



Licensing and Regulatory Sub-Committee (Hearing)

Time and Date

10.30 am on Monday, 18th November, 2024

Place

Diamond Room 2 - 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 - 46)

To consider an application for a Temporary Event Notice under the Licensing Act 2003 for Kasbah, Primrose Hill Street, Coventry, CV1 5LY.

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

Persons who have made representations have been invited to attend.

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

5. **Any Other Business**

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

Private Business

Nil

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

Friday, 8 November 2024

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

Carolyn Sinclair/Tom Robinson

Email: carolyn.sinclair@coventry.gov.uk/tom.robinson@coventry.gov.uk

Membership: Councillors B Christopher, J Lepoidevin and K Maton

Public Access

Any member of the public who would like to attend the meeting in person is encouraged to contact the officer below in advance of the meeting regarding arrangements for public attendance. A guide to attending public meeting can be found here: <https://www.coventry.gov.uk/publicAttendanceMeetings>

Carolyn Sinclair/Tom Robinson

Email:

carolyn.sinclair@coventry.gov.uk/tom.robinson@coventry.gov.uk



Licensing & Regulatory Sub-Committee

18th November 2024

Name of Cabinet Member:

Not applicable

Director Approving Submission of the report:

Director of Law & Governance

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 4th November 2024. The application is requesting the sale/supply of alcohol and Regulated Entertainment on Saturday 25th January 2025 at 15:00hrs – 22:30hrs 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 An objection was received on 5 November 2024 from the Environmental Protection Team in relation to the Prevention of Public Nuisance objective. (Appendix 2). The objection states that an event of this nature could breach the noise abatement notice currently in place in respect of loud music for the premises.

1.4 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.

1.5 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 that the Noise Abatement Notice has been breached on two occasions, 26th May 2024 & 13th July 2024. 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.

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	-

3.2 One objection from Environmental Protection has been received (Appendix 2). The grounds for the objection are 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 Director of Finance and Strategic Resources (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 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 One Coventry Plan?

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. This aligns with the One Coventry Plan to work together to improve our city and the lives of those who live, work and study here.

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:

Rekha Masih, Licensing Team Leader

Service: Regulatory Services, Law & Governance

Telephone: 024 7697 2247

Email: rekha.masih@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:				
Tom Robinson	Governance Services Officer	Law and Governance	08/11/2024	08/11/2024
Debbie Cahalin-Heath	Strategic Manager of Regulation & Communities	Regulatory Services	07/11/2024	08/11/2024
Davina Blackburn	Strategic Lead of Regulation & Communities	Regulatory Services	08/11/2024	08/11/2024
Names of approvers for submission: (officers and members)				
Faye Cartwright	Regulatory Lawyer	Law and Governance	08/11/2024	08/11/2024
Richard Shirley	Lead Accountant	Finance	08/11/2024	08/11/2024
Julie Newman	Chief Legal Officer	Legal & Governance Services	08/11/2024	08/11/2024

This report is published on the Council's website:

www.coventry.gov.uk/councilmeetings



* required information

Section 1 of 9

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Is your business registered outside the UK? Yes No

Note: completing the Applicant Business section is optional in this form.

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

United Kingdom

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Section 2 of 9

APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

Yes

No

* Your date of birth

dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

E-mail

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

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

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). [\(See also guidance on completing the form, note 2\)](#)

* Does the premises have an address?

Yes No

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither Premises licence Club premises certificate

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

Outside Garden area to be used to play music. DJ set.

Describe the nature of the premises below [\(see also guidance on completing the form, note 4\)](#)

Nightclub.

Describe the nature of the event below [\(see also guidance on completing the form, note 5\)](#)

Day Time DJ session in beer garden.

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises [\(see also guidance on completing the form, note 6\)](#):

The sale by retail of alcohol

Continued from previous page...

- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

[\(See also guidance on completing the form, note 7\).](#)

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

[\(See also guidance on completing the form, note 8\).](#)

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 9\)](#)

Event start date

/ /
dd mm yyyy

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

Event end date

/ /
dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

[\(see also guidance on completing the form, note 10\)](#)

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

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 11\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 12\):](#)

- On the premises only
- Off the premises only
- Both

Continued from previous page...

RELEVANT ENTERTAINMENT

(See also guidance on completing the form, note 13)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

15:00 — 22:30

Section 6 of 9

PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 14)

Do you currently hold a valid personal licence?

