

LICENSING PANEL SUB-COMMITTEES

TUESDAY, 9 MAY 2017

PRESENT: Councillors Jesse Grey, Derek Sharp and John Bowden

Also in attendance:

Officers: Wendy Binmore and Roxana Khakinia

APPOINTMENT OF CHAIRMAN

RESOLVED UNANIMOUSLY: That Cllr Grey be appointed Chairman for the duration of the meeting.

APOLOGIES FOR ABSENCE

None.

DECLARATIONS OF INTEREST

None.

CONSIDERATION OF APPLICATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003

Licensing Officer presenting the application and decision to be taken

Steve Smith, Licensing Officer explained that the Coppa Club was located on the ground floor and that the application was for a new premises licence. The premises were described by the applicant as a restaurant, bar meeting place, serving a variety of food and drinks throughout the day, from breakfast to late.

There had been no objections from Environment Health, Thames Valley Police or the Local Safeguarding Children's Board (LSCB). Licensing required five additional conditions which were:

1. A log of any refusals to sell alcohol, any incident of crime or disorder, complaints or any ejections of persons shall be maintained at the premises. Such records shall be held for a period of 12 months from the date of entry.
2. Photographic evidence to be requested (i.e. passport, driving licence or pass logo).
3. Challenge 25 policy to be in place and signage will be displayed.
4. Signage to be displayed where alcohol is displayed for sale indicating alcohol will not be sold to persons under the age of 18.
5. Training of all bar staff on the premises to ensure that they understand & adhere to the law relating to the sale of alcohol.

The Licensing Officer stated the applicant had agreed to all of the conditions and that was evidenced in an email received by the Licensing Team on 27 April 2017 from the applicants solicitor.

The Licensing Officer stated there was a concern raised from Planning as the hours applied for did not correspond with the hours of business but, that had since been resolved as confirmed in an email received from Daniel Gigg, Team Manager in Planning dated 3 April 2017. There was also a letter received from an objector but, that objector was not able to attend the Panel and had asked for their statement to be read out. The statement was on

page 47 of the agenda pack, The Licensing Officer stated there were no representations made by Ward Members.

Mr O'Maoileoin had contacted the Licensing Team to advise that the application had been amended and the new revised hours of opening were stated on page 41 of the agenda pack. The premises were within a complex of one, two and three bedroom apartments with the Coppa Club located on the ground floor below the apartments. Three photographs of the site were circulated to the Panel which showed the whole building and the front of the premises and the surrounding establishments. The applicant said it was a restaurant bar serving food and drink. Other licensed premises nearby included The Bear.

The Licensing Officer drew the Panels attention to the additional recommended conditions which were listed on page 33 of the agenda pack with further conditions found on page 49. The Borough's own policy was to be found on pages 8-14 and the outcome of the Panel had to be considered in conjunction with the Borough's objectives and licensing policy.

Members questions to the Licensing Officer

The Licensing Officer confirmed the revised times of the opening hours to be

- Monday to Thursday 11.30pm
- Friday and Saturday 12.00am
- Sunday 11.00pm

The Licensing Officer did not know if the premises were built for entertainment purposes and stated the applicants were not applying for an entertainment licence.

Applicant to address the Panel

Mr O'Maoileoin confirmed that the original use of the building was A3 and was for café or restaurant use; the Coppa Club was a restaurant and café. He added the word club was to represent that diners were part of the community, they are in 'the club'.

Mr O'Maoileoin explained to the Panel that the Coppa Club came about due to the owners vision. The owners bought some restaurants from Strada Group as they had financial difficulties. When Coppa Club opened in Sonning, that was a restaurant on its own and not one of the Strada Group's premises. It was an all day dining experience serving breakfast, lunch and dinner. The Coppa Club was for anyone from someone wishing to work on their laptop to mothers with children. At night, the Coppa Club appealed to an older clientele and the food element was as equal to the drink side of the business. Mr O'Maoileoin stated there was not part of the application that sought to have regulated entertainment. There would be background music but no other form of entertainment.

Mr O'Maoileoin said there were four sites which were located in Tower Bridge, St Paul's, Market Place in Oxford Circus and Maidenhead. The St Paul's site had residents living above the restaurant and one of those residents was the Bishop of London. Initially the Bishop of London objected to the licence application but, once they saw what the Coppa Club was trying to achieve, there were no further objections. There had also been no complaints from the Tower Bridge location. The Coppa Club at Oxford Circus had residents above and to the side of the premises and Westminster Council were very strict when issuing licences. However, Westminster Council granted a licence very similar to this application and there had been no complaints there either.

