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Meeting	<b>LICENSING SUB COMMITTEE</b>
Time/Day/Date	10.30 am on Monday, 15 January 2024
Location	Abbey Room, Stenson House, London Road, Coalville, LE67 3FN
Officer to contact	Democratic Services (01530 454512) Licensing Enforcement Officer (01530 454596)

### NOTIFICATION OF HEARING

Item	Pages
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<b>1</b>	<b>ELECTION OF CHAIRMAN</b>	
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<b>2</b>	<b>APOLOGIES FOR ABSENCE</b>	
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<b>3</b>	<b>DECLARATION OF INTERESTS</b>	
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Under the Code of Conduct members are reminded that in declaring interests you should make clear the nature of that interest and whether it is a disclosable pecuniary interest, registerable interest or other interest.

<b>4</b>	<b>BARDON TRUCK PARK - NEW LICENCE APPLICATION</b>	<b>3 - 24</b>
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**PREMISES:** Bardon Truck Park, Beveridge Lane, Bardon Hill, LE67 1TB

**APPLICANT:** Brett Parker

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

A representation has been received from Ellistown and Battleflat Parish Council. A notice of hearing inviting a representative to attend has been sent. 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 R Johnson  
Councillor J G Simmons  
Councillor N Smith  
Councillor J Legrys (Reserve Member)

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**  
**LICENSING SUB-COMMITTEE – MONDAY,**  
**15 JANUARY 2023**



<b>Title of Report</b>	<b>APPLICATION FOR A GRANT OF PREMISES LICENCE</b>	
<b>Presented by</b>	Tonya Cooper Licensing Enforcement Officer	
<b>Background Papers</b>	<a href="#">Revised Guidance issued under section 182 of the Licensing Act 2003 (publishing.service.gov.uk)</a>  <a href="#">Statement of Licensing Policy – Issue 7</a>	<b>Public Report:</b> Yes
<b>Purpose of Report</b>	<p>To determine an application for a grant of a premises licence in respect of the premises Bardon Truck Park, Beveridge Lane, Bardon Hill, LE67 1TB.</p> <p>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.</p>	
<b>Recommendations</b>	<b>THAT THE SUB-COMMITTEE DETERMINE THE APPLICATION.</b>	

## **1 Background**

- 1.1 On 16 November 2023, Brett Parker submitted an application for a premises licence grant at Bardon Truck Park, Beveridge Lane, Bardon Hill, LE67 1TB. A copy of the application is attached as Appendix 1. A plan of the premises is attached as Appendix 2.
- 1.2 An aerial view of the site is attached as Appendix 3 and a map is attached as Appendix 4.

1.3 The application identifies that if the premises licence is granted, the following opening hours and licensable activities will occur:

Opening Hours	Timings Everyday	12:00 hours - 22:00 hours
Licensable activity	Timings	
Supply by retail of alcohol	Everyday	12:00 hours - 22:00 hours

1.4 As part of the application, the applicant has specified the steps they intend to take in order to promote the four licensing objectives. These are as follows:

#### **General**

- Staff selling or serving alcohol will be made aware of their responsibility to prevent drunken and disorderly behaviour and underage sales of alcohol.

#### **The Prevention of Crime and Disorder**

- We will join a Pubwatch and/or Shopwatch partnership scheme.

#### **Public Safety**

- Alcohol will only be sold to persons staying on site.

#### **The Prevention of Public Nuisance**

- There shall be signs displayed in the car park asking customers to respect the needs of local residents.

#### **The Protection of Children from Harm**

- Relevant signs at point of sale will be displayed.
- Vigilance and monitoring will take place both inside and outside the premises.
- There will be regular staff training on when and how to refuse a sale.
- There will be a no proof, no sale, age verification policy in place.

- 1.5 The premises are not currently trading and therefore the licensing authority have not received any complaints in relation to the premises.
- 1.6 Outlined below are licensed premises within the vicinity of the applicant's premises detailing their current opening hours and licensable activities:

