

Meeting	LICENSING SUB COMMITTEE
Time/Day/Date	6.30 pm on Wednesday, 30 July 2014
Location	Council Chamber Council Offices, Coalville
Officer to contact	Democratic Services (01530 454512) Licensing Enforcement Officer (01530 454528)

The Monitoring Officer would like to remind members that when they are considering whether the following items are exempt information under the relevant paragraph under part 1 of Schedule 12A of the Local Government Act 1972 they must have regard to the public interest test. This means that members must consider, for each item, whether the public interest in maintaining the exemption from disclosure outweighs the public interest in making the item available to the public.

NOTIFICATION OF HEARING

Item	Pages
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1	ELECTION OF CHAIRMAN	
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2	APOLOGIES FOR ABSENCE	
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3	DECLARATION OF INTERESTS	
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Under the Code of Conduct members are reminded that in declaring disclosable interests you should make clear the nature of that interest and whether it is pecuniary or non-pecuniary.

4	APPLICATION FOR VARIATION OF A PREMISES LICENCE	
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PREMISES: The Halfway House, 65 Church Street, Donisthorpe, Swadlincote, Derby DE12 7PX

3 - 32

APPLICANT: Peter Riley and Paul Aldred

To determine an application for a variation of a premises licence in respect of the above.

A representation has been received from a local resident. A Notice of Hearing inviting them to attend has been sent to them. If they fail to attend, the hearing can be held in their absence or adjourned.



The following documents are attached: -

- a) Report of the Licensing Enforcement Officer

At the beginning of the Hearing, the authority shall explain to the parties the procedure it is proposed to follow. The Hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless it is required to consider the representations.

Circulation:

Councillor J Cotterill
Councillor J Ruff
Councillor M Specht

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LICENSING SUB COMMITTEE – 30 JULY 2014

Title of report	APPLICATION FOR A VARIATION OF A PREMISES LICENCE
Contacts	<p>Councillor Alison Smith MBE 01530 835668 alison.smith@nwleicestershire.gov.uk</p> <p>Environmental Health Team Manager 01530 454610 lee.mansfield@nwleicestershire.gov.uk</p> <p>Licensing Enforcement Officer 01530 454528 clare.storer@nwleicestershire.gov.uk</p>
Purpose of report	To determine an application for a variation of a premises licence in respect of premises trading as The Halfway House, located at 64 Church Street, Donisthorpe, Swadlincote, Derbyshire, DE12 7PX. This report outlines the application and also highlights the licensing objectives, the relevant parts of Government guidance and the pertinent sections of the Licensing Authority's Licensing Policy.
Strategic aims	Homes and Communities
Implications: Financial/Staff Link to relevant CAT Risk Management Human Rights	<p>Implications arising from an appeal made to the Magistrates Court by anyone aggrieved by the decision of the Sub-Committee.</p> <p>Business CAT.</p> <p>The risk of cost arising from an 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.</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 Fire and Rescue Service, Trading Standards, Health and Safety, Environmental Protection, Licensing Authority, Planning, Health Authority and members of the public/local businesses by way of notice at the premises, on the Council's website and at the Council Offices, Coalville.
Background papers	Guidance issued under Section 182 of the Licensing Act 2003 Statement of Licensing Policy – Issue 6
Recommendations	THAT THE SUB-COMMITTEE DETERMINE THE APPLICATION.

1.0 Background

- 1.1 The premises are a public house located at 65 Church Street, Donisthorpe, Swadlincote, Derbyshire, DE12 7PX and currently hold a premises licence issued under the Licensing Act 2003. A copy of the premises licence 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 by Mr Peter Riley and Mr Paul Aldred on 11 June 2014. A copy of the application is attached as **appendix 3**.
- 1.4 The details of the variation application are as follows:
- The extension of the licensable area to include a new beer garden and children's play area in the paddock adjacent to the pub car park.
 - **Plays and Films (Indoors and Outdoors)**
Monday to Thursday – 10:00hrs until 00:01hrs
Friday and Saturday – 10:00hrs until 01:00hrs
Sunday – 11:00hrs until 00:01hrs
 - **Indoor Sporting Events**
Monday to Sunday – 11:00hrs until 00:01hrs
 - **Boxing or Wrestling entertainments (Indoors and Outdoors)**
Monday to Sunday – 11:00hrs until 00:01hrs
 - **Live Music, Recorded Music, Performance of dance, Anything of a similar description (Indoors and Outdoors)**
Monday to Thursday – 11:00hrs until 00:01hrs
Friday and Saturday – 11:00hrs until 01:00hrs
Sunday – 11:00hrs until 00:01hrs

- **Late Night Refreshment**

Monday to Thursday – 23:00hrs until 00:01hrs

Friday and Saturday – 23:00hrs until 01:00hrs

Sunday – 23:00 until 00:01

- To remove condition 6 of Annex 2 – No children will be allowed on the premises after 21:00hrs.

