

Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Sub-Committee (Hearing)
held at 10.00 am on Thursday, 29 October 2015

Present:

Members: Councillor J Mutton (Chair)
 Councillor J Birdi
 Councillor G Duggins

Employees (by Directorate):

Place: R Masih
Resources: D Joy, L Knight

In Attendance: Mr M Anwar (Applicant)
 Mr M Rahman (Agent for Applicant)

Public Business

1. **Appointment of Chair**

RESOLVED that Councillor Mutton be appointed as Chair for this meeting.

2. **Declarations of Interest**

There were no disclosable pecuniary interests.

3. **Licensing Act 2003 - Application for a New Premises License**

The Sub-Committee considered an application for a new premises licence in respect of Ginger Orange, 50 Kenpas Highway, Coventry.

The original application, for the sale of alcohol beyond 23.00 hours had been amended during the application process and it was therefore proposed the sale of alcohol be permitted between 17.00 hours and 23.00 hours each day.

It was noted that the West Midlands Police had been in contact with the Applicant during the representation period and the result of this was that the Police had proposed a CCTV condition to be attached to a premises licence in the event that a licence was granted. The Applicant had agreed to this condition.

The Sub-Committee considered the written application and the oral presentation made by the Applicant and his agent during the hearing. It also had regard to the Secretary of State's Guidance, the Council's Statement of Licensing Policy and the High Court's decision in Daniel Thwaites Plc v Wirral Magistrates Court (relating to the standard of evidence at licensing hearings).

The Sub-Committee heard from the Applicant about the amount of investment that had been made in the premises and, in response to a question from Sub-Committee, the Applicant stated that it was not intended to sell alcohol only to customers. Alcohol would only be sold to those consuming food, or to those

purchasing alcohol for consumption off the premises). The Applicant stated that he would agree to a condition restricting the sale of alcohol for consumption on the premises only with the consumption of food purchased on the premises.

In addition, the Applicant confirmed that he was aware that the grant of a premises licence would not remove the need for the necessary planning permission to be in place. It was noted that the current planning permission restricted the hours of opening due to parking / highway concerns.

The Sub-Committee also considered the written representations against the application, which raised concerns about increased crime, nuisance and parking problems in the event that a licence was granted.

In relation to the prevention of crime and disorder, the Sub-Committee noted the position of the West Midlands Police, in that the imposition of a condition could meet their concerns and that to address issues in relation to public nuisance, the opening times detailed in the application had been amended to 23.00 hours.

RESOLVED that the application for a premises licence for Ginger Orange, with the opening times from 17.00 hours to 23.00 hours and for the sale of alcohol between 17.00 hours and 23.00 hours (on and off the premises) be granted subject to:

- (a) The Mandatory Conditions prescribed by the Act;**
- (b) CCTV cameras to be in operation and recording whilst the premises are open to the public and CCTV images to be retained for 31 days and to be available to any responsible authority upon request.**
- (c) No alcohol to be sold for consumption on the premises otherwise than as ancillary to the consumption of a meal or meals on the premises.**

4. Any Other Business

There were no other items of business.

(Meeting closed at 10.35 am)