

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LICENSING SUB COMMITTEE – 21 December 2009

Title of report	APPLICATION FOR A PREMISES LICENCE
Contacts	<p>Councillor Alison Smith 01530 454610 alison.smith@nwleicestershire.gov.uk</p> <p>Commercial Services Manager 01530 454610 lee.mansfield@nwleicestershire.gov.uk</p> <p>Licensing Enforcement Officer 01530 4545956 andy.cooper@nwleicestershire.gov.uk</p>
Purpose of report	<p>To determine an application for a premises licence in respect of premises, Macvells, 59 Market Street, Ashby De La Zouch, Leicestershire, LE65 1AH. This report outlines the application and summarises the representations received. It also highlights the licensing objectives, the relevant parts of Government guidance and the pertinent sections of the Licensing Authority's Licensing Policy.</p>
Strategic aims	Strong and Safer Communities
<p>Implications:</p> <p>Financial/Staff</p> <p>Link to relevant CAT</p> <p>Risk Management</p> <p>Equalities Impact Assessment</p> <p>Human Rights</p>	<p>Implications arising from an appeal made to the Magistrates Court by anyone aggrieved by the decision of the Sub-Committee.</p> <p>Safer CAT.</p> <p>The usual risks of cost involved if the applicant appeals against the decision of the Committee. In any event and in order to mitigate these risks, the Committee should give clear reasons for its decisions and any such reasons would need to be substantiated in Court.</p> <p>Equality impact assessment to be undertaken during 2009/2010.</p> <p>Article 1 of Protocol 1 of the European Convention of Human Rights provides that everyone is entitled to the peaceful enjoyment of his possessions, except in the public interest and subject to the conditions provided for by law.</p>

Transformational Government	Not applicable.
Consultees	Leicestershire Constabulary, Leicestershire Fire and Rescue Service, Trading Standards, Health and Safety, Environmental Protection, Planning and members of the public/local businesses by way of notice on the premises.
Background papers	Guidance issued under Section 182 of the Licensing Act 2003 - available for reference at www.culture.gov.uk and Statement of Licensing Policy -available for reference at www.nwleics.gov.uk/licensing
Recommendations	THAT THE SUB-COMMITTEE DETERMINE THE APPLICATION.

1. Background

- 1.1 The premises are a town centre restaurant with proposed takeaway facility, located at 59 Market Street, Ashby De La Zouch, LE65 1AH.
- 1.2 A map showing the location of the premises is attached as **appendix 1**.
- 1.3 An application for a new premises licence was received on the 29th October 2009 from Mr Veli Ayedemir and Mr Yusuf Aslan. A copy of the application is attached as **appendix 2**.
- 1.4 The licensable activities applied for are:

Provision of late night refreshment

- Sunday to Thursday – 23:00 to 01:00.
- Friday and Saturday – 23:00 to 03:30.

- 1.5 The applicant has specified steps that he will take in order to promote the four licensing objectives.

The prevention of crime and disorder:

- Security cameras shall be installed.
- CCTV signage shall be displayed.
- Till drawers shall be recessed under the sales counter
- Suitable numbers of staff shall be employed at the premises

The prevention of public nuisance:

- Notices shall be displayed on the premises requesting customers to respect local residents by leaving the premises quietly.
- A refuse bin shall be provided by the premises.
- Litter patrols shall be conducted by staff to keep the premises and the immediate frontage clean and free from litter.

- Suitable commercial receptacles shall be used to contain business refuse.
- The extraction system shall include a filtration system to neutralise grease and smoke particles so as to prevent noxious smells.

The protection of children from harm:

- No adult entertainment shall be provided at the premises.
- No gaming machines shall be provided at the premises
- The applicant does not intend to apply to add sales of alcohol.