Mr O'Maoileoin stated the RBWM police accepted premises which were food led and which did not generally cause any problems. No concerns were raised by the police or environmental health. He accepted that the original application was outside of the original planning permission hours and that had been amended. Mr O'Maoileoin said his client recognised the fact there was a resident objecting and that she raised concerns about the noise but, since Coppa Club amended the opening hours, the resident seemed happier. Mr

O'Maoileoin stated there should not be any noise coming from inside the building as it was a new building and had been sound proofed. The terrace area would be where the table and chairs would go and he suspected that was the real concern about would happen at night. To address that concern, the Coppa Club would make sure all windows and doors are closed by 10pm. There would be limited noise produced by outside diners but that would be the diners talking.

Mr O'Maoileoin explained that on the High Street, there were a number of premises that had no restrictions so, on sunny evenings, it was likely that people would go to the pub and sit outside which would generate a lot of noise. As a compromise, the Coppa Club would install signage and the outside area would be supervised at all times by waiting staff. He added the final condition the Coppa Club would be happy to offer was to provide a phone number of the duty manager to residents so they had a point of contact should they have any complaints. Providing a phone number had worked well in the past as it helped to resolve a situation quickly. All other conditions had been agreed.

Members questions to the applicant

Mr O'Maoileoin confirmed that the sandy coloured area in front of the premises was a public right of way. The freeholder agreed to lease the premises and the boundary was at the end of the grey tiled area. No tables would be placed outside of the grey tiled area.

Mr O'Maoileoin confirmed that the Coppa Club did not charge membership fees and was not a club that people had to join. Their smoking policy was to try and get smokers off site so that smoke did not enter the building.

Mr O'Maoileoin confirmed that all tables had to be within the tiled area. The drawn plans were not indicative of where the tables were actually going to be placed. In the evenings, there would be tea lights on the tables and possible some lights fixed to the front of the building. At the end of the service period, tables outside the Coppa Club would be brought back inside. The worse case scenario would be the outside dining area being completely full with people eating and drinking but, the reality is more likely to be that people would relocate inside once the sun goes in and it gets later. The Coppa Club expected people to go out for a meal no later than 9pm and then would be on their desserts no later than 10pm. After then, staff would not be encouraging people to stay outside until closing. The last half hour of the evening was considered drinking up time so, at weekends drinkers would be moved inside by 11.30pm as they would need to vacate the premises by 12am.

Mr O'Maoileoin confirmed that the phone number of the duty manager would be provided to residents should they need to make contact to complain. In terms of moving furniture inside with minimal disruption to residents, the Coppa Club at Tower Bridge staff moved their furniture inside without noise and the neighbours had made no complaints; the same could be done at the Maidenhead site. It was in the Coppa Clubs interest to show that they could operate without causing concern.

If there were people dining outside on a table for four, and then their friends turned up and that became a table for eight, if after 10pm, the additional group would be told they could only be accommodated inside. If it was prior to 10pm, the Coppa Club would try and accommodate them as a larger group outside. The Coppa Club needed to make friends with the residents upstairs as that would make life easier for all concerned.

Applicants summary

The Applicants had nothing further to add.

Licensing Officers summary

The Licensing Officer stated that if the Panel was minded to grant the licence, the conditions would ensure there was a safety net within the licensing act so the Borough could take any necessary action should it need to.

RESOLVED UNANIMOUSLY: That RESOLVED: That the application for a premises licence under the Licensing Act 2003 be granted with the following conditions:

- The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Thames Valley Police. All entry and points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recording shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
- A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises (as defined on the submitted plans).
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
- Challenge 25 policy to be in place and signage will be displayed.
- Signage to be displayed where alcohol is displayed for sale indicating alcohol will not be sold to persons under the age of 18.
- Photographic evidence to be requested (i.e. passport, driving licence or pass logo).
- Training of all bar staff on the premises to ensure that they understand and adhere to the law relating to the sale of alcohol.
- A log of any refusals to sell alcohol, any incident of crime or disorder, complaints or any ejections of persons shall be maintained at the premises. Such records shall be held for a period of at least 12 months from the date of entry.
- All windows and doors to be closed no later than 10pm to reduce noise disturbance to neighbouring properties.
- The Coppa Club to provide the telephone number of the Duty Manager for residents in the Picturehouse apartments.
- Sale of alcohol
 - Monday to Thursday 11.00pm
 - Friday and Saturday 11.30pm
 - Sunday 10.30pm
- Hours of closing
 - Monday to Thursday 11.30pm
 - Friday and Saturday 12.00am
 - Sunday 11.00pm.

The meeting, which began at Time Not Specified, finished at Time Not Specified

CHAIRMAN.....

DATE.....