<p>Charnwood Arms, Beveridge Lane, Bardon Hill, LE67 1TB</p>	<p>Opening Hours: Monday to Thursday – 07:00hrs to 01:30hrs Friday and Saturday – 07:00hrs to 02:30hrs Sunday – 07:00hrs to 00:30 midnight</p> <p>Supply by retail of alcohol: Monday to Thursday – 10:00hrs to 01:00hrs Friday and Saturday – 10:00hrs to 02:00hrs Sunday – 10:00hrs to 00:00 midnight</p> <p>Late Night Refreshment: Monday to Thursday – 10:00hrs to 01:00hrs Friday and Saturday – 10:00hrs to 02:00hrs Sunday – 23:00hrs to 00:00 midnight</p> <p>Performance of Plays, Films, Live Music, Recorded Music and Performance of Dance: Monday to Thursday – 10:00hrs to 01:00hrs Friday and Saturday – 10:00hrs to 02:00hrs Sunday – 07:00hrs to 00:00 midnight</p>
<p>Birch Tree, Bardon Road, Coalville, LE67 1TD</p>	<p>Opening Hours: Sunday to Thursday – 08.00am to 01.00am Friday and Saturday – 08.00am to 02.00am Christmas Eve and New Year's Eve – 08.00am to 02.00am</p> <p>Supply by retail of alcohol: Sunday to Thursday – 11.00am to 12midnight. Friday and Saturday – 11.00am to 01.00am Christmas Eve and New Year's Eve – 11.00am to 01.00am.</p> <p>Late Night Refreshment: Monday to Saturday, other than Good Friday or Christmas Day, 11.00pm to 11.30pm</p> <p>Live music: Sunday to Thursday – 7.00pm to 11.30pm. Friday and Saturday – 7.00pm to 12.30am. Christmas Eve and New Year's Eve – 7.00pm to 12.30am.</p>

	Recorded music: Sunday to Thursday – 08.00am to 12.30am. Friday and Saturday – 08.00am to 01.30am. Christmas Eve and New Year’s Eve – 08.00am to 01.30am.
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## **2 Representations**

- 2.1 In respect of an application for the grant of a 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 Coalville Times on Friday, 24 November 2023 and officers are satisfied that the correct notices have been displayed at the premises.
- 2.2 Each of the responsible authorities have been served a copy of the application, namely: the Police, Fire Authorities, Home Office, Trading Standards Department, the District Council’s Health and Safety, Environmental Protection, Public Health Authority and Planning Sections. We have received no representations from the responsible authorities.
- 2.3 One relevant representation has been received from Ellistown and Battleflat Parish Council on the grounds of prevention of crime and disorder and public safety. This representation is presented as Appendix 5.
- 2.4 Following Ellistown and Battleflat Parish Council’s representation, the applicant’s response is attached as Appendix 6.

### **Statutory Guidance**

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, 1.13 to 1.17, 2.1 to 2.7, 2.8 to 2.9, 2.16 to 2.17, 2.21 to 2.38, 3.1 to 3.2, 8.13 to 8.14, 8.34, 8.41 to 8.49, 8.80 to 8.87, 9.1, 9.3 to 9.9, 9.31 to 9.44, 10.1 to 10.10, 10.13 to 10.15, 13.10, 14.1 to 14.3, may have a bearing upon the application.

### **Statement of Licensing Policy**

The Sub-Committee is also obliged to have regard to its own Statement of Licensing Policy. Officers consider that paragraphs 2.1 to 2.5, 3.0, 4.1 to 4.4, 5.1 to 5.4, 6.1 to 6.4, 7.1 to 7.4, 11.0, 19.2, 22.0, 23.0, and 26.0 may have a bearing upon the application.

## Observations

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.

The Committee may take such of the following steps, if any, as it considers appropriate for the promotion of the licensing objectives:

- Grant the application and issue the premises licence as requested.
- Modify the conditions of the licence, by altering or omitting or adding to them.
- Reject the whole or part of the application.

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.

Policies and other considerations, as appropriate	
Council Priorities:	Communities and housing – looking after our tenants and keeping our communities safe.
Policy Considerations:	Statement of Licensing Policy – Issue 7
Safeguarding:	To determine the application in accordance with the Licensing Act 2003 objectives.
Equalities/Diversity:	No information has been provided to indicate an Equality Impact Assessment (EIA) is required though this will be kept under review and an EIA carried out if necessary.
Customer Impact:	Customers may be impacted by any decision made.
Economic and Social Impact:	Not applicable
Environment and Climate Change:	Not applicable
Consultation/Community Engagement:	Leicestershire Police, Leicestershire Fire and Rescue Service, The Home Office, 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.
Risks:	The risk of incurring costs 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.
Officer Contact	Tonya Cooper Licensing Enforcement Officer <a href="mailto:tonya.cooper@nwleicestershire.gov.uk">tonya.cooper@nwleicestershire.gov.uk</a>



# Premise Licence - Bardon Truck Park

## Applicant's details

Name: [REDACTED]

Address: Bardon Truck Park, Beveridge Lane, Bardon Hill, LE67 1TB

Email address: [REDACTED]

Phone numbers:

