

**LICENSING SUB-COMMITTEE  
9th September, 2024**

Present:- Councillor Hughes (in the Chair); Councillors Beresford and Bower.

**LICENSING ACT 2003 - CONSIDERATION OF AN APPLICATION  
(MADE IN ACCORDANCE WITH S.17 OF THE LICENSING ACT 2003)  
FOR THE GRANT OF A PREMISES LICENCE IN RESPECT OF THE  
PREMISES KNOWN AS CUP AND CO LOCATED AT 83 WORKSOP  
ROAD, WOODSETTS, WORKSOP. S81 8RW**

Consideration was given to an application (made in accordance with Section 17 of the Licensing Act 2003) for the grant of a Premises Licence in respect of premises to be known as Cup and Co situated at 83 Worksop Road, Woodsetts, Worksop S81 8RW.

The applicant, Mrs. Claire Wheeler, was seeking authorisation to allow the sale of alcohol for consumption on and off the premises as follows:-

- Each of the days Monday to Saturday between 12.00 Noon and 23.00 hours and
- New Year's Eve between 12.00 Noon and 12.00 Noon on the following day

The premises operated as a café and bistro. The opening hours of the premises were between 08.00 hours and 23.30 hours each of the days Monday to Saturday with 24 hours opening on New Year's Eve.

Consultation on the application had been carried out in accordance with all statutory requirements and the Council procedure. At the end of the consultation period 3 representations opposing the grant of the application had been received from "Other Persons".

No representations had been received from any of the Responsible Authorities.

On 26<sup>th</sup> July, 2024, a conciliation meeting was held at the premises with the 3 "Other Persons" providing an opportunity for the applicant to explain their vision for the way it was intended that the business would operate.

Following the meeting, the applicant made an amendment to the application reducing the hours sought for the sale of alcohol and the closing time of the premises. An additional management control was also offered stating that any outdoor tables and chairs would be closed and cleared by 20.00 hours. Also no food or beverages (of any type) would be allowed to be consumed at outdoor tables after 20.00 hours and that customers would not be permitted to exit the premises with drinks in open containers after 20.00 hours.

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The application, as amended, now sought to allow the sale of alcohol, for consumption on and off the premises, on:-

- Each of the days Monday to Saturday between 12.00 Noon and 21.30 hours; and on
- New Year's Eve between 12.00 Noon and 12.00 Noon on the following day

The amended opening hours of the premises were between 08.00 hours and 22.00 hours each of the days Monday to Saturday with 24 hours opening on New Year's Eve.

2 of the "Other Persons" had withdrawn their objections following the meeting.

The remaining "Other Person" was not in attendance. The Sub-Committee took into consideration the written submission that had been provided. The objections centred around:-

- Why would a café require an alcohol licence from 12.00 Noon to 23.00 hours when it was advertised as a quaint café selling cakes and pastries with opening hours of 8.00 hours to 18.00 hours
- The small quiet village did not need a noisy bar environment
- There was no parking for a bar-type business and would present dispersed parking when there was already a shortage of parking on the road

Mrs. Wheeler was in attendance together with her legal representative, Ms. Tulloch.

In response to questions, the applicant provided the following information:-

- The café was already open
- The premises sat approximately 30 people with the focus of being food-led/coffee and cakes/afternoon tea
- The application for the sale of alcohol was to give some flexibility and ability to offer a glass of champagne with an afternoon tea/supper club
- The applicant operated other premises in Manchester of a similar nature
- The revised application was for the sale of alcohol until 21.30 hours with a closing time of no later than 22.00 hours. The external area restriction meant no-one could sit outside after 20.00 hours
- No issues had arisen with regard to parking whilst the café had been operating
- There were 4 bistro tables outside which sat 8 people

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- Although the application included 24 hours for New Year's Eve, in reality it would be only until the New Year had been seen in. It prevented having to apply for a Temporary Events Notice
- All staff were trained on Challenge 25, food hygiene, allergens etc.

The Licensing Officer sought clarification with regard to whether Challenge 21 or Challenge 25 would be implemented.

The applicant clarified that the application stated Challenge 21 but operated Challenge 25 in her other premises. She was agreeable to the application being amended to Challenge 25.

Resolved:- That the application, as amended, for the grant of a Premises Licence in respect of premises to be known as Cup and Co situated at 83 Worksop Road, Woodsetts, Worksop S81 8RW, be approved subject to the inclusion of Challenge 25 Policy in place of Challenge 21 Policy.