Yes

No

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 15)

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

No

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

Yes

No

b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 16)

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

No

Continued from previous page...

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

Yes

No

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

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

No

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:

Yes

No

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

Section 9 of 9

CONDITION (See also guidance on completing the form, note 18)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	KASBATH NIGHTCLUB
Street	PRIMROSE HILL STREET
District	HILLFIELDS
City or town	COVENTRY
County or administrative area	
Postcode	CV1 5LY
Country	United Kingdom

DECLARATION (See also guidance on completing the form, note 19)

- * The information contained in this form is correct to the best of my knowledge and belief
- * I understand that it is an offence:
 - * (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
 - * (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both
- Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	VARINDER KULLAR
* Capacity	Premises License holder and Personal License holder
Date (dd/mm/yyyy)	15 NOV 2024

Add another signatory

Once you're finished you need to do the following:
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/coventry/apply-1> to upload this file and continue with your application.
Don't forget to make sure you have all your supporting documentation to hand.

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From: Phillips, Ralph <[REDACTED]>
Sent: 05 November 2024 15:47
To: Simms, Carline <[REDACTED]>
Cc: Masih, Rekha <[REDACTED]>; Styles, Chris <[REDACTED]>;
Chaplin, Neil <[REDACTED]>; Wright, Amy <[REDACTED]>;
Dewar, Steve <[REDACTED]>
Subject: ACTION Ref:-279766 EP response consultation TEN - Kasbah, Primrose Hill Street, Coventry, CV1 5LY.
Importance: High

Comments from: Environmental Protection
Name of officer responding: Ralph Phillips
Comment: Objection

As a consultee in assisting the licensing authority in carrying out one its four statutory objectives under The Licensing Act 2003; the Environmental Protection Department **object** to the granting of the TEN; in order to prevent public nuisance for the following reasons:-

1. On the 2nd of November 2022, an officer from the Environmental Protection Department at Coventry City Council served noise abatement notices under Sections 79 (1)(g) and 80 of the Environmental Protection Act (EPA) 1990 on The Premises Licence Holder (PLH) (Varinder Kullar) as well as the Designated Premises Supervisor (DPS) (Mr Anthanasios Staikos) of the Kasbah Nightclub, Primrose Hill Street, Coventry, CV1 5LY requiring the immediate abatement of loud music from the premises.
2. On 26th May 2024, at 20:40 hrs Coventry City Council's Street Enforcement monitoring service received a telephone call from a local resident complaining of loud music noise nuisance coming from the Kasbah Nightclub. The officer who attended reported that he witnessed loud music coming from the Kasbah which was causing a statutory noise nuisance.
3. On 13th July 2024 at 19:31 hrs Coventry City Council's Street Enforcement monitoring service received a telephone call from a local resident complaining of loud music noise nuisance coming from the Kasbah Nightclub. The officer who attended reported that he witnessed loud music coming from the outdoor area of the Kasbah which was causing a statutory noise nuisance.

The noise witnessed on both the 26th May 2024 and the 13th July 2024, were considered to be at a level that constituted a statutory nuisance; which are both breaches of the Noise Abatement Notice which was served under Sections 79 (1)(g) and 80 of the Environmental Protection Act (EPA) 1990, on 2nd November 2022.

Kind regards

Ralph Phillips

Environmental Health Officer

Environmental Protection

Coventry City Council

Direct line: +44(0)2476976155

Customer Services: 08085 834333

Web: www.coventry.gov.uk

Generic email: env.protection@coventry.gov.uk

Web: <http://www.coventry.gov.uk/pollution>

Report a Pollution Incident Online:

<http://www.coventry.gov.uk/directory/48/forms/category/162>



Kasbah
Primrose Hill Street
Coventry
CV1 5LY

Street Scene & Regulatory Services
Licensing Department

Coventry City Council
PO Box 15
Council House
Coventry
CV1 5RR

licensing@coventry.gov.uk
www.coventry.gov.uk

Phone: 024 7697 5496

Our reference WK/224001653
Date: 06 February 2024

Dear Jess.

