

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LICENSING SUB COMMITTEE – 10 FEBRUARY 2012

Title of report	APPLICATION FOR VARIATION OF A PREMISES LICENCE
Contacts	<p>Councillor Alison Smith 01530 835638 alison.smith@nwleicestershire.gov.uk</p> <p>Environmental Health Team Manager 01530 454610 lee.mansfield@nwleicestershire.gov.uk</p> <p>Licensing Enforcement Officer 01530 454596 andy.cooper@nwleicestershire.gov.uk</p>
Purpose of report	<p>To determine an application for variation of a premises licence in respect of premises, The VIP Rooms, North Street, Ashby De La Zouch, Leicestershire, LE65 1HS. 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>
Council Priorities	Pride in the Community
Implications:	
Financial/Staff	Implications arising from an appeal made to the Magistrates Court by anyone aggrieved by the decision of the Sub-Committee.
Link to relevant Corporate Action Team	Business CAT
Risk Management	The risk of incurring costs should the applicant appeal 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.
Equalities Impact Assessment	Equality impact assessment already undertaken, issues identified actioned.
Human Rights	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.

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, the Licensing Act 2003 - all 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 currently operate as a nightclub under the authorisation of a premises licence. The premises licence authorises the sale by retail of alcohol, regulated entertainment and late night refreshment subject to conditions. A copy of the premises licence and conditions is attached as **Appendix 1**.
- 1.2 A map showing the location of the premises is attached as **Appendix 2**.
- 1.3 An application for the variation of premises licence was received from Suzette Elizabeth Lisette Bell-Simmonds 21st December 2011. A copy of the application is attached as **Appendix 3**.
- 1.4 The variation of the premises licence is detailed as follows:

Indoor sporting events, Live music, recorded music, performance of dance, Provision of facilities for dancing, anything of a similar description to live music, recorded music or performances of dance, Provision of facilities for making music, Provision of facilities for entertainment of a similar description to dancing and provision of late night refreshments:

Monday to Wednesday – 09:00hrs until 00:00hrs
Thursday – 09:00hrs until 02:30hrs the following morning
Friday and Saturdays – 09:00hrs until 03:30hrs the following morning
Sundays 12:00hrs until 02:30hrs the following morning

Good Friday, Bank Holiday Sundays and Boxing Day, until 03:00hrs the following morning. From the end of permitted hours on New Years Eve to the start of the permitted hours on New Years Day. An additional hour to the standard and non standard times on the day when British Summertime commences.

Sale of alcohol:

Monday to Wednesday – 09:00hrs until 00:00hrs the following morning
Thursday – 09:00hrs until 02:00hrs the following morning
Friday and Saturdays – 09:00hrs until 03:00hrs the following morning
Sundays 09:00hrs until 02:00hrs the following morning

Good Friday, Bank Holiday Sundays and Boxing Day, until 03:00hrs the following morning. From the end of permitted hours on New Years Eve to the start of the permitted hours on New Years Day. An additional hour to the standard and non standard times on the day when British Summertime commences.

Hours premises are open to public:

Monday to Wednesday – 09:00hrs until 00:00hrs the following morning

Thursday – 09:00hrs until 02:30hrs the following morning

Friday and Saturdays – 09:00hrs until 03:30hrs the following morning

Sundays 09:00hrs until 02:30hrs the following morning

Good Friday, Bank Holiday Sundays and Boxing Day, until 03:30hrs the following morning. From the end of permitted hours on New Years Eve to the start of the permitted hours on New Years Day. An additional hour to the standard and non standard times on the day when British Summertime commences.

- 1.5 The applicant has specified steps they intend to take in order to promote the four licensing objectives:

General – All four licensing objectives:

- The VIP main room hours will remain at 09:00hrs to midnight on Fridays and Saturdays for all licensable activities.
- The premises have operated under their existing conditions inside the Cumulative Impact zone for some time and further conditions are not considered necessary.

2.0 Representations

- 2.1 In respect of an application to vary, 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 30th December 2011 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 A representation has been received from Leicestershire Constabulary on the grounds of crime and disorder, public safety and public nuisance. A copy of the representation is attached as **Appendix 4**.
- 2.4 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. Two representations have been received from interested parties based on crime and disorder, public safety, and the prevention of public nuisance. Copies of the representations are attached as **Appendices 5 & 6**.

