

Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Sub-Committee (Hearing)
held at 10.00 am on Thursday, 5 July 2018

Present:

Councillor J Clifford
Councillor P Hetherton
Councillor C Thomas

Employees (by Directorate):

Place: U Patel, F Samuda

In Attendance: I Tipton (West Midlands Police Licensing Officer)

Public Business

1. **Appointment of Chair**

RESOLVED that Councillor Hetherton be appointed Chair for the hearing.

2. **Apologies**

There were no apologies for absence.

3. **Declarations of Interest**

There were no declarations of interest.

4. **Licensing Act 2003 - Application for a New Premises Licence**

The Sub-Committee hearing was reconvened from 15th June 2018 to seek clarification on the conditions agreed with West Midlands Police.

The matter was originally listed due to the Authority receiving one objection from the Police as a responsible authority. Prior to the hearing of 15 June 2018 the Police had given notice that it was withdrawing its objection as conditions had been negotiated with the Applicant. The Police had previously provided a detailed objection where from the information provided in respect of the negotiated conditions did not seem to answer the concerns that the Police had originally had. Clarity was therefore required. The parties were not in attendance on 15 June 2018 hence no one was present to clarify the position on that day. As a consequence the matter was adjourned to 5 July 2018 for the Police to attend and address the Sub-Committee on the agreement reached. Notwithstanding this, all parties were invited to the adjourned hearing.

Given the above, on 15 June 2018, in accordance with Regulation 9(2) of the Licensing Act 2003 Hearing Regulations 2005 the Sub-Committee resolved that it was not satisfied that the hearing should be dispensed.

Mr Ian Tipton, Police Licensing Officer confirmed that the Police's concern was that this was an unknown area as West Orchards did not have any alcohol sales premises currently on site. This was therefore a 'first' for everyone. The main concern was about alcohol being moved around the food hall area and the expectation being that West Orchards security would step forward and offer some assurances in respect of any problems arising if the premises were licensed; they declined. Mr Tipton could not compel West Orchards security to do more for these premises than any other premises as they were required to manage the whole site.

In view of this, Mr Tipton had to assess and focus on the Applicant's premises in terms of what could be done to effectively 'contain' the alcohol to the premises whilst being based in a food hall. The Applicant was thereafter requested to provide a more solid parameter around the premises so that it would be clear to customers that they were in a licensed premises. This would ensure that Cocoa Caffe was appropriately sectioned off as a licensed premises. Mr Tipton had also discussed the use of CCTV footage with the Applicant.

The parties had agreed the following conditions which resulted in the objection being withdrawn:

1. Provision of barriers that clearly identify the extremity of the premises and prevent drinks or persons passing through them. This leaving the only entrance and exit from the premises adjacent to the shop counter
2. Signage to clearly indicate that no alcoholic drinks may be taken outside the premises
3. At the point of sale the customer will be informed by a member of staff that no alcoholic drinks can be taken outside the premises
4. The sale of alcohol is ancillary to the purchase of food and will be decanted and served at table
5. 'Proxy sales' notices to warn against the purchase of alcohol on behalf of a child
6. All staff to receive training on Child Sexual Exploitation, this will be documented and refreshed on a 12 monthly basis
7. All staff to be trained in basic licensing laws
8. Refusals are to be monitored and documented

The Sub Committee was satisfied upon the clarification given by the Police resulting in the Police withdrawing its objection that the Licence should be granted. Furthermore, the Sub Committee was of the view that the Licensing Objectives would be met by the Applicant given the negotiated conditions agreed with the Police; hence its decision.

RESOLVED that the Licensing and Regulatory Sub Committee, having considered the Licensing Act 2003, the Home Office Section 182 Guidance, the Council's Statement of Licensing Policy and further the withdrawn representation of the Police; and having reviewed all the papers provided; agreed to the grant the Licence subject to the negotiated conditions agreed with West Midlands Police as detailed above.

5. **Any Other Business**

There were no other items of business.

(Meeting closed at 10.25 am)