Public safety:

- Fire exits shall be signposted and kept clear from obstructions.
- Statutory fire fighting equipment shall be located and maintained at the premises.
- A wash hand basin with towels and soap shall be provided as to meet food hygiene requirements.
- A gas interlock system shall be installed at the premises.

2.0 Representations

- 2.1 In respect of a new application, the applicant is responsible for advertising the application by way of a notice in specified form at the premises for not less than 28 consecutive days and in a local newspaper. The applicant placed notice in the Ashby Times on November 6th 2009 and officers are satisfied that the correct notices have been displayed at the premises.
- 2.2 The applicant is also required to serve each of the responsible authorities, namely, the Police, Fire Authorities, Trading Standards Department and the District Council's Health and Safety, Environmental Protection and Planning Sections. Officers are satisfied that the applicant has served all parties as required.
- 2.3 There has been one representation from the police authority on the grounds of prevention of crime and disorder, public safety and the prevention of public nuisance. A copy of the representation is attached as **appendix 3**.
- 2.4 There has been one representation from the District Council's Environmental Protection officer on the grounds of prevention of public nuisance. A copy of the representation is attached as **appendix 4**.
- 2.5 Interested parties in the vicinity of the premises are able to make representations within 28 days of display of the notice of application to the Licensing Authority. One representation has been received from interested parties based on crime and disorder, public safety, protection of children from harm and the prevention of public nuisance. A Copy of the representation is attached as **appendix 5**.
- 2.6 Ashby De La Zouch Town Council submitted a letter in support of the objections raised by Ashby De La Zouch Civic Society.

3.0 Cumulative Impact

- 3.1 The premises are situated in Market Street, Ashby De La Zouch which is within the area of the special policy on cumulative impact referred to in the Council's Statement of Licensing Policy.
- 3.2 The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for new premises licences or club premises certificates or variations will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.
- 3.3 The Licensing Authority recognises that this policy cannot be absolute and will consider each application properly on its merit and those that are unlikely to contribute to the cumulative impact problems will be approved.

4.0 Statutory Guidance

- 4.1 In making its decision, the Sub-Committee is obliged to have regard to Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. All Licensing Committee members have been provided with a full copy of the guidance document. Officers consider that paragraphs 2.1 to 2.18, 2.19, 2.32 to 2.40, 2.41 to 2.47, 3.32 to 3.39, 8.5 to 8.11 and 13.29 to 13.32 may have a bearing upon the application.