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 merits and those that are unlikely to contribute to the cumulative impact problems may 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 2.51, 8.5 to 8.11, 8.28 to 8.32, 8.33 to 8.38, and 13.40 to 13.41. 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 to 2.11, 3.1 to 3.10, 4.1 to 4.3, 5.1 to 5.3, 6.1, 6.2, 7.1, 7.2, 8.1 to 8.4, 9.1 to 9.3, 10.1 to 10.5, 10.8, 13.1 to 13.2, and 17.1 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 such of the following steps, if any, as it considers necessary for the promotion of the licensing objectives:
- a) Grant the application as requested.
 - b) Modify the conditions of the licence, by altering or omitting or adding to them.
 - c) Reject the whole or part of the application.
- 6.3 There is a right of appeal to the Magistrates Court against the decision of the Sub-Committee by the applicant and persons who made relevant representations.

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL****Premises licence number**

NWL20192

Part 1 – Premises details**Postal address of premises, or if none, ordnance survey map reference or description**

VIP Rooms, North Street, Ashby de la Zouch

Post town

Leicestershire

Post code

LE65 1HS

Telephone number

01530 415606

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

1. Indoor Sporting events
2. Live Music (indoors)
3. Recorded Music (indoors)
4. Performance of Dance (indoors)
5. Anything of a similar description to 2, 3 or 4 (indoors)
6. Provision of facilities for making music (indoors)
7. Provision of facilities for dancing (indoors)
8. Provision of facilities for entertainment of a similar description to that falling within 6 or 7 (indoors)
9. Late Night Refreshment – Indoors and Outdoors
10. Sale of alcohol by retail for consumption on and off the premises

The time the licence authorises the carrying out of licensable activities

Indoor sporting events, Live Music, Recorded Music, Performance of dance, Anything of a similar description to that falling within 2, 3 or 4 (see above), Provision of facilities for making music, Provision of facilities for dancing, Provision of facilities for entertainment of a similar description to that falling within 6 or 7 (indoors) (see above):

Sunday to Thursday 09:00 hrs until 12 midnight

Friday and Saturday 09:00hrs until 02:00hrs (VIP Main Room 09:00hrs until Midnight)

New Years Eve from the end of permitted hours to the start of permitted hours on New Years Day

On Bank Holiday Sundays 09:00hrs until 02:00hrs the following day.

An additional hour to the standard finish time on the day when British summertime commences.

Late Night Refreshment – Indoors and Outdoors

Sunday to Thursday 23:00hrs until 12 midnight

Friday and Saturday 23:00hrs until 02:00 hrs (VIP Main Room 09:00hrs until Midnight)

New Years Eve from the end of permitted hours to the start of permitted hours on New Years Day

On Bank Holiday Sundays 23:00hrs until 02:00hrs the following day.

An additional hour to the standard finish time on the day when British summertime commences.

Sale by retail of alcohol for consumption on and off the premises:

Sunday to Thursday 09:00hrs until 12 midnight

Friday and Saturday 09:00hrs until 02:00 hrs (VIP Main Room 09:00hrs until Midnight)

New Years Eve from the end of permitted hours to the start of permitted hours on New Years Day

On Bank Holiday Sundays 09:00hrs until 02:00hrs the following day.

An additional hour to the standard finish time on the day when British summertime commences.

The opening hours of the premises

Sunday to Thursday 09:00hrs until 00:30hrs the following morning

Friday and Saturday 09:00hrs until 02:30hrs the following morning

On New Year's Eve, from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

On Bank Holiday Sundays 09:00hrs until 02:00hrs the following morning

An additional hour to the standard finish time on the day when British summertime commences.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

The sale by retail of alcohol for consumption on and off the premises

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Suzette Elizabeth Lisette Bell-Simmonds
Ashby War Memorial Social Club
North Street
Ashby de la Zouch
Leicestershire
LE65 1HS

Tel: 01530 415606

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Suzette Elizabeth Lisette Bell-Simmonds
Ashby War Memorial Social Club
North Street
Ashby de la Zouch
Leicestershire
LE65 1HS

Tel: 01530 415606

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence number of Designated Premises Supervisor: NWL10019

Issuing Authority: North West Leicestershire District Council

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made under the premises licence;
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol must be made or authorised by a person who holds a personal licence.

