



LICENSING SUB-COMMITTEE

Committee Date: Thursday 4 July 2019

APPLICATION DETAILS

Type:	New – Premises Licence
Name of Applicant(s):	Coffeelink Limited
Address of Applicant(s):	31 Knightsdale Road, Ipswich IP1 4JJ
Type of applicant (Premises Only)	Company
Name of Premises:	Coffeelink
Address of premises:	Unit 2a, The Chandlery, Tide Mill Way, Woodbridge IP12 1BY
Description of Premises:	Coffee shop

EXECUTIVE SUMMARY:

- This is an application for a new Premises Licence.
- The application seeks to permit the sale of alcohol on the premises.

Is the report Open or Exempt?	Open
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Wards Affected:	Woodbridge
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Cabinet Member:	Councillor Mary Rudd Cabinet Member with responsibility for Community Health
Supporting Officer:	Teresa Bailey Senior Licensing Officer 01394 444364 teresa.bailey@eastssuffolk.gov.uk

1. PROPOSED LICENSABLE ACTIVITIES

Sale of alcohol – on sales

Mon - Sat	08:00 to 18:00
Sun	09:00 to 17:00

2. PROPOSED OPENING HOURS

Mon - Sat	08:00 to 18:00
Sun	09:00 to 17:00

3. OPERATING SCHEDULE

- 3.1 The following steps have been proposed in order to promote the 4 licensing objectives. These are proposals offered by the applicant and in their own words. Some submissions may already form part of the licence, as mandatory conditions; others may be re-worded by officers to form meaningful, enforceable conditions on the licence.

General Conditions

Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to: a/ no selling of alcohol to underage people b/ no drunk and disorderly behaviour on the premises area c/ vigilance in preventing the use and sale of illegal drugs at the retail area d/ no violent and anti-social behaviour e/ no any harm to children.

Crime and Disorder

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted. Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed. Not selling of alcohol to drunk or intoxicated customers.

Public Safety

Internal and external lighting fixed to promote the public safety objective. Well trained staff adherence to environmental health requirements. Training and implementation of underage ID checks. A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

Prevention of Public Nuisance

Noise reduction measures to address the public nuisance objective. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly. Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents. The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for

unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents. Customers will be asked not to stand around loudly talking in the street outside the premises. Customers will not be admitted to premises above opening hours. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.

Protection of Children from Harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol. Well trained staff about requirement for persons' identification, age establishment etc.

A plan of the premises is attached as **Appendix A**

4. REASON FOR HEARING

- 4.1 Five representations have been received against the application. The Council's Head of Legal and Democratic Services has examined the representations made about this application and has determined that the relevant representations have been made within the statutory 28 day period by the following:

Responsible Authorities: None

Other persons: Five

- 4.2 The applicant has been provided with a copy of the representations and they are attached as **Appendix B** for members of the Sub-Committee.

- 4.3 Summary of grounds for representations:

The representations highlight concerns that the grant of the licence will have an adverse effect on the licensing objectives public nuisance, protection of children from harm and public safety. There is concern that the use of external tables and seats cause a considerable noise factor. The extended availability of provision from the premises is likely to greatly increase the level of noise and the extent and frequency of such disturbance. There is also concern of pollution from smoking and the sale of alcohol would invite possible injury by falling or drowning in nearby high water.

5. POINTS FOR CONSIDERATION

- 5.1 In exercising its licensing functions, the Licensing Authority has stated in its licensing policy that it will primarily focus on the direct impact of the licensable activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the vicinity of the premises.

- 5.2 The attention of the Sub-Committee is drawn to the following:

- a) The Licensing Act 2003 Section 4 requires the Sub-Committee to have regard to:

- Guidance Issued under Section 182 of the Licensing Act 2003.
- The Council's Statement of Licensing Policy

If the Sub-Committee has reason to depart from the above it is asked to give full reasons for so doing.

b) Human Rights Act 1998

The Human Rights Act 1998 came into force on the 2 October 2000. The Sub-Committee is urged to have careful regard of its provisions.

It is unlawful for a public authority (this expression includes local authorities) to act in a way which is incompatible with a human right.

As far as the applicant's right to a fair hearing is concerned (Article 6), the applicant has a right to be heard by the Licensing Sub-Committee. If this application is refused or granted subject to modification, the applicant has a right of appeal to the Magistrates' Court.

In assessing the impact of human rights the Sub-Committee must seek to strike a balance between the right of the proprietors in the business to conduct it as they wish and local residents who may find its activities intrusive. In this context a business is a "possession" and the human right is expressed to be for the "peaceful enjoyment" of it. A rider to this human right empowers the Council to control the enjoyment of that business by its proprietors in the general interest. At the same time, local residents are entitled to the peaceful enjoyment of their homes.

- 5.3 The relevant notices about this hearing have been served on the applicant and interested parties and they have until 27th June 2019 to confirm that they intend to attend (or not) as the case may be and give notice that they wish to call witnesses.

6. CONCLUSION

- 6.1 The applicant has been advised of the representations that have been made and there may be mediation between the applicant and the interested parties before the hearing in order to achieve agreement. In the event that an agreement is not possible, the Sub-Committee will be asked to determine this application by:

- Granting the application subject to such conditions as are consistent with the operating schedule accompanying the application and any condition which must be included in the licence in accordance with the Licensing Act 2003.
- Granting the application subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the Sub-Committee considers appropriate for the promotion of the licensing objectives (for example, by excluding a licensable activity or restricting the hours when a licensable activity can take place), and any condition which must be included in the licence in accordance with the Licensing Act 2003.
- Rejecting the application.

- 6.2 If the decision reached by the Sub-Committee results in differences between the conditions attached to the licence and the planning permission currently in force for these premises, the applicant should be advised that the planning permission must be adhered to unless and until it is amended to reflect the conditions attached to the licence.
- 6.3 Depending on the decision of the Sub-Committee, the applicant and / or responsible authority and interested parties that have made representations have rights of appeal to the Magistrates Court.
- 6.4 When announcing its decision, the Sub-Committee is asked to state its reasons.

APPENDICES	
Appendix A	Plan of premises.
Appendix B	Representations.

BACKGROUND PAPERS	
Application Form	Available from licensing@eastsoffolk.gov.uk