



## Borough of Telford and Wrekin

### Licensing Sub-Committee

Monday 16 December 2024

Application for a premises licence under the Licensing Act 2003.

Cravings Africa, Unit 4, Fourth Avenue, Ketley Bank, Telford, TF2 0AS

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<b>Cabinet Member:</b>	Cllr Zona Hannington - Cabinet Member: Finance, Governance & Customer Services
<b>Lead Director:</b>	Anthea Lowe - Director: Policy & Governance
<b>Service Area:</b>	Policy & Governance
<b>Report Author:</b>	Helen Owen - Licensing Technical Officer
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<b>Wards Affected:</b>	Oakengates and Ketley Bank
<b>Key Decision:</b>	Not Key Decision
<b>Forward Plan:</b>	Not Applicable
<b>Report considered by:</b>	Licensing Sub-Committee - 16 December 2024

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#### 1.0 Recommendations for decision/noting:

1.1 The committee is asked to consider the application for a new premises licence.

#### 2.0 Purpose of Report

2.1 The purpose of the report is to outline the law and evidence to be considered by the Licensing Sub-Committee in relation to an application for a new premises licence.

#### 3.0 Background

3.1 The premises does not currently have a premises licence. An application for a new premises licence was received on 29<sup>th</sup> October 2024.

#### **4.0 Summary of main proposals**

- 4.1 An application was received from the applicant, Quashfam5 Limited on 29<sup>th</sup> October 2024 for a new premises licence in respect of premises Cravings Africa, Unit 4, Fourth Avenue, Ketley Bank, Telford, TF2 0AS. The copy of the application is attached at **Appendix A**.
- 4.2 The premises location is Oakengates and Ketley Bank Ward and a location plan is attached at **Appendix B**.
- 4.3 A plan of the inside of the premises is located at **Appendix C**.
- 4.4 The application has been properly served on all Responsible Authorities. The Applicant and the Council has complied with the legislative process and displayed the appropriate notice at the premises, in the local press and on the website as required.
- 4.5 Any Responsible Authority and/or Other Person may make representations about the application
- 4.6 Relevant Representations, as defined by the 2003 Act, have been received from a local resident. This representation can be found at **Appendix D**. This was accompanied by a petition which is **Appendix E**.
- 4.7 Planning sent a response on 4 November 2024 confirming they did not wish to make a representation. **Appendix F**.
- 4.8 Night-time Economy on behalf of Environmental Health sent a response on 20 November 2024 confirming they did not wish to make a representation. **Appendix G**.
- 4.9 Health Protection sent a response on 28 October 2024 making comments on the application but confirming that this was not a representation. **Appendix H**.
- 4.10 The applicant and those who have made representations have all been invited to attend the hearing.
- 4.11 Proposed licensable activities as stated in the application:

The applicant wishes to apply for the following:

- Recorded Music, indoors only between the hours of 1200 and 2200 daily.
- Sale of alcohol between the hours of 1200 and 2200 daily for consumption on the premises.
- Hours the premises are open to the public 0900 – 2200 daily.
- To include in Annex 2 the conditions in boxes a) to e) of Section M of the application form

#### **5.0 Alternative Options**

- 5.1 The legal options open to the Committee are set out at section 9.

#### **6.0 Key Risks**

6.1 There is always the risk of challenge and right to appeal. However, such appeal and challenge is mitigated through robust process and compliance with necessary legislation.

## **7.0 Council Priorities**

7.1 This report supports the following council priorities:

- Every child, young person and adult lives well in their community
- All neighbourhoods are a great place to live
- Everyone benefits from a thriving economy
- A community-focussed innovative council providing efficient, effective and quality services

## **8.0 Financial Implications**

8.1 Compliance with statutory duties as part of the licensing function is delivered within existing budgets.

## **9.0 Legal and HR Implications**

9.1 An application for a premises licence can be made in accordance with Section 17 of the Licensing Act 2003.

9.2 The Licensing Sub-Committee when determining a new application for a premises licence, pursuant to Section 18 of the Licensing Act 2003, has power to take any of the following steps (if any) as it considers appropriate for the promotion of the “licensing objectives.”

1. to grant the licence subject to—

(i) conditions modified to such extent as the authority considers appropriate for the promotion of the licensing objectives, and

(ii) any mandatory condition which must be included in the licence;

2. to exclude from the scope of the licence any of the licensable activities to which the application relates;

3. to refuse to specify a person in the licence as the premises supervisor;

4. to reject the application.

The conditions of the licence are modified if any of them are altered, omitted or any new condition is added.

9.3 The Committee is obliged to determine this application with a view to promoting the licensing objectives as defined by the Licensing Act 2003, which are:

- The prevention of crime & disorder

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- Public Safety
- The prevention of public nuisance
- The protection of children from harm

9.4 Any action taken by the Licensing Sub Committee will be an appropriate and proportionate response. In addition, regards shall be had to guidance issued by Secretary of State under Section 182 of the Licensing Act 2003 and The Statement of Licensing Policy for Borough of Telford and Wrekin.

9.5 The Committee is also asked to note that any conditions added to the licence should be fair, transparent, consistent, enforceable, proportionate and targeted, in accordance with the 2003 Act and the Local Better Regulation Office principles of better regulation.

The proposals contained in this report can be delivered using existing resources.

### **10.0 Ward Implications**

10.1 This report has an impact on both residents and the business making the application. The purpose of a licence is to moderate behaviour to ensure that residents have quiet enjoyment of the homes and to allow the business to operate with legal parameters.

### **11.0 Health, Social and Economic Implications**

11.1 Licensing of certain premises and activities is important to ensure that businesses comply with licence conditions, guidance and standards set out in legislation or by government bodies.

11.2 The contents of this report is not considered to have a direct impact on the Armed Forces Duty, specific socio-economic groups or town and parish councils.

### **12.0 Equality and Diversity Implications**

12.1 Having had regard to the council's obligations it is considered that there are no human rights or equalities implications associated with the content of this report.

### **13.0 Climate Change and Environmental Implications**

13.1 Having had regard to the council's obligations it is considered that there are no climate change or environmental implications associated with the content of this report.

### **14.0 Background Papers**

- 1 Licensing Act 2003
- 2 Guidance issued by Secretary of State under Section 182 of the Licensing Act 2003
- 3 The Statement of Licensing Policy for Borough of Telford & Wrekin

## 15.0 Appendices

- A Application
- B Location Plan
- C Internal Plan
- D Local Resident Representation
- E Petition
- F Planning comments
- G Night-Time Economy Comments
- H Health Protection Comments

## 16.0 Report Sign Off

<b>Signed off by</b>	<b>Date sent</b>	<b>Date signed off</b>	<b>Initials</b>
Legal	28/11/24	29/11/24	SH