Licensing Act 2003 – Premises Licence
Kasbah, Primrose Hill Street, Coventry, CV1 5LY

Please find attached the Premises Licence number LN/205000940 issued under the Licensing Act 2003 for Kasbah, Primrose Hill Street, Coventry, CV1 5LY

Your licence may be subject to conditions which will appear on your licence; you should ensure these conditions are met along with embedded conditions or conditions carried across from existing licences. If you are unsure about the conditions, please contact a Licensing Officer.

Mandatory Conditions are also attached to your licence as provided by the Act and subsequent 2010 and 2014 Orders, these can be found at Annex 1.

In addition, you must have regard to the following:

Duty to keep the licence

The premises licence or a certified copy of it must be kept at the premises. The summary of the licence must be clearly displayed at the premises. **If you have received your premises licence in a PDF format via email, it is your duty to print the licence and display it.** It is an offence not to comply with this.

Duty to produce the licence

Any Police Officer or authorised officer of the licensing **authority may require the holder of a premises licence to produce it for examination.**

Company Dissolution/Insolvency

If your company becomes insolvent or is dissolved, any licence held under the Licensing Act 2003 will immediately lapse. If there has been less than 28 days since the company was dissolved, you could apply to transfer the licence with immediate effect. Please contact the Licensing Team immediately to discuss your options.

Surrender of the licence

If you wish to surrender the licence you must notify this department and return the premises licence in full.

Change of name or address

You must tell this department if you change your name or address and return the premises licence.

Change of Designated Premises Supervisor

If you wish to change the premises supervisor named on the licence, you must apply to this department and give notice to the Police.

Changes to licence

If you want to change your operation, add new activities, change the hours, or remove conditions then you may need to apply for a variation of your licence or a temporary event notice. Please contact us for further advice.

Failure to comply with any of the above requirements is an offence.

Your new licence is subject to an annual fee - We will send you an invoice in advance of the renewal date. Please contact the Licensing Team on 024 7697 5496 if you require further assistance.

Yours sincerely



Carline J Simms
Licensing Officer

Pre-Application Licensing Solutions:

We now offer assistance, guidance and support with your licensing applications. Our NEW pre-application advice & assistance service gives you best of local licensing knowledge at an affordable rate.

Applications are dealt with safely, securely, saving you time and money, and giving you peace of mind that your application is fit for purpose and ready to be processed without delay.

Prices start from £36.00. Contact us for a quote: licensing@coventry.gov.uk

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

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 Years 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

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.

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.

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.

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

All general.

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

Occasionally demonstrations, or performances might be given most likely but not exclusively, as part of a live bands, performance or e.g. Irish dance performance on St Patrick's Day and where not already exempted are to be treated as regulated entertainment.

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.

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 & OFF THE PREMISES		
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

HOURS		
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 & OFF SALES

Part Two

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

Athanasios Staikos
54 Argyll Street
Coventry
CV2 4FL

Personal Licence Number and Issuing Authority of Personal Licence held by Designated Premises Supervisor where the premises authorises the supply of alcohol

Licence number - **CV218000076** - **Coventry City Council**

LICENSING ACT 2003

Full Premises Licence

Dated this 6th February 2024



Strategic Lead - Regulation & Communities

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.

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

Kasbah – LN/205000940

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

The premises licence and business are 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.
CCTV will be in operation whenever the premises are open for a licensable activity, record for a 31-day period, during which times there will always be at least 1 member of staff on duty who can operate the CCTV to enable playback.
CCTV footage will be provided to RA's within 48hrs of a request, the exception being serious disorder or serious injury in which case its production may be required ASAP.
All working SIA will wear an individually numbered fluorescent tabard that corresponds to the daily SIA deployment record and clearly identifies the individual as security / door staff.
All working SIA will display their SIA accreditation, on their upper arm and ensure it is clearly visible, as per SIA policy.
A daily deployment record of all working SIA registered staff will be kept, this record will include their deployment, shift times, name, address, and telephone number as well as their SIA badge number. This record will be produced to RA upon request.
Deployment of extra security (SIA Trained).
Random searches if deemed necessary for weapons/drugs.

c) Public safety.

Existing Health and Safety policy.
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.
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.
All staff must complete the Action Counter Terrorism training annually and a record of completion of this training maintained. This training record will be produced to RAs upon request.

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.
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.

Annex 3

Conditions Attached after a Hearing by the Licensing Authority

Annex 4

Plans

The Plan attached to this licence as attached.

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.