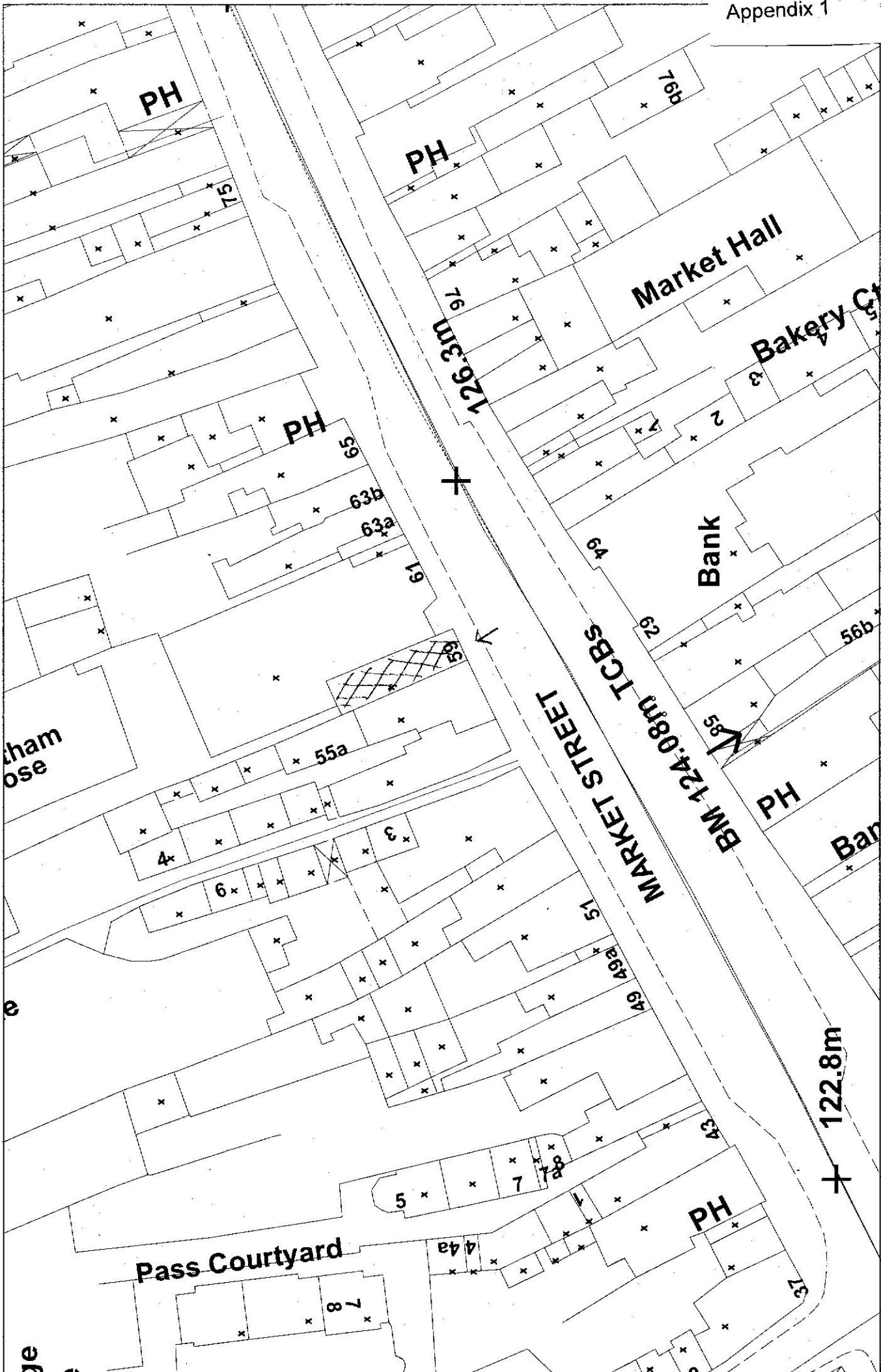
5.0 Statement of Licensing Policy

- 5.1 The Sub-Committee is also obliged to have regard to its own Statement of Licensing Policy. Officers consider that paragraphs 2.1, 2.3 to 2.6, 3.1 to 3.10, 4.1 to 4.3, 5.1, 5.3, 7.1, 7.2, 8.1, 8.2, 9.1 to 9.3, 10.1, 10.2, 12.1 and 17.3 may have a bearing upon the application.

6.0 Observations

- 6.1 The Committee is obliged to determine this application with a view to promoting the licensing objectives, which are:
- the prevention of crime and disorder;
 - the prevention of public nuisance;
 - public safety;
 - The protection of children from harm.
- 6.2 The Committee may take the following steps, if any, as it considers necessary for the promotion of the licensing objectives:
- a) Grant the application as requested.
 - b) Exclude from the scope of the of the licence any of the licensable activities to which the application relates.
 - c) Reject the whole or part of the application.
 - d) Add any conditions necessary for the promotion of the licensing objectives.

6.3 There is a right of appeal to the Magistrates Court against the decision of the Sub-Committee by the applicant, premises licence holder and persons who made relevant representations.



Date: 01 December 2009
 SLA: Not Set
 Scale: 1:625

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**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Mr Velli Ayedemir & Mr Yusuf Aslan

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
59 Market Street			
Post town	Ashby De La Zouch	Post code	LE65 1AH
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£14250	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Ayedemir			First names Velli		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Aslan			First names Yusuf		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year		
2	6	1	1	2	0	0
						9

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year		

Please give a general description of the premises (please read guidance note1)

The premises is a restaurant with a proposed take away facility selling fried chicken, chips, wraps and non-alcoholic beverages.