Mandatory conditions coming into force from 6th April 2010:

1. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

Mandatory conditions coming into force from 1st October 2010:

1. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
2. The responsible person shall ensure that –
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

Annex 2 – Conditions consistent with the operating schedule

1. Prominent, clear notices shall be displayed requesting customers to respect the needs of local residents and leave the premises and the area quietly.
2. The licensee shall introduce a policy requiring the production of “proof of age” for any sale that takes place where there is any suspicion that the customer is under 18. Such proof may include a pass conforming to the PASS accreditation system, photo driving licence, student cards and passports.
3. The licensee will not introduce or carry on any irresponsible sales promotion or discounting of prices of alcoholic beverages.
4. CCTV shall be installed and maintained at the premises in accordance with the information commissioners CCTV code of practice.

Annex 3 – Conditions attached after a hearing by the licensing authority

1. No bottles or glasses shall be removed from the premises and permitted onto Market Street, North Street, or any other public place.
2. The Premises Licence holder shall comply with the Dispersal Policy as agreed by the committee hearing on 15th October 2009 for the premises (see attached).
3. The Dispersal Policy shall be made available to interested parties within 7 days upon written request. The Dispersal Policy may be amended from time to time by agreement with the Police Authority.
4. The total capacity of the premises shall not exceed 450, comprising 200 for the main VIP room, 100 for the Boudoir Bar, and 150 for Studio 79 located upstairs.
5. Noise emanating from the premises as measured at the nearest residential property shall be no more than 5dBA greater than the existing background level.
6. During regulated entertainment, all doors and windows shall remain closed except for access, egress and in the case of emergencies.
7. Suitable sound attenuation measures shall be maintained in accordance with the premises licence holders noise risk assessments and in consultation with the District Council's Environmental Health Department.
8. Acoustic lobbies shall be installed internally to all outside doors.
9. During regulated entertainment, regular noise patrols shall be conducted by staff to ensure permitted noise levels are not exceeded.
10. A noise limiter shall be installed in conjunction with the District Council's Environmental Health Department.
11. Customers using the Boudoir Bar and / or Studio 79 shall enter and exit the premises solely from Market Street except in emergencies.
12. The first floor outside terraced area shall be cleared of patrons at midnight.
13. All licensable activities shall cease at midnight in the main VIP Room on Fridays and Saturdays.

Annex 4 - Plans

DATED: 2nd August 2010

SIGNED:

Andrew Cooper
Licensing Officer

Please describe briefly the nature of the proposed variation (Please see guidance note

To extend the sale of alcohol Friday and Saturday until 0300 the following morning and Thursday and Sunday until 0200 the following morning; regulated entertainment and late night refreshment Friday and Saturday until 0330 the following morning and Thursday and Sunday until 0230 the following morning; notable days included in the application to be until 0300 the following morning. VIP Main Room hours on Friday and Saturday for licensable activities to remain as existing

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

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)

Sale by retail 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"/>
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 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"/>
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 the exhibition of films (please read guidance note 4)		
Thur					
Fri			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)		
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) NO CHANGE
Day	Start	Finish	
Mon	09:00	00:00	
Tue	09:00	00:00	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed	09:00	00:00	
Thur	09:00	02:30	<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) Good Friday, Bank Holiday Sundays and Boxing Day until 03:00 the following morning. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the standard and non standard times on the day when British Summertime commences.
Fri	09:00	03:30	
Sat	09:00	03:30	
Sun	09:00	02:30	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<u>Please give further details here</u> (please read guidance note 3)	
Thur				
Fri			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)	
Sat				
Sun			<u>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</u> (please read guidance note 5)	

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	09:00	00:00	Please give further details here (please read guidance note 3) NO CHANGE	Both	<input type="checkbox"/>
Tue	09:00	00:00			
Wed	09:00	00:00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	09:00	02:30			
Fri	09:00	03:30	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 (please read guidance note 5) Good Friday, Bank Holiday Sundays and Boxing Day until 03:00 the following morning. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the standard and non standard times on the day when British Summertime commences.		
Sat	09:00	03:30			
Sun	09:00	02:30			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	09:00	00:00	Please give further details here (please read guidance note 3) NO CHANGE	Both	<input type="checkbox"/>
Tue	09:00	00:00			
Wed	09:00	00:00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	09:00	02:30			
Fri	09:00	03:30	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 (please read guidance note 5) Good Friday, Bank Holiday Sundays and Boxing Day until 03:00 the following morning.		
Sat	09:00	03:30			
Sun	09:00	02:30			