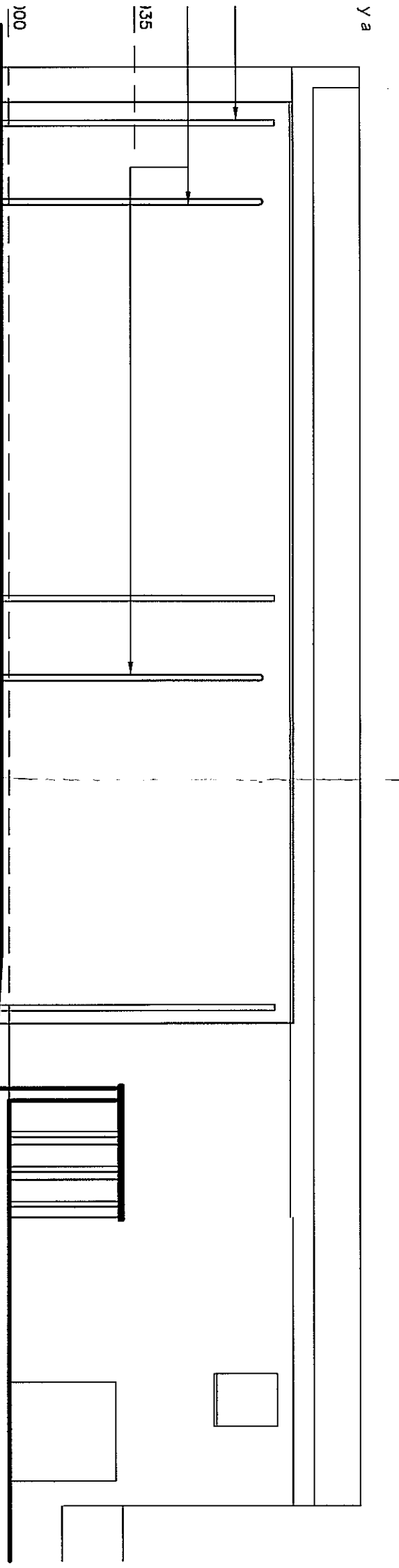
All admissions to be checked by SIA staff to ensure entrants are over 18 years old.

Adopt Challenge 25 entry policy.

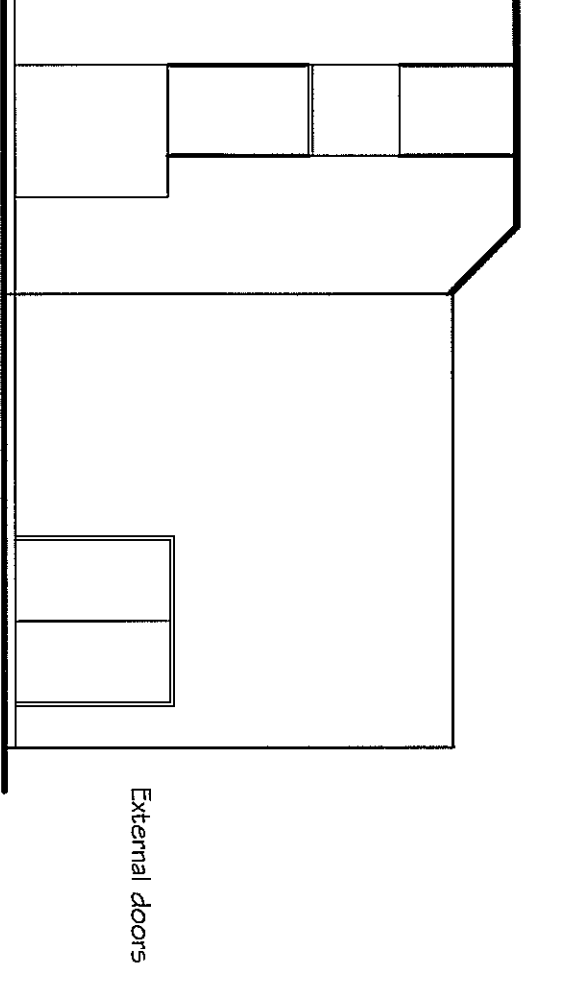
Any event that could be attended by underage customers will operate a wrist band age verification system.

Only genuine Photo Id will be accepted, not mobile phone images or copies.

