00	06:00
	Friday	10:00	06:00
	Saturday	10:00	06:00
Live music, all general, with and without amplification. On New Year's Eve through into New Year's Day consistent with the Government's orders which have permitted licensed premises to be open continually from the commencement of trading on December 31st through to the end of trading on January 1st.			

LICENSING ACT 2003

Summary Licence To Be Displayed

Indoors		
Indoor Sporting Event	From	To
Sunday	10:00	06:00
Monday	10:00	06:00
Tuesday	10:00	06:00
Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
<p>For the removal of any doubt, to enable darts, pool, bowls and similar 'pub games', activities, or quizzes to take place a regulated entertainment if they are competitions, tournaments or have additional spectator involvement or charges.</p> <p>On New Year's Eve through into New Year's Day, consistent with the Government's orders permitting licensed premises to be open continually from the commencement of trading on December 31st through to the end of trading on January 1st.</p> <p>Exceptionally the premises might be used for marathon, record breaking, sponsored or charity type events outside the standard timings in which case special consideration will be given to the need to achieve the licensing objectives. These might include limited or even no general public access, additional security, liaison with statutory bodies etc.</p>		

Indoors		
Recorded Music		
Sunday	00:01	00:00
Monday	00:01	00:00
Tuesday	00:01	00:00
Wednesday	00:01	00:00
Thursday	00:01	00:00
Friday	00:01	00:00
Saturday	00:01	00:00

Indoors		
Performances of Dance	From	To
Sunday	10:00	06:00
Monday	10:00	06:00
Tuesday	10:00	06:00
Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
<p>Occasionally demonstrations, or performances might be given most likely but not exclusively, as part of a live bands performance or eg: Irish dance performance on St Patrick's Day and where not already exempted are to be treated as regulated entertainment.</p> <p>On New Year's Eve through into New Year's Day, consistent with the Govt's orders which have permitted licensed premises to be open continually from the commencement of trading on December 31st through to the end of trading January 1st.</p>		

LICENSING ACT 2003

Summary Licence To Be Displayed

Indoors		
Other entertainment	From	To
Sunday	10:00	06:00
Monday	10:00	06:00
Tuesday	10:00	06:00
Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
<p>For the removal of doubt as to its status within regulated entertainment the premises may be used for 'Karaoke', quizzes, and similar events involving audience/ customer participation.</p> <p>On New Year's Eve through into New Year's Day, consistent with the Gov't's orders permitting licensed premises to be open continually from the commencement of trading on December 31st through to the end of trading on January 1st.</p>		

Indoors		
Late Night Refreshment	From	To
Sunday	23:00	05:00
Monday	23:00	05:00
Tuesday	23:00	05:00
Wednesday	23:00	05:00
Thursday	23:00	05:00
Friday	23:00	05:00
Saturday	23:00	05:00
<p>On New Year's Eve through into New Year's Day, consistent with the Gov't's orders permitting licensed premises to be open continually from the commencement of trading on December 31st through to the end of trading on January 1st.</p>		

On and Off Sales		
Supply of Alcohol	From	To
Sunday	10:00	06:00
Monday	10:00	06:00
Tuesday	10:00	06:00
Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
<p>On New Year's Eve through into New Year's Day, consistent with the Gov't's orders permitting licensed premises to be open continually from the commencement of trading on December 31st through to the end of trading on January 1st.</p>		

LICENSING ACT 2003

Summary Licence To Be Displayed

Premise	From	To
Open to the Public		
Sunday	10:00	06:00
Monday	10:00	06:00
Tuesday	10:00	06:00
Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
The premises may of course be used at any time for any permitted licensable activities and at any time for other activities not comprising licensable activities. At the discretion of the manager- the premises may continue open after the end of any retail sales of alcohol or the actual sale of other refreshments for the purpose of enabling drinking up or the completion of meals previously purchased within the terms of the premises licence.		

Where the licence authorises supplies of alcohol whether these are on and/or off supplies
ON AND OFF SALES

Name, (registered) address, telephone number and email of holder of premises licence
Varinder Kullar
Primrose Hill Street
Coventry
CV1 5LY

Registered number of holder, for example company number, charity number (where applicable)
N/A

Name of Designated Premises Supervisor where the Premises Licence authorises the supply of alcohol
Rakesh Gadhia