The applicant proposes to provide late night refreshment namely the sale of hot food and drink Sunday to Thursday 23:00 - 01:00 the following mornings, Friday and Saturdays 23:00 - 03:00 the following mornings.

See Part P for further details on how the applicant intends to support the 4 licensing objectives.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for performing plays (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>		
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)		
			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur					
Fri			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Sat					
Sun			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	01:00	Please give further details here (please read guidance note 3) Hot food for consumption on or off - takeaway consumption from the premises.		
Tue	23:00	01:00			
Wed	23:00	01:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) None		
Thur	23:00	01:00			
Fri	23:00	03:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) None		
Sat	23:00	03:30			
Sun	23:00	01:00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name	
Address	
Postcode	
Personal Licence number (if known)	
Issuing licensing authority (if known)	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

No adult entertainment or services of a similar nature will be offered from the premise.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) None
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) None
Mon	09:00	01:00	
Tue	09:00	01:00	
Wed	09:00	01:00	
Thur	09:00	01:00	
Fri	09:00	03:30	
Sat	09:00	03:30	
Sun	09:00	01:00	

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

- b) CCTV Camera and Recording system
- c) Statutory Fire fighting equipment
- d) Suitable receptacles for customer and commercial refuse.
- e) No adult activities or gaming provided.

b) The prevention of crime and disorder

A fully operational CCTV view and recording system will be installed at the premises. CCTV signage will be displayed advising customers their images are being recorded for the detection and prevention of crime and disorder. Till drawers are recessed under the sales counter and securely fixed to prevent easy access to cash. Suitable numbers of staff will be employed at the premises.

c) Public safety

Fire exits will be signposted & kept clear from obstructions. Statutory fire fighting equipment will be located and maintained at the premises. A wash hand basin with towels and soap will be provided so as to meet food hygiene regulations. A gas interlock system is installed at the premise.

d) The prevention of public nuisance

Notices will be prominently displayed on the premises requesting customers to respect local residents by leaving the premises quietly. A rubbish bin will be provided for customers to dispose of their rubbish. Litter patrols will be conducted by staff to keep the premises and immediate external frontage clean and free from litter. Suitable commercial receptacles will be used to contain business refuse. The extract system to include a filtration system to neutralise grease and smoke particles so as to prevent noxious smells.

e) The protection of children from harm

No adult entertainment or gaming machines are provided on the premises. The applicant does not intend to apply to add alcohol to the menu.

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	29 th October 2009
Capacity	Licensing Agent - Authorised

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Accu price Licensing Services
Imperial Business Park
Unit 4
Maxwell Road

Post town	Borehamwood	Post code	WD6 1JN
------------------	-------------	------------------	---------

Telephone number (if any)	
----------------------------------	--

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.


Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	29 th October 2009
Capacity	Licensing Agent - Authorised

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Accu price Licensing Services
Imperial Business Park
Unit 4
Maxwell Road

Post town Borehamwood Post code WD6 1JN


Telephone number (if any)

