

**Coventry City Council**  
**Minutes of the Meeting of Licensing and Regulatory Sub-Committee (Hearing)**  
**held at 10.00 am on Tuesday, 20 May 2025**

Present:

Members:                      Councillor F Abbott (Chair)  
                                    Councillor S Gray  
                                    Councillor K Maton

Employees (by Service  
Area):

Law and Governance              T Robinson, A Wright

Streetscene and                      R Masih, C Simms  
Regulatory Services

In Attendance (Interested      Applicant  
Parties):                              Applicant's Representative  
    Objectors

**Public Business**

29.      **Appointment of Chair**

**RESOLVED that Councillor F Abbott be appointed as Chair for the hearing.**

30.      **Apologies**

There were no apologies for absence.

31.      **Declarations of Interest**

There were no declarations of interest.

32.      **Application for a Premises Licence Application under the Licensing Act 2003**

The Sub-Committee considered an application for a Premises Licence in respect of Nagra Supermarket, 198-200 Fenside Avenue, Coventry CV3 5NJ. The application requested the Sale of Alcohol (Off Sales) from Monday to Sunday from 0600hrs to 2300hrs. During the consultation period, the hours were amended by agreement with Environmental Health to 0700hrs to 2300hrs.

Three representations had been received from Other Persons objecting to the grant of the application on the basis that to do so would undermine all four Licensing Objectives.

None of the Responsible Authorities had objected.

The Sub-Committee's statutory duty was to consider the application and any representations and to take such steps as contained in the Licensing Act 2003 as it considered appropriate for the promotion of the Licensing Objectives.

The Licensing Officer gave a brief summary of the application and confirmed that all licensing formalities had been complied with.

The Applicant's Representative was invited to present his case on behalf of the Applicant. The Representative confirmed that the premises is currently a closed site which the Applicant plans to refurbish and turn into a general store with the inclusion of alcohol. He stated that the Applicant had a wealth of experience over 25 years in running a number of premises across the Midlands. Both he and his wife are personal licence holders.

The Representative highlighted the fact that no Responsible Authorities had objected to the application, that a licensed premises already exists in close proximity with no known issues and that the steps that would be taken to ensure the promotion of the Licensing Objectives had been comprehensively set out in the Operating Schedule.

The Sub Committee asked whether the premises would open as a general store if the application was refused. The Applicant said this was unlikely as the business would no longer be viable because it provides less opportunity for customers to obtain all of their items from one place.

The Applicant confirmed that he was confident he could run the premises in the way set out in the Operating Schedule and had experience of this. He further advised that he had tried to proactively engage with the Objectors in the form of mediation, but the Objectors were not willing to participate. This was confirmed by the Licensing Officer.

The Objectors were then given the opportunity to present their case. They advised that they are the Premises Licence Holders for the premises next door and that granting of the Licence would directly affect their business. They stated that there was an existing issue in the area with anti-social behaviour and children attempting to purchase alcohol, which they believed would be exacerbated by the granting of another Licence. They stated that they have 15 years remaining on their current lease and their turnover is already low. They considered that they would lose half of their business and be unable to pay their rent.

The Sub Committee asked why they did not agree to mediation with the Applicant. The Objectors advised that when the Applicant had initially approached them, he stated that he had no plans to open an off licence. They therefore believed they had been lied to and that a further discussion would be a waste of time.

In answer to further questions from the Sub Committee, the Objectors confirmed that they have no evidence of existing issues other than one recent incident where a fight took place in their shop and a window was broken. It was unclear if this related to alcohol or whether the Police were involved. The Licensing Officer confirmed that they were unaware of any such reports and reiterated that the Police, as a Responsible Authority, had not objected to the application.

The Sub Committee advised the Objectors that the Council does not have a Cumulative Impact Policy and could therefore not take into account the effect that granting the Premises Licence would have on their family business. The Sub Committee stated that their only consideration would be the promotion of the Licensing Objectives. The Sub Committee took account of the written submissions of the third Objector.

In reaching its decision, the Sub Committee considered the application on its own merits, having regard to both national guidance and the Council's own policy.

In accordance with the High Court's decision in *R (on application of Daniel Thwaites plc) v Wirral Magistrates' Court and Others (2008) EWHC 838 (Admin)* the Sub Committee attached the appropriate weight to the fact that none of the Responsible Authorities, who are to be considered experts in their individual fields, had objected to the application.

In particular, the Sub Committee considered paragraph 9.15 of the Licensing Act 2003 Statutory Guidance which states that it is reasonable to expect the local authority exercising environmental health functions to make representations where there are concerns about noise nuisance, and the Police to make representations where concerns exist surrounding crime and disorder.

The Sub Committee fully considered the submissions provided by the Objectors, and noted that they had significant concerns over the future of their business should this Licence be granted. The Sub Committee were sympathetic to those concerns, but as was explained during the Hearing, Coventry City Council does not have a Cumulative Impact Policy and therefore there is no mechanism whereby the Sub Committee could or would legitimately refuse a Premises Licence for this reason.

Having listened to all the evidence, and considered the Applicant's Operating Schedule which was thorough, the Sub Committee determined that the Applicant had demonstrated a willingness to take steps to prevent, so far as was possible, problems arising at or from the premises that may undermine the Licensing Objectives.

The Sub Committee was satisfied that the Applicant takes his responsibilities in respect of the Licensing Objectives seriously, and that the concerns of local residents had been taken into account, and this would continue to be the case.

**RESOLVED that the application for a Premises Licence be granted in respect of Nagra Supermarket, 198-200 Fenside Avenue, Coventry CV3 5NJ**

33. **Any Other Business**

There were no other items of business.

(Meeting closed at 10.50 am)