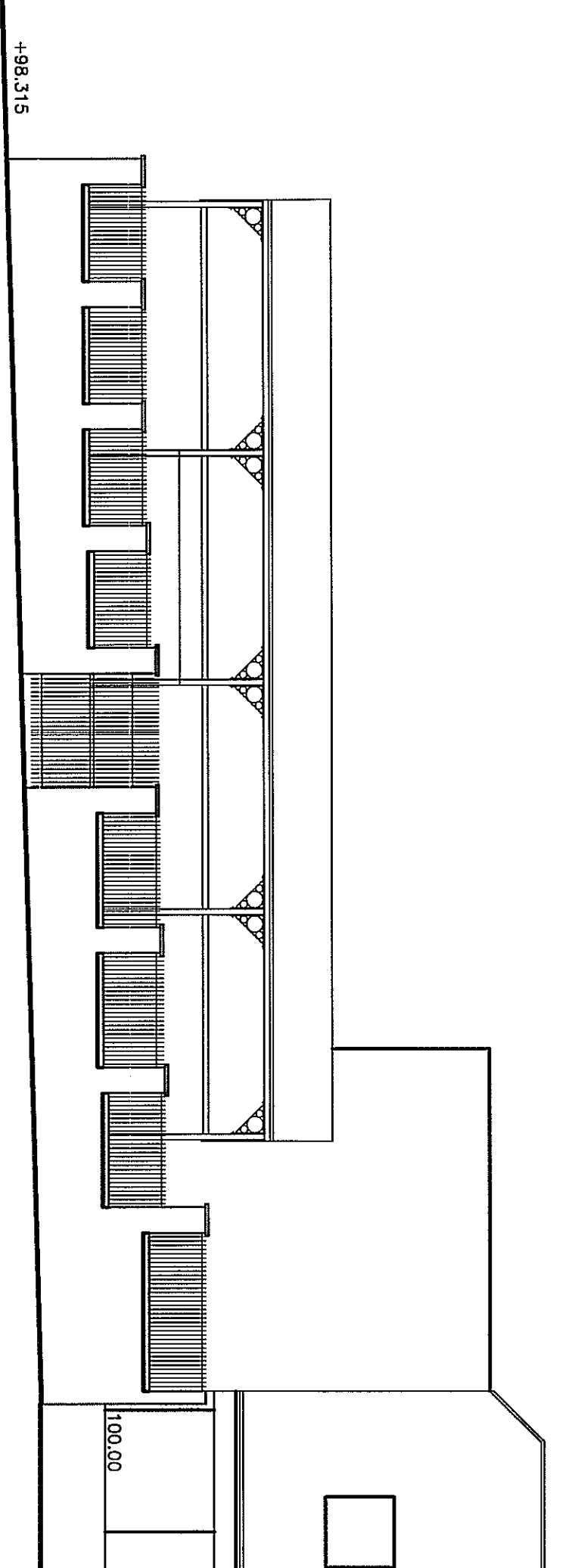
Accept only valid passports and driving licences as proof of age.