			<p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>An additional hour to the standard and non standard times on the day when British Summertime commences.</p>
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G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input checked="" 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	09:00	00:00	NO CHANGE	
Tue	09:00	00:00		
Wed	09:00	00:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)	
Thur	09:00	02:30	<u>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</u> (please read guidance note 5)	
Fri	09:00	03:30		
Sat	09:00	03:30		
Sun	09:00	02:30	Good Friday, Bank Holiday Sundays and Boxing Day until 03:00 the following morning.	
			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	
			An additional hour to the standard and non standard times on the day when British Summertime commences.	

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	09:00	00:00		Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Tue	09:00	00:00	Please give further details here (please read guidance note 3) NO CHANGE		
Wed	09:00	00:00			
Thur	09:00	02:30	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri	09:00	03:30			
Sat	09:00	03:30	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 (please read guidance note 5) Good Friday, Bank Holiday Sundays and Boxing Day until 03:00 the following morning. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the standard and non standard times on the day when British Summertime commences.		
Sun	09:00	02:30			

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
Day	Start	Finish	Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	09:00	00:00		Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Tue	09:00	00:00	Please give further details here (please read guidance note 3)		
Wed	09:00	00:00			
Thur	09:00	02:30	State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
Fri	09:00	03:30			
Sat	09:00	03:30	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 (please read guidance note 5) Good Friday, Bank Holiday Sundays and Boxing Day until 03:00 the following morning.		
Sun	09:00	02:30			

			<p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>An additional hour to the standard and non standard times on the day when British Summertime commences.</p>
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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 checked="" 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	09:00	00:00	Please give further details here (please read guidance note 3) NO CHANGE	
Tue	09:00	00:00		
Wed	09:00	00:00	State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Thur	09:00	02:30		
Fri	09:00	03:30	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5) Good Friday, Bank Holiday Sundays and Boxing Day until 03:00 the following morning. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the standard and non standard times on the day when British Summertime commences.	
Sat	09:00	03:30		
Sun	09:00	02:30		

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)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be 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"/>
Mon	09:00	00:00	Please give further details here (please read guidance note 3) NO CHANGE	
Tue	09:00	00:00		
Wed	09:00	00:00	State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 4)	
Thur	09:00	02:30		
Fri	09:00	03:30		

Sat	09:00	03:30	<p>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 (please read guidance note 5)</p> <p>Good Friday, Bank Holiday Sundays and Boxing Day until 03:00 the following morning.</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>An additional hour to the standard and non standard times on the day when British Summertime commences.</p>
Sun	09:00	02:30	

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 type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<p>Please give further details here (please read guidance note 3)</p> <p>NO CHANGE</p>			
Mon	23:00	00:00				
Tue	23:00	00:00	<p>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</p>			
Wed	23:00	00:00				
Thur	23:00	02:30	<p>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)</p> <p>Good Friday, Bank Holiday Sundays and Boxing Day until 03:00 the following morning.</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>An additional hour to the standard and non standard times on the day when British Summertime commences.</p>			
Fri	23:00	03:30				
Sat	23:00	03:30				
Sun	09:00	02:30				

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 checked="" type="checkbox"/>
Mon	09:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	09:00	00:00			
Wed	09:00	00:00			
Thur	09:00	02:00	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)		
Fri	09:00	03:00	Good Friday, Bank Holiday Sundays and Boxing Day until 03:00 the following morning.		
Sat	09:00	03:00	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sun	09:00	02:00	An additional hour to the standard and non standard times on the day when British Summertime commences.		

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)

NONE

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)		
Day	Start	Finish			
Mon	09:00	00:00			
Tue	09:00	00:00			
Wed	09:00	00:00			
Thur	09:00	02:30	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)		
Fri	09:00	03:30	Good Friday, Bank Holiday Sundays and Boxing Day until 03:30 the following morning.		
Sat	09:00	03:30	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sun	09:00	02:30	An additional hour to the standard and non standard times on the day when British Summertime commences.		