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

General – All four licensing objectives:

- CCTV cameras will be installed in all areas of the premises
- Fire fighting equipment will be available
- Age awareness
- Vigilant of drugs and knives

The prevention of crime and disorder:

- CCTV cameras
- Age awareness
- Drug and weapon awareness

Public safety:

- Fire fighting equipment will be available
- PAT testing
- Visual maintenance of up keep and acted upon pest control

The prevention of public nuisance:

- No permanent speakers outside
- Customers refused alcohol if appear drunk and requested to leave premises quietly and to consider residents in all aspects e.g. litter, nuisance and have respect for the surroundings.

The protection of children from harm:

- CCTV camera's
- Childproof locks
- Children accompanied by a responsible adult
- No children on premises after 22:00hrs
- Play area will be drink, food and pet free

2.0 Representations

- 2.1 In respect of an application to vary the premises licence, 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 a notice in the Leicester Mercury on 12 June 2014 and Officers are satisfied that the correct notices have been displayed at the premises. Details of the application were also posted onto the Council website on 9 June 2014.
- 2.2 No representations have been received from any of the responsible authorities.
- 2.3 Any other person is able to make representations within 28 days of display of the notice of application to the Licensing Authority.
- 2.4 One representation has been received from a local resident based on the prevention of public nuisance. A copy of the representation is attached as **appendix 4**.

3.0 Statutory Guidance

- 3.1 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 1.1 to 1.5, 1.16, 1.17, 2.1 to 2.34, 8.42, 8.54, 8.72 to 8.75, 9.1 to 9.11 may have a bearing upon the application.

4.0 Statement of Licensing Policy

- 4.1 The Sub-Committee is also obliged to have regard to its own Statement of Licensing Policy. Officers consider that paragraphs 2.3, 2.4, 2.5, 6.1 to 6.4, 13, may have a bearing upon the application.

5.0 Observations

- 5.1 The Committee is obliged to determine this application with a view to promoting the licensing objectives, which are:
- the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance;
 - the protection of children from harm.
- 5.2 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.
- 5.3 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

Premises Licence Number

NWL20418

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

The Halfway House
65 Church Street
Donisthorpe
Swadlincote
Derby
DE12 7PX

Telephone number 01530 588783

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Supply by retail of alcohol	Monday to Thursday	10:00 – 00:01 hrs
	Sunday	11:00 - 00:01 hrs
	Friday and Saturday	10:00 - 01:00 hrs
	New Years Eve	11:00 - 11:00 hrs next day
	New Years Day	12:00 - 00:30 hrs
Provision of Indoor Sporting Events	Monday to Saturday	19:00 - 23:00 hrs
	Sunday	10:00 - 22:00 hrs
Playing of Recorded Music Indoors	Sunday to Thursday	12:00 - 00:01 hrs
	Friday and Saturday	12:00 - 01:00 hrs
Late Night Refreshment	Sunday to Thursday	23:00 - 00:01 hrs
	Friday and Saturday	23:00 - 01:00 hrs
	New Years Eve	23:00 - 11:00 next day
	New Years Day	23:00 - 00:30

The opening hours of the premises

Monday - Thursday	10:00 00:01 hrs
Friday & Saturday	10:00 01:00 hrs
Sunday	11:00 00:01 hrs

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 email (where relevant) of holder of premises licence

Mr Paul Aldred & Mr Peter Riley

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 for the supply of alcohol

Paul William John Aldred

Telephone Number:

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 DPS: SDDC/001855

ISSUING AUTHORITY: South Derbyshire District Council

Dated: 11th November 2010

**Andrew Cooper
Licensing Enforcement Officer**

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.