[REDACTED]

Date of birth: [REDACTED]

Applicant's nationality: British

Is the applicant entitled to work in the UK: Yes

Does the Main applicant have a 'Right To Work Share Code' supplied by the Home Office?  
Yes

Enter the 9 digit 'Right to Work Share Code': [REDACTED]

In what capacity are you applying for the premises licence? a person other than an individual (as a limited company, as a partnership, as an unincorporated association or other, for example a statutory corporation)

Persons applying as individual(s) or persons other than individual(s), please confirm: am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities

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## Premise Details

Name of premises: Bardon Truck Park

Company name: [REDACTED]

Company number: [REDACTED]

Phone number of premise: [REDACTED]

Address:

Storage Land Beveridge Lane

Bardon

LE67 1TB

**Please give a description of the premises:** Dedicated truck park/open area

**Non-domestic rateable value of premise:** Band E - £125,001 plus

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## **Premise licence**

**When do you want the premises licence to start?**20/11/2023

**Do you wish the licence to be valid for a limited period?**No

**Do you expect 5,000 or more people to attend the premises at any one time?**No

### **Opening Days**

**Monday:** Yes

**Opening time:** 12:00

**Closing time:** 22:00

**Tuesday:** Yes

**Opening time:** 12:00

**Closing time:** 22:00

**Wednesday:** **Yes**

**Opening time:** 12:00

**Closing time:** 22:00

**Thursday:** Yes

**Opening time:** 12:00

**Closing time:** 22:00

**Friday:** Yes

**Opening time:** 12:00

**Closing time:** 22:00

**Saturday:** Yes

**Opening time:**

**Closing time:**

**Sunday:** Yes

**Opening time:** 12:00

**Closing time:** 22:00

**List the times when you intend the premises to be open to the public at different times than those listed above. For example (but not exclusively), where the activity will occur on additional days during the summer months.**

Site is open 24/7

**State any season variations for the hours the premises will be open to the public. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.**

Site is open 24/7 365 days of the year

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## **Licensable activities**

**Plays:** No

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**Films:** No

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**Indoor sporting events:** No

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**Boxing or wrestling:** No

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Live music: No

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**Recorded music:** No

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**Performance of dance:** No

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**Anything of a similar description to the above that does not fit into a single category:** No

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**Provision of late night refreshment:** No

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## **Supply of alcohol: Yes**

### **Standard Days and Timings**

**Monday start time: 12:00**

**Monday finish time: 22:00**

**Tuesday start time: 12:00**

**Tuesday finish time: 22:00**

**Wednesday start time: 12:00**

**Wednesday finish time: 22:00**

**Thursday start time: 12:00**

**Thursday finish time: 22:00**

**Friday start time: 12:00**

**Friday finish time: 22:00**

**Saturday start time: 12:00**

**Saturday finish time: 22:00**

**Sunday start time: 12:00**

**Sunday finish time: 22:00**

**List the times when you intend to use the premises for the activities at different times than those listed above. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.**

This is a 24hr site 365 days of the year.

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## **Additional details of the activities**

**Where will the activities take place. Where taking place in a building or other structure please select as appropriate (indoors may include a tent).**

On the premises

**Please give further details of the indoor sporting event here. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.**

Alcohol will be sold to people staying on site.

**State any seasonal variations for the activities. For example (but not exclusively), where the activity will occur on additional days during the summer months.**

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## Designated Premise Supervisor

Title: [REDACTED]

First Name: [REDACTED]

Surname: [REDACTED]

Date of birth: [REDACTED]

Age: [REDACTED]

Place of birth: [REDACTED]

Personal licence number (if known): [REDACTED]

Do they live within the District: [REDACTED]

Address:

[REDACTED]

[REDACTED]

[REDACTED]

Do you have the consent form signed by the individual you wish to be designated premises supervisor? Yes

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## Licensing Objectives

General - all licensing objectives: Staff selling or serving alcohol will be made aware of their responsibility to prevent drunken and disorderly behaviour and underage sales of alcohol

The prevention of crime and disorder: We would intent to join a Pubwatch and Shopwatch partnership scheme.

Public safety: We only intend to sell alcohol to people staying onsite.

The prevention of public nuisance: Signs in car park asking customers to respect the needs of local residents.

The protection of children from harm: Displaying relevant signs at point of sale.

Vigilance both inside and outside premises.

Regular staff training on when and how to refuse a sale.

No proof, no sale, age verification policy.

## Declaration

It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under Section 24B of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under Section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK.

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work.