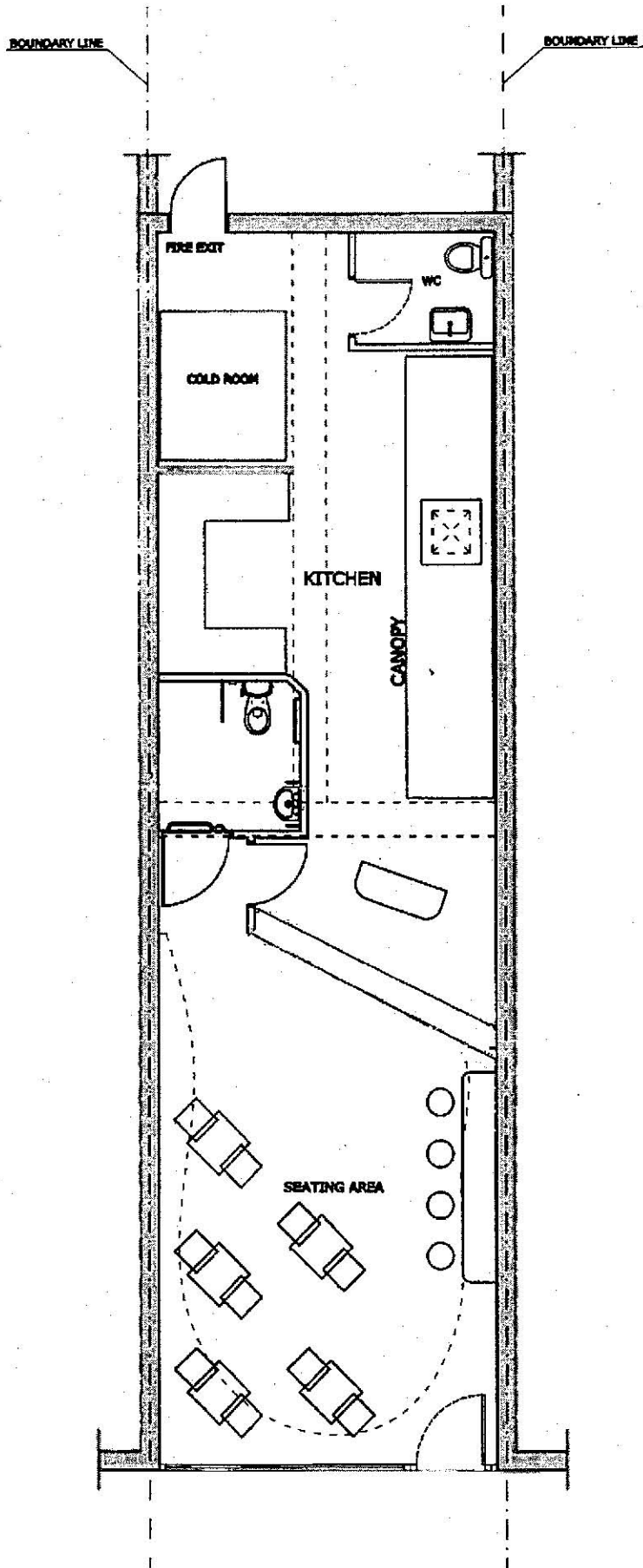
If you would prefer us to correspond with you by e-mail your e-mail address (optional)

COPY

20

I certify this to be a true copy of the original

SIGNED  DATED 29/10/09
J. Simons - Licensing Agent
Accu price Licensing Services



59 MARKET STREET, ASHBY, LEICESTERSHIRE

Ref: PRP-FLR-PLAN

Shop Floor Layout
Scale 1:100

Leicestershire Constabulary

Licensing Act 2003 - Representation in respect of Premises Licence

Details of person or body making representation	
Your Name:	Ps567 Sean Moore
Your Address:	Licensing Department, Mansfield House, 74 Belgrave Gate, Leicester LE1 3GG

Details of premises representation is about	
Name of Premises:	Restaurant/Takeaway
Address of premises:	59 Market Street, Ashby de la Zouch.
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of public nuisance	<input checked="" type="checkbox"/>
Protection of children from harm	<input type="checkbox"/>

Please summarise your concerns about this application:
<p>The licensing authority, in their published licensing policy, has adopted a saturation policy in relation to licensed premises in Market Street, following representations from the police.</p> <p>This creates a presumption against the grant of further licences in the area.</p> <p>The police view is that the presence of the proposed premises will add to the cumulative impact already experienced in the area, in particular by encouraging revellers to linger in the area. Friction can arise in queues with litter and other antisocial behaviour compounding the problem.</p> <p>Given that there is a saturation policy in place it is for the applicant to satisfy the authority that the grant of this licence will not add to the existing problems.</p> <p>The police recommend that the authority refuse this application.</p>