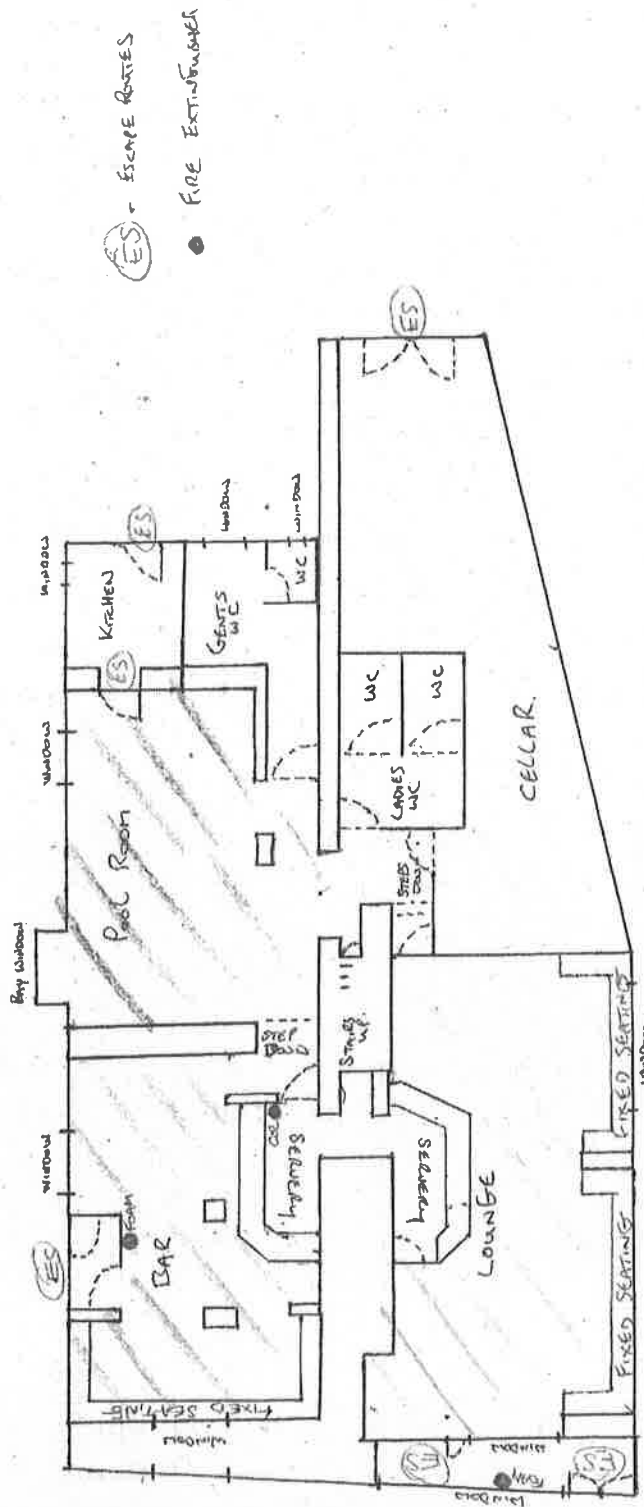
(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
2. The responsible 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 The licence holders and their employees will remain aware of the licensing objectives and ensure that they are reflected in the way the premises are run.
- 2 Trained staff will be vigilant in watching for any criminal activity including the carrying of knives and the use of drugs.
- 3 Fire fighting equipment will be installed and regularly tested with electrical installations.
- 4 The licence holders will take steps to ensure that customers behave within the premises and when leaving it in endeavour to keep noise, nuisance and litter to a minimum. Notices will be put up in the premises and in the car park to advise customers to leave quietly and with due consideration for local residents.
- 5 Children will only be allowed onto the premises when accompanied by a responsible adult. Bar staff will be instructed in age-identification procedures and the production of appropriate evidence of age.
- 6 No children will be allowed on the premises after 21:00 hours.