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking
NONE

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

1. VIP Main Room will remain 0900 to Midnight on Fridays and Saturdays for all licensable activities;
2. The Premises have operated under their existing conditions inside the Cumulative Impact Zone for some time and further conditions are not considered necessary

b) The prevention of crime and disorder

See box a) above.

c) Public safety

See box a) above.

d) The prevention of public nuisance

See box a) above.

e) The protection of children from harm

See box a) above.

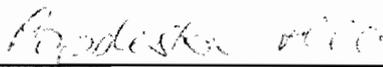
Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- 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 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	20 December 2011
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) 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 address for correspondence associated with this application (please read guidance note 13) Angela Gardner Poppleston Allen Solicitors 37 Stoney Street The Lace Market			
Post town	Nottingham	Post code	NG1 1LS
Telephone number (if any)	0115 9349 157		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

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 state 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.

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:	VIP Rooms
Address of premises:	North 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>North West Leicester District Council has adopted a Special Policy in relation to applications for new licences and material variations in this location. The effect of this policy is set out in the Council's current policy.</p> <p>Paragraph 3.15 of that policy states:</p> <p>"The effect of the special policies will be to create a rebuttable presumption that applications for new premises licences or club premises certificates, or material variations, will normally be refused. It will be for the applicant to demonstrate that the premises will not add to the existing cumulative impact. Applicants will need to address this matter in their operating schedules."</p> <p>Our advice to the Licensing Authority is to refuse this application in so far as it relates to any extension of hours.</p>

LEICESTERSHIRE CONSTABULARY

FROM: PC 1667 MARK ARJOO

TO: PS 567 SEAN MOORE

AREA/LPU/DEPT.: LN

REF:

DATE: 23/12/11

SUBJECT: OBJECTION TO VARIATION OF LICENSING HOURS – QUEENS HEAD/CIRO'S/VIP ROOMS, 79 MARKET STREET/NORTH STREET, ASHBY DE LA ZOUCH.

Sergeant Moore.

I refer to the recent application for a variation to the licensing hours at The Queens Head Hotel/Ciro's/VIP Rooms, North Street/79 Market Street, Ashby.

The local police make this representation in line with the NWLDC Saturation Policy, and in relation to three of the licensing objectives, these being Prevention of Crime and Disorder, Public Safety, and Prevention of Public Nuisance.

Our objections are based on the following six points:

1. At present, there are approximately fourteen licensed premises within Ashby town centre who serve alcohol. Most of these are open from 11am in the morning, until 11pm, 12 midnight, 1am or 2am. In my opinion, this gives both local people and those visiting the town centre, more than ample time to socialise, drink, and enjoy themselves.
2. Due to the amount of licensed premises, people are attracted to the town centre, and the local community has to endure more than its fair share of alcohol fuelled crime, disorder, and Anti-Social Behaviour. There are numerous private dwellings, including OAP complexes, which are occupied in and around the town. On speaking to the local residents, they frequently quite rightly complain about how their life is affected at week ends, due to intoxicated people. These people subject the local residents to noise, vandalism, theft, litter, and mess, therefore causing them the inconvenience of having to clear up, lack of sleep and general stress. It is bad enough for them having to suffer these problems until the crowds clear at around 3am, but if the premises were allowed to stay open an hour later, this would have even more of a detrimental affect, with the nuisance not abating until around 4am.
3. The licensee will say that the premises are run well, with both good bar and door staff, and I do not dispute this. However, having personally policed Ashby for the best part of seventeen years, I can confirm that when the doors to any licensed premises are closed and locked, there are numerous problems out on the street, with large numbers of intoxicated people, engaging in violence and general ASB.
4. Any further extension to the current hours will encourage intoxicated members of the public to gather outside the the applicant's premises, making it a further flashpoint for disorder, which the CCTV operators will have to effectively monitor. This will impact on the monitoring elsewhere.
5. The extension of hours may attract more people to the town centre. We must remember that Ashby is only a small market town, and NOT a large city centre which could sustain such changes. I also have it on good authority that if the applicant is successful, then this will set a precedent, and other local licensees will look to apply for the same variation. This can only have an extremely negative affect on the local community as a whole, regarding the issues previously mentioned.
6. The demand on police resources to effectively keep both the local community and people using the night time economy safe, is already high. and granting an extension will require additional resources outside the applicants

premises. This will no doubt impact on preventing crime and disorder, and public safety in Ashby, as well as North West Leicestershire as a whole.