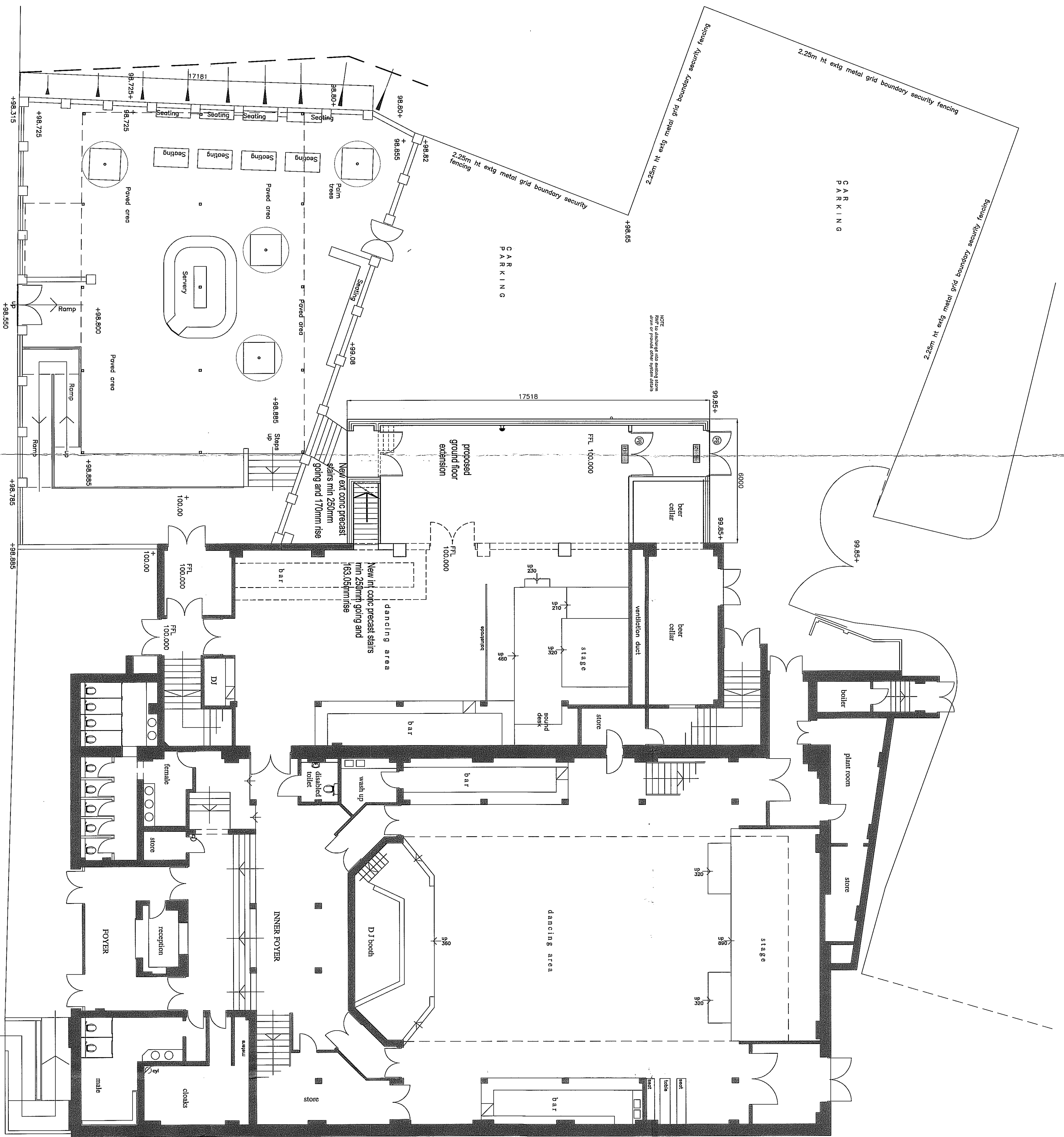
PROPOSED SIDE ELEVATION
SCALE 1:100



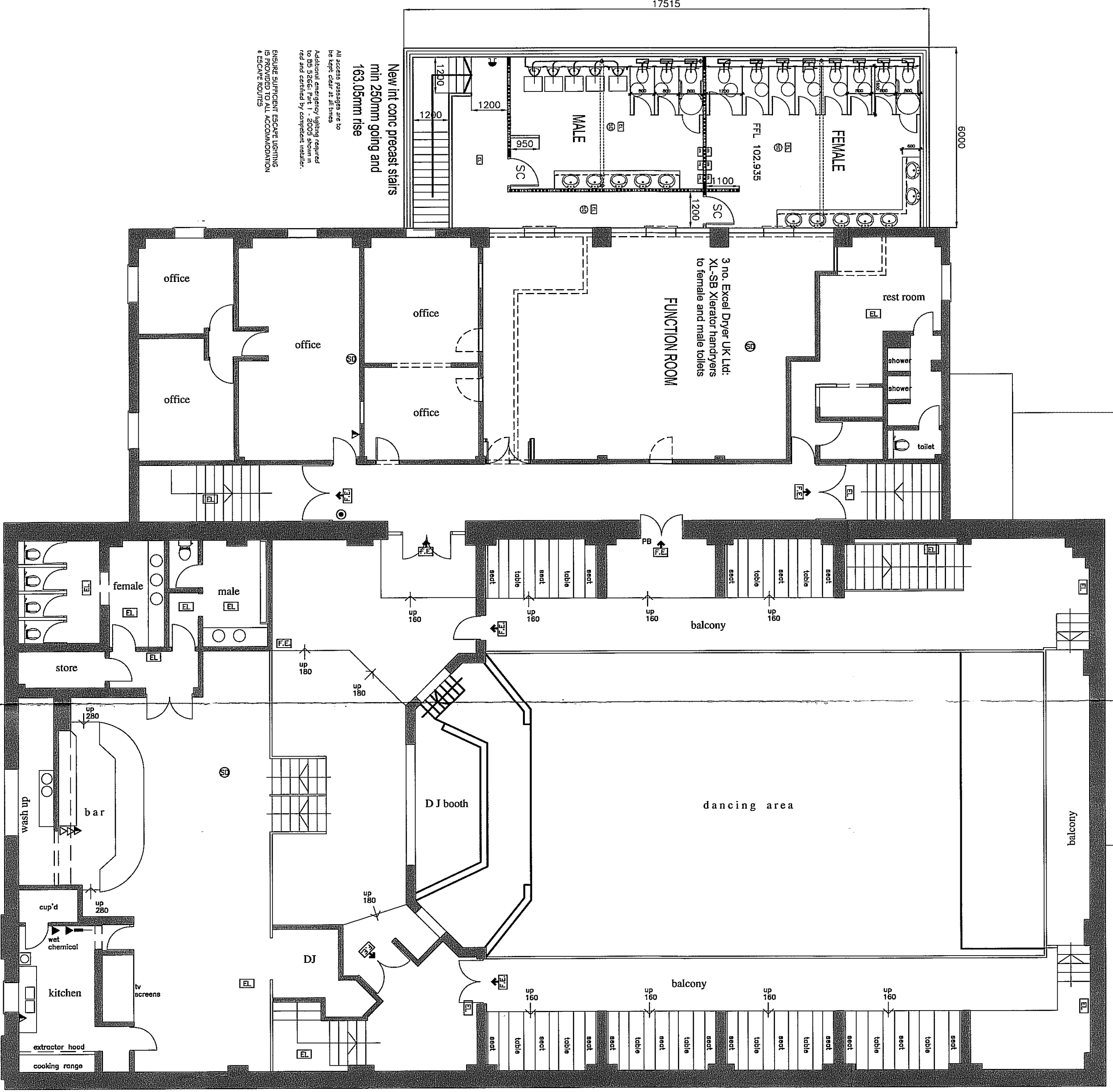
PROPOSED REAR ELEVATION
SCALE 1:100



PROPOSED ELEVATION FROM PRIMROSE HILL STREET
SCALE 1:100



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

NOTES

1. Do not scale or fit drawing - All dimensions and settings set to be taken from the drawing.

2. All dimensions are in millimeters unless otherwise stated.

3. All dimensions are to the center of the element unless otherwise stated.

4. All dimensions are to the face of the element unless otherwise stated.

5. All dimensions are to the center of the element unless otherwise stated.

6. All dimensions are to the face of the element unless otherwise stated.

7. All dimensions are to the center of the element unless otherwise stated.

8. All dimensions are to the face of the element unless otherwise stated.

9. All dimensions are to the center of the element unless otherwise stated.

10. All dimensions are to the face of the element unless otherwise stated.

Rev	Date	Description	By	Check
01	11/01/2014	For Approval		
02	11/01/2014	For Construction		
03	11/01/2014	For Comment		
04	11/01/2014	For Record		

Consultant: ARCHITECTURAL CONSULTANTS
 Project Title: Proposed Double Storey Side Extension
 Client: Keshab Nigroba Primrose Hill Street Coventry CV1 5AV
 Drawing No: 4207
 Scale: 1:100 @ A0
 Date: 14/12/13

LICENSING ACT 2003

Summary Licence

To Be Displayed

Kasbah

Premises licence number	LN/205000940
--------------------------------	---------------------

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

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.

	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

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.
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.
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.

LICENSING ACT 2003

Summary Licence To Be Displayed

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
All general.			

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
Occasionally demonstrations, or performances might be given most likely but not exclusively, as part of a live bands, performance or e.g. Irish dance performance on St Patrick's Day and where not already exempted are to be treated as regulated entertainment. On New Year's Eve through into New Year's Day, consistent with the Gov't'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.			

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.			

LICENSING ACT 2003

Summary Licence To Be Displayed

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 & OFF THE PREMISES		
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.