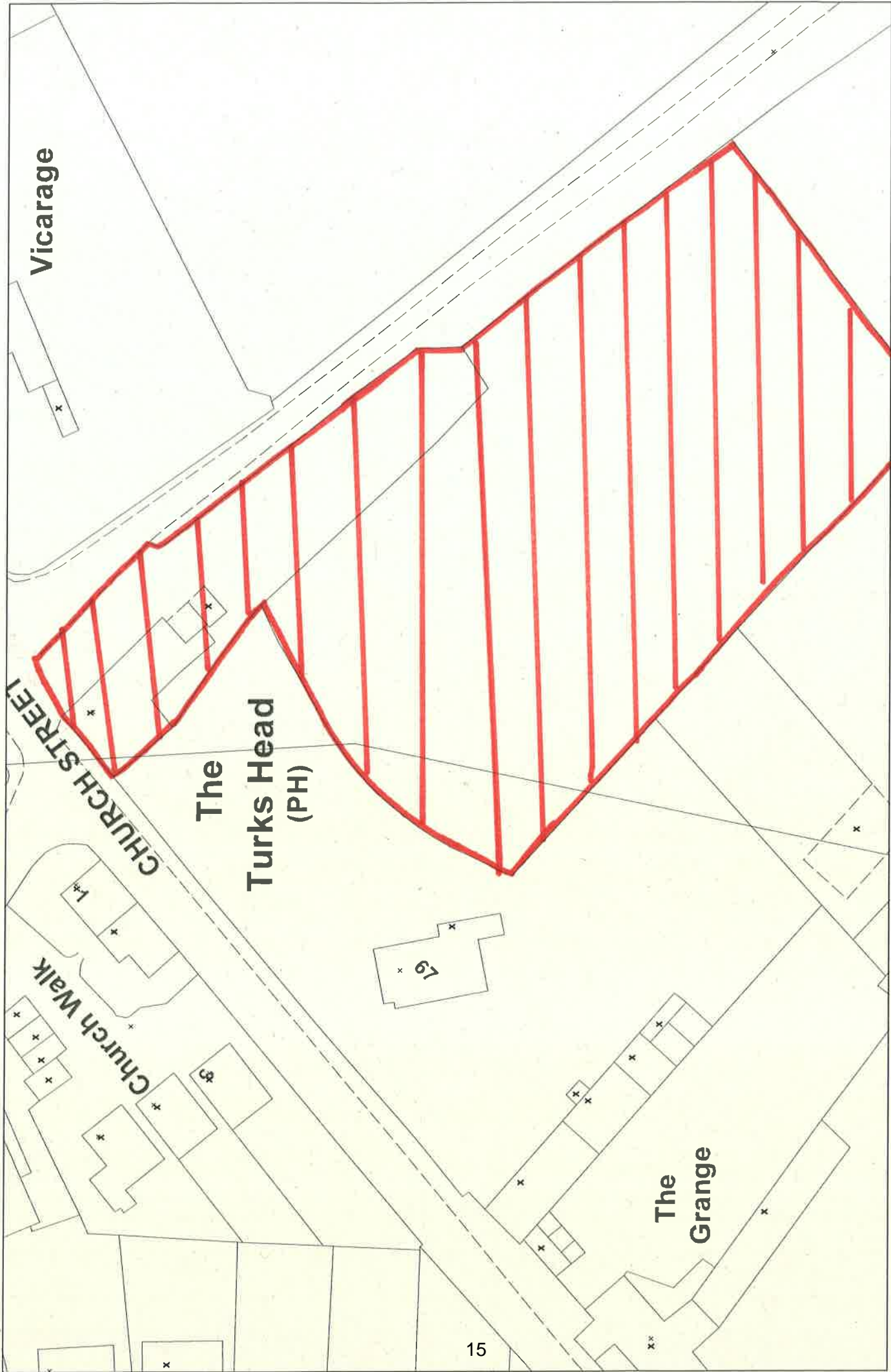
Annex 3 – Conditions attached after a hearing by the licensing authority

Annex 4 - Plans



ES - ESCAPE ROUTES
 ● FIRE EXTINGUISHER

BAR AREA FOR CONSUMPTION OF ALCOHOL AND ALL LICENSABLE ACTIVITY
 LOUNGE + ENTERTAINMENTS AREA FOR CONSUMPTION OF ALCOHOL AND ALL LICENSABLE ACTIVITY
 GAMES ROOM. AREA FOR CONSUMPTION OF ALCOHOL AND ALL LICENSABLE ACTIVITY
 CELLAR
 TURKS HEAD
 1:100 SCALE.



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Date: 17 July 2014
 SLA: Not. Set
 Scale: 1:625

Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

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Application to vary a premises licence 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.

We PETER RILEY AND PAUL ALDRED
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	NWL 20418
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Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
THE HALFWAY HOUSE 65 CHURCH ST. DONISTHORPE			
Post town	SWADLINCOTE	Postcode	DE15 0LD
Telephone number at premises (if any)	01530 588783		
Non-domestic rateable value of premises	£ 7,800 -		

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 all that apply

- 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 late night refreshment (if ticking yes, fill in box I)



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



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10:00	00:01	Please give further details here (please read guidance note 4)	Both	<input checked="" type="checkbox"/>
Tue	10:00	00:01			
Wed	10:00	00:01	State any seasonal variations for performing plays (please read guidance note 5)		
Thur	10:00	00:01			
Fri	10:00	01:00	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 6)		
Sat	10:00	01:00			
Sun	11:00	00:01			