By ticking this box, I hereby certify the information contained in this form is correct to the best of my knowledge and belief and agree to all the above statements. Ticking this box deems this form to be signed and carries the same legal obligation as a written signature. Yes

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## Payment Details

Amount: 635

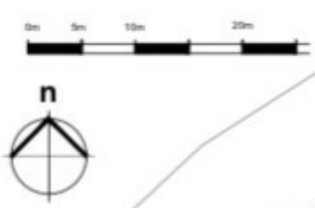
Income code: A93227|G0310|||||GEN

Fund Code: 04

VAT Code: SE

Transaction Reference: 229-7306





**Client/Title:**

1. PLEASE DO NOT SCALE FROM DRAWING
2. Areas are approximate and indicative only.
3. Drawings to be used for planning purposes only.
4. All dimensions should be checked and confirmed on site.

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Revision	Date	By
Revised application boundary	04.07.23	M.J.L



Site: Bardon Truck Park Ltd, Beveridge Lane, Bardon Hill LE67 1TB  
 Title: **Proposed Site Layout** Date: April 2023  
 Drg No: 23/208/03 Scale: 1:500 @ A3 Revision: A

**tpd** TOWN PLANNING DESIGN

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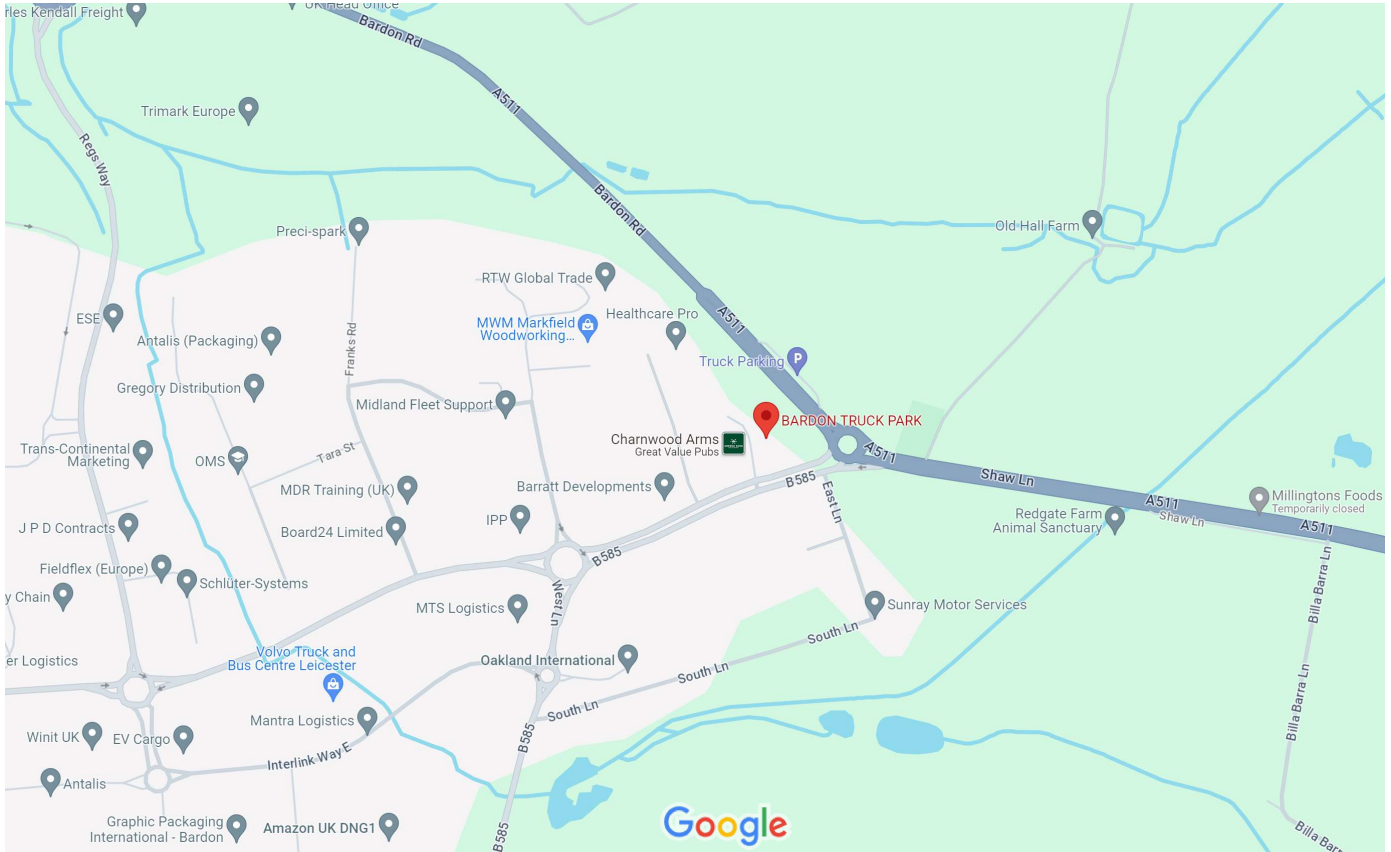
Google Maps BARDON TRUCK PARK