HOURS		
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 & OFF SALES

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

LICENSING ACT 2003

Summary Licence
To Be Displayed

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

Athanasios Staikos

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

N/A

Dated this 6th February 2024

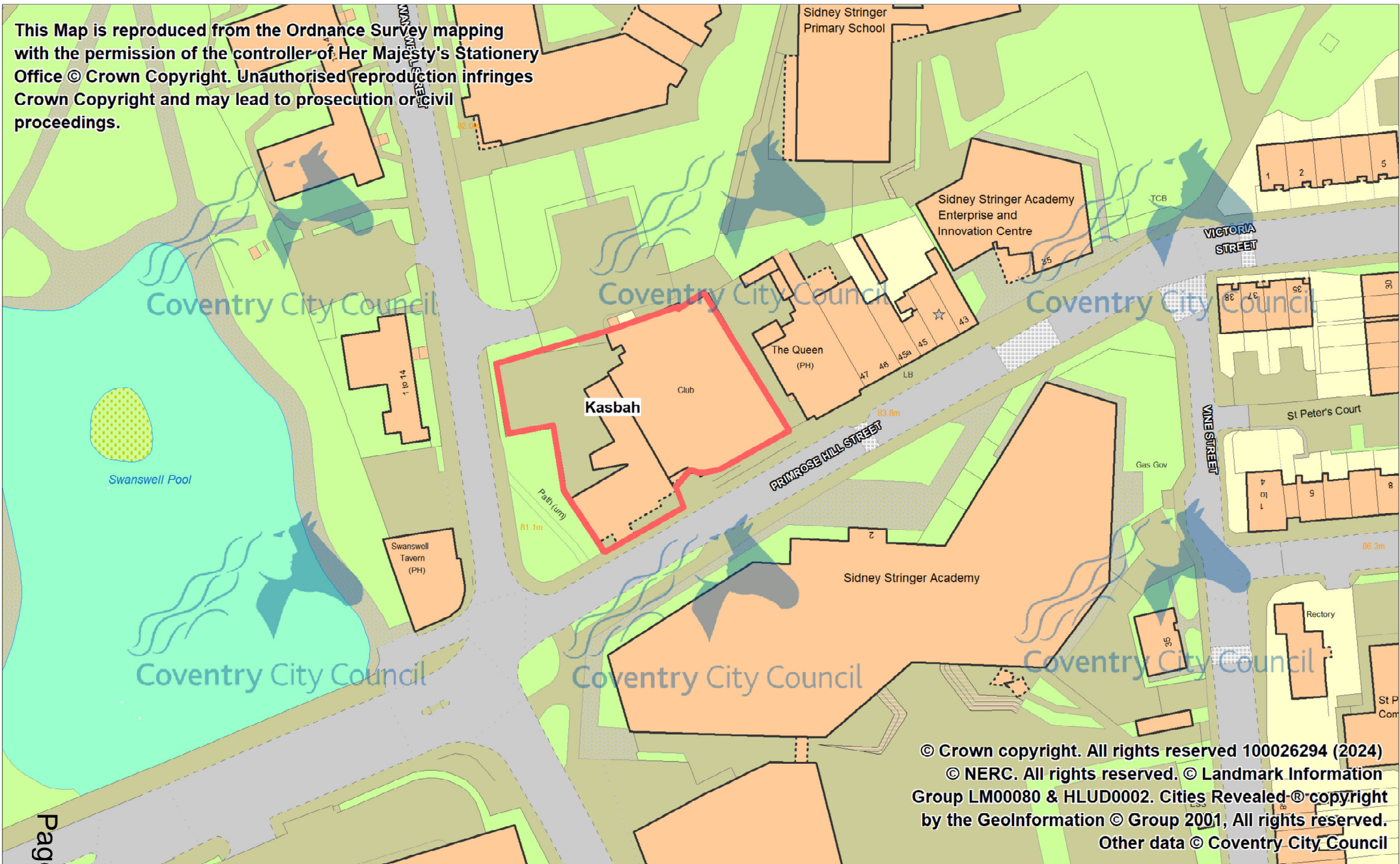


Strategic Lead - Regulation & Communities

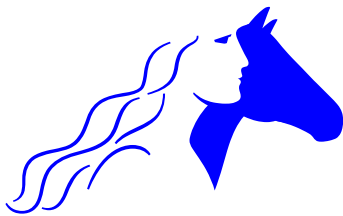
Licensing Team
Streetscene & Regulatory Services
PO Box 15
Coventry City Council
Earl Street
Coventry
CV1 5RR

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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 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.



Coventry City Council

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)