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10:00	00:01	Please give further details here (please read guidance note 4)	Both	<input checked="" type="checkbox"/>
Tue	"	"			
Wed	"	"	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur	"	"			
Fri	10:00	01:00	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 6)		
Sat	10:00	01:00			
Sun	11:00	00:01			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon	11:00	00:01	
Tue	11	11	
Wed	11	11	
Thur	11	11	State any seasonal variations for indoor sporting events (please read guidance note 5)
Fri	11	11	
Sat	11	11	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 (please read guidance note 6)
Sun	11	11	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11:00	00:01		Both	<input checked="" type="checkbox"/>
Tue	11	11		Please give further details here (please read guidance note 4)	
Wed	11	11			
Thur	11	11	State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Fri	11	11			
Sat	11	11	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 6)		
Sun	11	11			

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	11.00	00.01			
Tue	11	11	State any seasonal variations for the performance of live music (please read guidance note 5)		
Wed	11	11			
Thur	11	11	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 6)		
Fri	11.00	01.00			
Sat	11.00	01.00			
Sun	11.00	00.01			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	11.00	00.01			
Tue	11	11	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Wed	11	11			
Thur	11	11	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 6)		
Fri	11.00	01.00			
Sat	11	11			
Sun	11.00	00.01			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	11.00	00.01.	Please give further details here (please read guidance note 4)		
Tue	11	11			
Wed	11	11	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	11	11			
Fri	11.00	01.00	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 6)		
Sat	11.00	01.00			
Sun	11.00	00.01.			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			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 3)	Indoors	<input type="checkbox"/>
Mon	11.00	00.01.		Outdoors	<input type="checkbox"/>
			Both	<input checked="" type="checkbox"/>	
Tue	11	11	Please give further details here (please read guidance note 4)		
Wed	11	11			
Thur	11	11	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri	11.00	01.00			
Sat	11.00	01.00	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 6)		
Sun	11.00	00.01			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	00:01	Please give further details here (please read guidance note 4)	Both	<input checked="" type="checkbox"/>
Tue	11	11			
Wed	11	11	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	11	11			
Fri	23:00	01:00	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 6)		
Sat	23:00	01:00			
Sun	23:00	00:01			

NEW YEARS EVE 23:00 - 11:00 NEXT DAY
 NEW YEARS DAY 23:00 - 00:30

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption - please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	10:00	00:01	<u>State any seasonal variations for the supply of alcohol (please read guidance note 5)</u> NEW YEARS EVE: 11:00 - 11:00 NEXT DAY NEW YEARS DAY: 12:00 - 00:30	Both	<input checked="" type="checkbox"/>
Tue	"	"			
Wed	"	"			
Thur	"	"		<u>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 6)</u>	
Fri	10:00	01:00			
Sat	10:00	01:00			
Sun	11:00	00:01			

K

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 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	10:00	00:01	<p><u>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</u> (please read guidance note 6)</p>
Tue	11	11	
Wed	11	11	
Thur	11	11	
Fri	10:00	01:00	
Sat	10:00	01:00	
Sun	11:00	00:01	

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.

REMOVE CONDITION 6 A VEX 2

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

Please tick as appropriate

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 not enclosed the premises licence or relevant part of premises licence.

M

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 and e) (please read guidance note 10)

C.C.T.V. CAMERAS IN ALL AREAS
FIRE FIGHTING EQUIPMENT AVAILABLE
AGE AWARENESS
VIGILANT OF DRUGS OR KNIVES

b) The prevention of crime and disorder

AGE AWARENESS
DRUGS AND WEAPON AWARENESS
C.C.T.V. CAMERAS

c) Public safety

FIRE FIGHTING EQUIPMENT (✓)
P.A.T. TESTING
VISUAL MAINTENANCE OF UPKEEP + ACTED UPON
PEST CONTROL

d) The prevention of public nuisance

NO PERMANENT SPEAKERS OUTSIDE
CUSTOMERS REFUSED ALCOHOL IF APPEAR DRUNK
" REQUESTED TO LEAVE PREMISES QUIETLY
AND TO CONSIDER RESIDENTS IN ALL ASPECTS
EG LITTER - NUISANCE - RESPECT FOR SURROUNDINGS

e) The protection of children from harm

C.C.T.V. CAMERA'S CHILD PROOF LOCKS
ONLY ACCOMPANIED BY RESPONSIBLE ADULT
NO CHILDREN ON PREMISES AFTER 22:00 HRS
* RAY ALGA IS DRINK + FOOD + PET. FREE

Checklist:

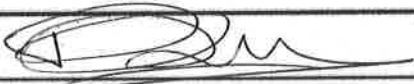
Please tick to indicate agreement

- I have made or enclosed payment of the fee; or I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- 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 SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	PARTNER / LICENCEE / CHEF / OWNER

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 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	PARTNER / LICENCEE / D.P.S. / OWNER

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)

Post town			Post code	
Telephone number (if any)				
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)				

Part 2 – Applicant details

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

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes No

If not, from what date do you want the variation to take effect?