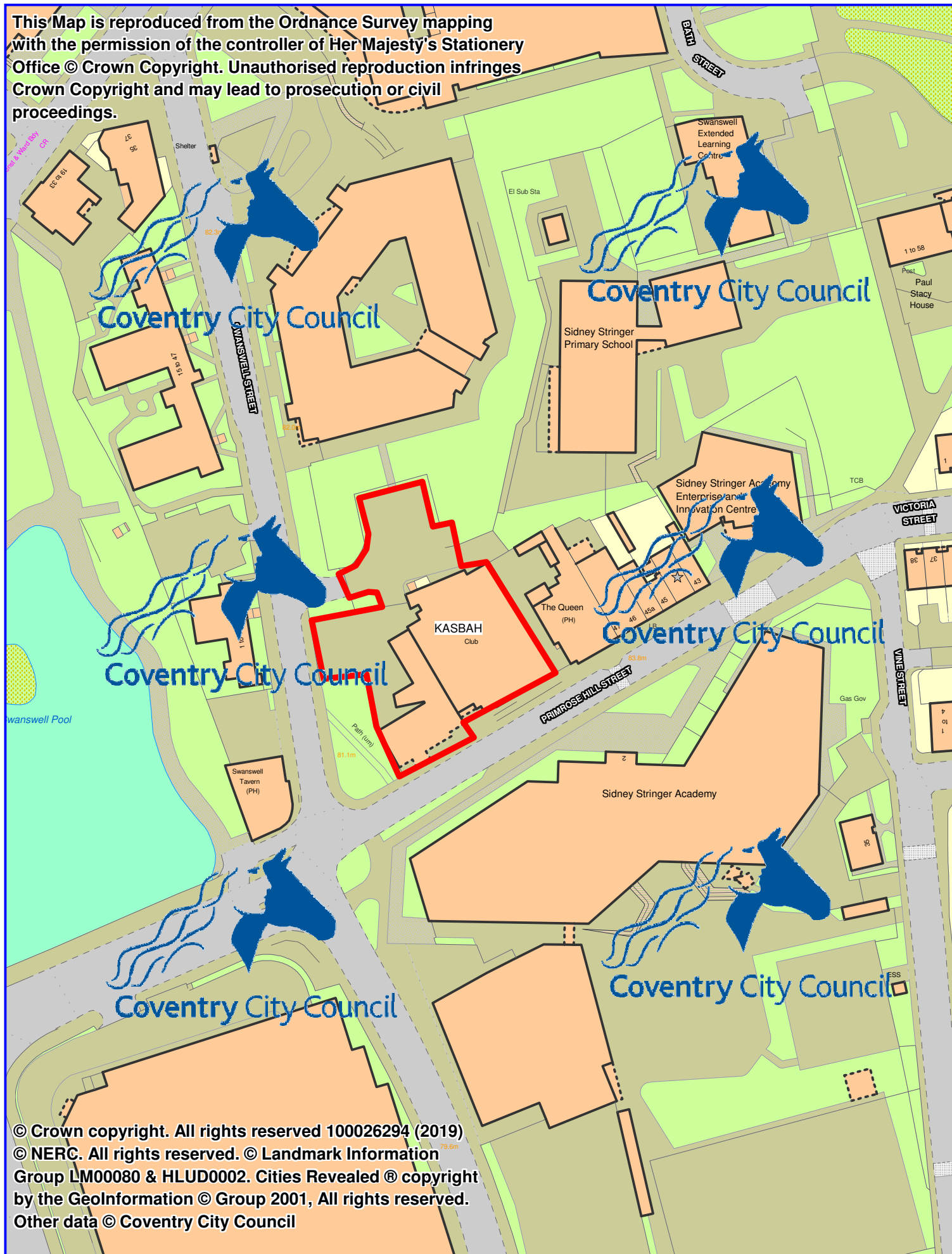
State whether access to the premises by children is restricted or prohibited
N/A

Dated this 1st February 2023



Regulatory Services Manager
Regulatory Services
Licensing Team
Streetscene & Regulatory Services
PO Box 15
Coventry City Council
Earl Street
Coventry
CV1 5RR

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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 5 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.

Licensing Act 2003

Briefing Note 16 – Hearing to Consider Objections to a Standard Temporary Event Notice

Background

Licensable activities (including the supply of alcohol) can take place on a temporary basis on any land provided a Temporary Event Notice ("TEN") has been served on the licensing authority, the police and environmental health. Such an event can last up to 7 days (168 hours) and provide for up to 499 people being present at any given time. The holder of a personal licence can serve up to 50 TENs a year and anyone else not holding a personal licence can serve up to 5 TENs a year. A licensing authority cannot stop a temporary event from taking place if a valid TEN has been served unless the police or environmental health intervene. Similarly, where a temporary event is due to take place on premises already subject to a premises licence or club premises certificate any conditions on that licence/certificate will not apply to the temporary event unless the police or environmental health have intervened by objecting. At a hearing dealing with objections to a TEN, the authority can consider imposing conditions from those which already apply to a premises licence/club premises certificate.

A hearing is required because the police or environmental health have objected to the event occurring on the grounds that the event would undermine one or more of the licensing objectives. The Police and/or environmental health can either ask the authority to serve a counter-notice that will prevent the event from going ahead or for an event on 'licensed' premises to go ahead with existing conditions being applied. Where the Police and/or environmental health have only asked the authority to serve a counter-notice then the authority can still choose to let a temporary event on 'licensed' premises go ahead with conditions even though the police/environmental health have not suggested this.

Section 182 Guidance (Apr 2018)

Particular reference should be made to Part 7.

Local Statement of Licensing Policy (2016)

No section is of particular relevance to this type of hearing.

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 issue a counter-notice or apply conditions will interfere with the landholder's property rights and Article 1 Protocol 1 will be engaged requiring such an interference to be in the public interest and to be a proportional response to meeting the licensing objectives.

The Sub-committee's powers

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

- (a) Issue a counter-notice; or
- (b) Refuse to issue a counter-notice; or

(c) In the case of 'licensed premises', refuse to issue a counter-notice provided conditions are imposed on the TEN.

The sub-committee cannot impose conditions determining how the event should be conducted where the event will take place on land not already subject to a Premises Licence or a Club Premises Certificate.

Rights of Appeal

An aggrieved applicant can appeal to Coventry Magistrates' Court against the issue of a counter-notice and the police can appeal against a decision not to issue a counter-notice. There do not appear to be any rights of appeal against the imposition of conditions or for environmental health to appeal against the refusal to issue a counter-notice.

V7(05/15)