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Google Maps BARDON TRUCK PARK



Map data ©2023 100 m

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**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL  
LICENSING ACT 2003**

**REPRESENTATION FORM**

<b>Your name/organisation name/name of body you represent</b>	
<b>Organisation name/name of body you represent (if appropriate)</b>	
<b>Your Postal address</b>	
<b>Name of the premises you are making a representation about</b>	BARDON TRUCK PARK
<b>Address of the premises you are making a representation about</b>	Beveridge Lane, Bardon Hill, Coalville, LE67 1TB

<b>What are you making a representation about?</b>
Please indicate which part of the licence/certificate application you are making a representation about (i.e. Terminal hours, and music and dancing on Friday and Saturday night)
THE SALE OF ALCOHOL ON A VEHICLE PARK

Your representation must relate to one of the four Licensing Objectives

<b>Licensing Objective</b>	<b>Please provide full details of your concerns regarding the application and include any evidence you may have in support of it. Please use separate sheets if necessary</b>
<b>To prevent crime and disorder</b>	Why does an HGV park want to sell alcohol? This is a site specifically for drivers to park their lorries, selling alcohol on this site is reckless and encouraging drink driving.
<b>Public safety</b>	As above – the council has grave concerns over the retailing of alcohol on a site that is purely for HGV vehicles to park at.
<b>To prevent public nuisance</b>	
<b>To protect children from harm</b>	

<b>Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account.</b>	This is a site that has submitted a planning application to extend the term for another 36 months, as an HGV park, but has then withdrawn the application. Surely this should be dealt with before any type of license is approved, if at all. <b><u>We have never seen alcohol being sold at any form of car park, why is this any different?</u></b>
---	--

Signed:

Date: 12<sup>th</sup> December 2023

Capacity:

**NOT FOR PUBLICATION**

<b>Your e-mail address</b>	
<b>Your contact telephone number</b>	

**SUPPORTING NOTES**

If you do make a representation, you will be invited to attend a meeting of the Licensing sub-Committee and any subsequent appeal proceeding. If you do not attend, the Committee will consider any representations that you have made.

This form must be returned within the Statutory Period, which is 28 days from the date the notice was displayed on the premises, or the date specified in the Public Notice in the newspaper. Please contact the Licensing Section on 01530 454556 if you are in doubt about the date.

They can only relate to the four licensing objectives.

Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will be published in the report available to the Licensing Sub-Committee, which will be publicly available. Names and addresses will only be withheld from the Sub-Committee report at your request. Email addresses and contact telephone numbers will not be publicly available.

Please return this form when completed along with any additional sheets to:

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

Email to [licensing@nwleicestershire.gov.uk](mailto:licensing@nwleicestershire.gov.uk)

Tel: 01530 454545  
Fax: 01530 454574

**From:** [REDACTED]  
**Sent:** 13 December 2023 16:08  
**To:** [REDACTED]  
**Subject:** EXTERNAL: Re: Bardon Truck Park - New Premises Licence Application

Hi [REDACTED]

Thank you for your email,

In response to the question from the objector - Our plans are nothing new or out of keeping - Our site matches the same ethos as ALL nationwide road network service stations, long established truck stops (including those dedicated nearby parking areas), and freight ferry networks which are supporting the road haulage community - and that is to offer maximum facilities & comfort where possible, including the sale of alcohol. Even petrol stations offer this.

A limited selection of alcohol is intended to be offered as an extra alongside warm comforting meals onsite if requested and will not form the main sale to our site or offerings. It will be strictly monitored as part of licensing guidance & training. Our site has additional site security staff 24/7 which gives us the added bonus of preventing any possible issues.

HGV drivers are no different to any other and have as much of a right to drink alcohol when on their regular rest periods (for example, all HGV drivers are legally required to have a minimum of 45hrs per week rest from driving).

The site is located next to a public house which we have no control over monitoring how much drivers are drinking in that establishment - including other drivers who use the neighbouring layby, and industrial estate. But here, at our parking facility, we can monitor & manage the use much better.

Many thanks,

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