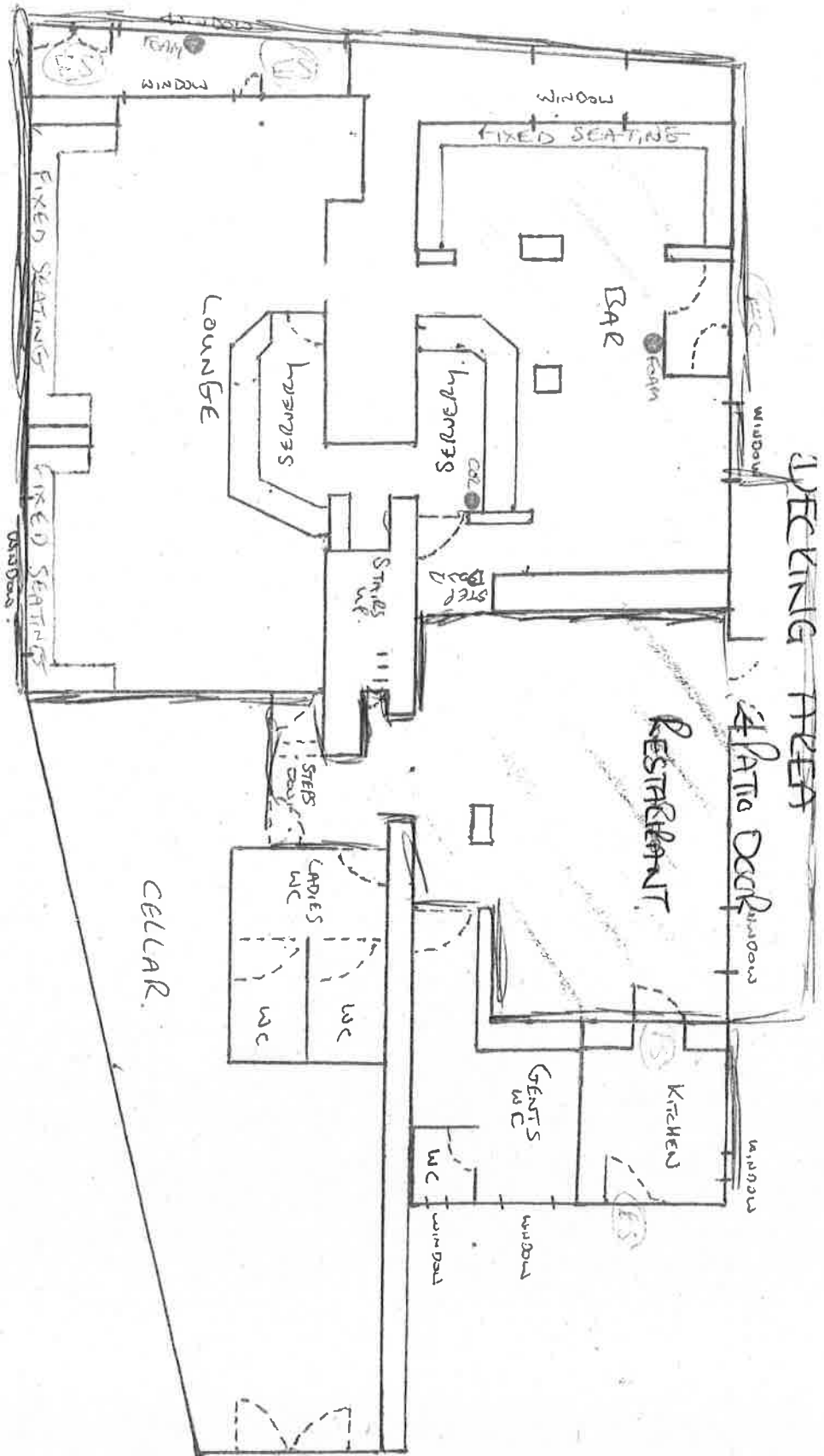
DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

ADDITION OF A BEER GARDEN IN THE Paddock. ADJACENT TO THE PUB CAR PARK. TO INCLUDE CHILDRENS PLAY AREA INCREASING SEVERAL PART TIME POSITIONS TO INCLUDE SERVING STAFF GARDENER - OUTSIDE CLEANER ALL PLAY EQUIPMENT. ADHERES TO ALL SAFETY STANDARDS

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:



DECKING AREA

PLATO DECK

RESTAURANT

KITCHEN

GENTS W.C.