NORTH WEST LEICESTERSHIRE LICENSING AUTHORITY
Licensing Act 2003

REPLY FROM RESPONSIBLE AUTHORITY- REPRESENTATION

Responsible Authority :-Environmental Protection

Your Name	Steve Leeland
Job Title	Environmental Protection Officer
Postal and email address	Council Offices Coalville Leicestershire
Contact telephone number	

Name of the premises you are making a representation about	
Address of the premises you are making a representation about	59 Market Street, Ashby, LE65 1AH.

Objective to which this representation relates		Please detail the evidence to support this representation.
Prevention of Public Nuisance		For this establishment to remain open, for the times requested, would encourage patrons of the numerous public houses to remain in the area until unreasonably late hours. This would significantly increase the possibility of public nuisance being suffered by the residents living in the vicinity of Market Street

Suggested Conditions that could be added to the Licence to remedy this representation, or other suggestions you would like the Licensing Sub Committee to take into account		To prevent the congregation of large numbers of people, at unreasonable times of the night, which has the potential to cause serious nuisance to residents in the vicinity of Market Street. I would suggest that the premises should not remain open after 0100hrs on any night of the week. This would encourage people to vacate the area at a reasonable time.
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Signed



Date 30th October 2009



Ashby de la Zouch Civic Society

69 Leicester Road
 Ashby de la Zouch
 Leicestershire
 LE65 1DD
 17th November 2009

Licensing
 North West Leicestershire District Council
 Council Offices
 Coalville
 Leicestershire
 LE67 3FJ

Licensing Application REF: 59 Market Street Ashby de la Zouch

The following views are made on behalf of over 100 members of the Ashby de la Zouch Civic Society.

As you are aware there is an ongoing problem of late night crime and disorder, public nuisance and violence in Ashby de la Zouch town Centre.

This has been contained by the imposition of a special saturation policy for the Town Centre.

We wholeheartedly support this policy which would normally refuse all new licences.

NWLDC council is currently consulting on the residents attitudes to takeaways in Ashby. The civic society has recently run a survey amongst its members and 96% of respondents suggested that takeaways should close no later than 11.00pm.

The town council has adopted a policy of opposing late night licenses.

We would conclude on the information available that there is no justification, especially in light of the saturation policy to allow this licence application.

The authority seeks to achieve a balance between leisure and entertainment and the needs of local residents. The key licensing objective of late night refreshment is the prevention of crime, disorder and public nuisance.

A late night licence extension for these premises will encourage disorder and anti-social behaviour by concentrating crowds of young people exiting different local public houses in and around the premises.

Experience of Ashby shows that, when young people having consumed alcohol in different pubs, meet in the street, there occurs threatening behaviour, violence and damage to property. These premises would be a focus for these people.

There are several residential, over shop flats and residential houses in this area who would be subject to disturbance and the trading hours allowed should reflect this. The impact on residents in the vicinity of a late licence and people entering and leaving the premises would be disproportionate and unreasonable.

The cumulative effects of litter will cause a public nuisance. Spilt and discarded food by drunken customers would be a health and slippage hazard to pedestrians.

We are of a mind to understand the public benefit of such an establishment in offering a "chill out" facility and service to late night visitors to the town centre. However on balance we feel that an extension until 3.00am would cause unreasonable public nuisance and encourage crime and disorder. We would remind the Authority that all recent application for late night licences have either been refused or restricted to a 1.00am closure and imposed street clean-up requirements.

We therefore request that this late licence application is refused.

Yours sincerely

C. Tandy
 Vice Chairman Ashby Civic Society
 .cc Ashby Town Council