Leicestershire Police currently has to make savings of 20% on its annual budget.

To conclude, it is obviously for the applicant to persuade the Licensing Committee that they grant the variation. We have not heard anything from them that will further assist us in preventing crime and disorder, increasing public safety, and preventing public nuisance.

In my opinion, an extension to the licensing hours will further add to the problems we encounter and have to deal with every week end, in Ashby town centre.

On the basis of my points made, I ask that the Licensing Committee refuse this application.

For your information.

PC 1667 Mark Arjoo
North West Leicestershire Police
Beat Manager – Ashby Town Centre

ANDY COOPER

Subject: FW: The Queens Head, Ciro's, The VIP Rooms, Market Street / North Street, Ashby de la Zouch.

From: John Bartlett

Sent: 17 January 2012 17:00

To: LICENSING

Subject: The Queens Head, Ciro's, The VIP Rooms, Market Street / North Street, Ashby de la Zouch.

Dear Licensing Authority,

Please accept this e-mail as a letter of objection re the proposed extended operating hours for Ciro's, Queens Head, and VIP Room. Reasons for this objection includes:

- a) increased numbers of people walking about in the middle of the night disrupting sleeping local residents
- b) increased number of intoxicated people wandering the streets with little regard to private property as 'no one is around to see what we are doing' as there is little Police presence at this time
- c) the extended hours will allow patrons the opportunity to 'pull an all nighter' as during the summer daylight would only be 90 minutes away – this would then put early morning dog walker and individuals starting work early at risk of coming into contact with intoxicated individuals
- d) the increase middle of the night disruption to the emotional disturbed residential students at Lewis Charlton School.

Personally, despite apparent music limiters in place, I can still hear music and patrons leaving the clubs despite my hear loss. I am most concerned for my tenants who have normal hearing range and is directly located next to the club through a 9 inch wall. I have had reports from my tenants that on a number of occasions the contains of the flat have vibrated on the walls that required them to contact Lee at the club.

I fear extending the night clubs' operating times would decrease my standard of living. There is no reason for such clubs to operate until these times.

My address is

LE65 1AH

Yours Faithfully

John Bartlett.

17th January 2011



Ashby de la Zouch Civic Society

69 Leicester Road
Ashby de la Zouch
Leicestershire
LE65 1DD

2nd January 2012

Tel: 01530415654

Email: christandy@hotmail.co.uk

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

Licensing Application REF: VIP Rooms, Ciro's and The Queens Head

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.

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 licensing 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 in a residential area.

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 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.



Ashby de la Zouch Civic Society

We feel that an extension until 3.30am and 2.30am would cause unreasonable public nuisance and encourage crime and disorder. We are also concerned of the ratcheting of opening hours which is occurring due to competition between clubs. This is confirmed by the attached letter from the owners of Ciro's. We would ask you to note that the owners of Ciro's consider that current licensing hours are satisfactory. The current differences in closing hours of Ciro's and Conti help to stagger the dispersal of customers. We would ask that the Council maintain this stance and maintain the current licensing hours.

We therefore request that this late licence application is refused.

Yours sincerely

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

THE QUEENS HEAD HOTEL

79, MARKET STREET
ASHBY-DE-LA-ZOUCH
LEICS. LE65 1AH
TEL.01530 412780. FAX. 01530 412134
VAT.727821129
09/12/11

Dear Residents,

I am the owner of Ciro's night club, and I would like to bring to your attention some worrying issues regarding the Conti night club.

I do not know if you are aware, but the Conti has put in an application for a permanent 3AM licence on a Friday and Saturday, and a 2am licence on a Thursday and Sunday?

I have a 2am licence at present on a Friday and Saturday, but I will unfortunately have to apply for the same hours as the Conti, as otherwise it will affect my business, as customers will frequent the club that opens the latest,

I have instructed solicitors to vary my licence to a permanent 3am on a Friday and Saturday and a 2am on a Thursday and Sunday, I do not want to do this and feel Ashby is served well enough with a 2am licence at week ends.

If the Conti is unsuccessful with their application I will withdraw our application as both clubs have enough temporary events licences to last them through out the year.

Any objections you have must go to licensing, North West Leicestershire district council, Coalville, LE67 3FJ and must be in before December the 27th.

If you have any queries on this matter please contact me on my personal mobile.

Kind Regards

Lisette Bell-Simmonds