W.C.

W.C.

LADIES W.C.

W.C.

LOUNGE

HYDRAS

STAIRS UP

STAIRS UP

STAIRS DOWN

CELLAR

FIXED SEATING

FIXED SEATING

WINDOW

WINDOW

WINDOW

WINDOW

WINDOW

WINDOW

ES

ESCAPE ROUTES

FRONT EXITS

BAR AREA FOR CONSUMPTION OF ALCOHOL AND ALL CREATIVE ACTIVITY

CELLAR

LOUNGE + ENTERTAINMENTS AREA AREA FOR CONSUMPTION OF ALCOHOL AND ALL CREATIVE ACTIVITY

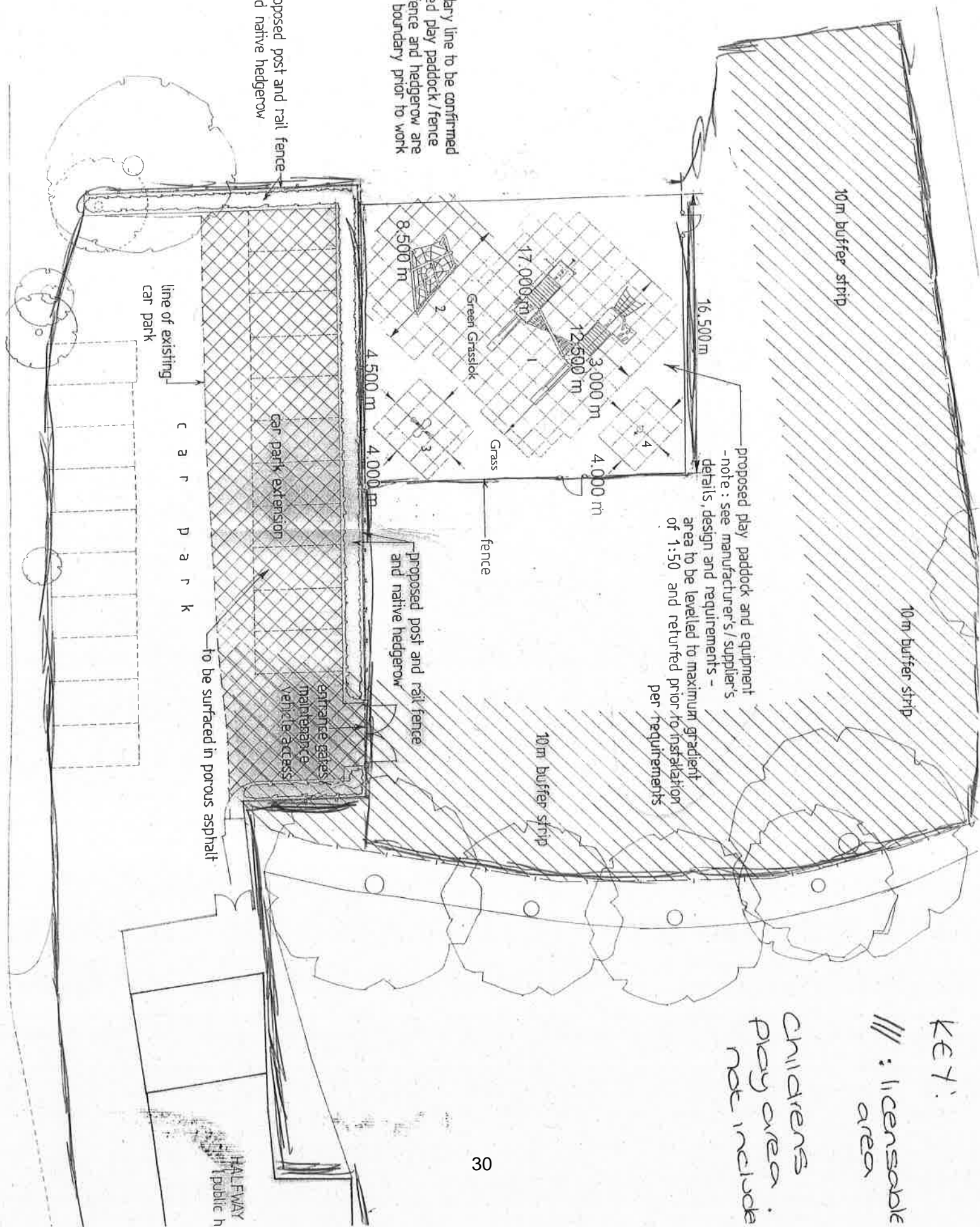
HALFWAY HOUSE

1:100 SCALE

RESTAURANT

AREA FOR CONSUMPTION OF ALCOHOL AND ALL CREATIVE ACTIVITY

note : site boundary line to be confirmed
 -ensure proposed play paddock / fence
 and post/rail fence and hedgerow are
 within the site boundary prior to work
 commencing



proposed play paddock and equipment
 -note : see manufacturer's / supplier's
 details, design and requirements -
 area to be levelled to maximum gradient
 of 1:50 and returned prior to installation
 per requirements

10m buffer strip

10m buffer strip

10m buffer strip

line of existing
 car park

c a r p a r k

to be surfaced in porous asphalt

proposed post and rail fence
 and native hedgerow

car park extension

entrance gates
 maintenance
 vehicle access

proposed post and rail fence
 and native hedgerow

fence

KEY:
 /// : licensable
 area
 Childrens
 play area
 not include

HALFWAY
 public h

Niki Whitehouse

DE12 7PX

Mr Eyre
Licencing Team
NWLDC
Council Offices
Whitwick Road
Coalville, Leicestershire
LE67 3FJ

8th July 2014

Reference: Halfway Public House, Donisthorpe

Dear Mr Eyre,

We are writing to you to voice our objection to the proposed variation in the licence for the Halfway House Public House in Donisthorpe. We feel the proposed variation to include the beer garden and play area will impact adversely on our ability to have an acceptable quality of life which is a breach of the human rights act 1998 article 1 and 8 which says,

Every person has the right to respect for his home and private and family life and that we are entitled to peaceful enjoyment of our possessions.

This forms part of your Statement of Licencing Policy 2014-2019.

Under the Public Nuisance licencing objective contained in this same policy it states that the needs of businesses have to be balanced against the needs of the residence to have an acceptable quality of life. We feel that as the landlord of the pub appears unable to be fair in this regard as documentation we have sent you demonstrates, so we are looking to you to safeguard our interests in this matter as it is a legal requirement for you to do.

Our concerns are as follows,

A 10 meter buffer zone was included as a condition of planning approval ref 14/00102/FUL which should be 'free from use and development and be implemented along the north western and south western boundaries.' We would like to make sure this area won't be included in the licence variation as this may lead to confusion over where people are allowed to go while drinking. The report by the planning officer states it should be a 'no go area and left only as a wildlife corridor' although we are aware this now appears to be being developed by the landlord contrary to the planning conditions. We are aware that an acoustic fence has been included in this scheme in order to get it through planning but without any details of its height and the type of fencing we remain unconvinced this alone will mitigate the disruption to us sufficiently to not affect our enjoyment of our home.

We are also worried that if no limit is placed on the number of patrons/tables in the beer garden there is huge potential for public nuisance. This area could more than double the number of customers using the pub at any one time and increase greatly the amount of noise and disruption, at

the moment there are only four tables at the front of the pub. In addition to this the pub hasn't altered its facilities to accommodate this increase for example there are still only two toilets. This could potentially lead to people urinating outside. We have been notified that the landlord is planning to step away from the day to day running of the pub once this process is completed leaving a young and very inexperienced team to oversee this potentially difficult transition and increase in business.

We are aware that other pubs in the area have restricted the opening hours for their outside areas to mitigate noise disruption for local residents for example in Ashby De La Zouch many of the pubs close their beer gardens / outside spaces at 10.00 / 10.30. As this is a less urban area the potential for noise carrying is far greater especially at night, we hope this same policy of different operating hours will be adopted in this case.

In addition to this we also have concerns about potential littering, smoke and light pollution and trust that the impact of all these will be considered during this process.

We would welcome the opportunity for you to visit our home so we can demonstrate the close proximity of the beer garden to our property and that of the new proposed dwelling, and so we can further discuss our concerns. Please email me at any time

Yours sincerely

Niki Whitehouse