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Meeting	<b>LICENSING SUB COMMITTEE</b>
Time/Day/Date	2.00 pm on Thursday, 10 July 2025
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**

<b>Item</b>		<b>Pages</b>
<b>1</b>	<b>ELECTION OF CHAIRMAN</b>	
<b>2</b>	<b>APOLOGIES FOR ABSENCE</b>	
<b>3</b>	<b>DECLARATION OF INTERESTS</b>  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>APPLICATION FOR A VARIATION OF A PREMISES LICENSE UNDER THE LICENSING ACT 2003</b>  PREMISES: The 32 Borough Street, Castle Donington, Derby, DE74 2LA  APPLICANT: Mr Stephen Doig  To determine an application for a variation of a premises licence in respect of the above. Representations have been received from various parties. A notice of hearing inviting them to attend has been sent to each of 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.	<b>3 - 56</b>

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 A Barker  
Councillor C Beck  
Councillor N Smith  
Councillor P Moulton (Reserve)

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**  
**LICENSING SUB COMMITTEE – 10 July 2025**



<b>Title of Report</b>	<b>APPLICATION FOR VARIATION OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003</b>	
<b>Presented by</b>	Paul Dennis, Licensing Enforcement Officer	
<b>Background Papers</b>	<a href="https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/123456/Revised_Guidance_issued_under_section_182_of_the_Licensing_Act_2003.pdf">Revised Guidance issued under section 182 of the Licensing Act 2003 (publishing.service.gov.uk)</a>  <a href="https://legislation.gov.uk/ukpga/2003/30/section/182">Licensing Act 2003 (legislation.gov.uk)</a>  <a href="#">Statement of Licensing Policy 2024-2029</a>	<b>Public Report:</b> Yes
<b>Purpose of Report</b>	<p>To determine an application for the variation of a premises licence in respect of 32 Borough Street, Castle Donington, Derby, DE74 2LA.</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 Statement of Licensing Policy.</p>	
<b>Recommendations</b>	<b>THAT THE SUB-COMMITTEE DETERMINE THE APPLICATION.</b>	

## **1.0 Background**

- 1.1** The current premises licence holders were granted a premises licence on 17 September 2024 after a Licensing sub-committee hearing following representations. The premises opened in December 2024. The existing premises licence is attached as **Appendix 1**. The Licensing sub-committee hearing decision notice is attached as **Appendix 2**.
- 1.1** Stephen John Doig applied for the variation of a premises licence for 32 Borough Street, Castle Donington, Derby, DE74 2LA on 21 May 2025. The application form is attached as **Appendix 3**.
- 1.2** The applicant has specified within their application the following amendments to their existing premises licence, should the application be granted in full:

The removal of condition Annex 3 1. *“The premises licence holder shall ensure that no customers shall take glasses or open bottles from the premises”* in order to allow the serving of drinks outside, subject to obtaining a Pavement Licence.

The removal of condition Annex 3 2. *“There shall be no recorded music, live music, amplified music, speaker or television usage in or outside the premises”* in order to allow the playing of recorded music for background only to create ambience.

To amend the Sunday opening times from 12:00 to 18:00 hours to 12.00 to 21.30 hours.

- 1.3 An aerial view of the site is attached as **Appendix 4** (Note: it is displayed as “The Flag Micro Pub” – the name of the previous business). A map of the site is attached as **Appendix 5**.
- 1.4 The applicants offered the following conditions in support of their application (some of which are already existing licence conditions):

**General - all licensing objectives:**

The Premises Licence Holder and Designated Premises Supervisor, in regular consultation with the Licensing Officers and Responsible Authorities, and by strong management, regular training and support for all staff, ensures that the four licensing objectives are promoted, understood, practised and delivered. The business also works hard to promote harmony with its neighbours and the local community.

**The prevention of crime and disorder:**

1. A state of the art 24 -hour CCTV has been professionally installed. All staff members have been trained in its use and a Refusal to Serve and Incident log is maintained for inspection by the Licensing Officer and Responsible Authorities.

2. The Premises Licence Holder ensures that all refusals to serve and incidents are properly recorded and reviewed within 24 hours.

3. Posters are prominently displayed to clearly communicate: -

- the premises licensing hours
- the age restrictions for children
- refusal to serve any person considered to be drunk
- the availability of drinks in the following measures: -
  - I. beer or cider ½ pint
  - II. gin, rum, vodka or whisky 25ml or 35ml
  - III. still wine 125ml.
- the availability of free tap water on request

**Public safety:**

1. The provision of 24- hour CCTV has been installed as described under Prevention of Crime and Disorder.
2. Public Liability Insurance of up to £5million has been put in place.
3. Disabled customers are made aware of evacuation arrangements.
4. A Health & Safety Policy has been devised including a Risk Assessment and all staff have been given awareness training.
5. A Fire Safety Risk Assessment has been undertaken by a professionally qualified Fire Safety Officer and Fire Safety Training has been undertaken with all staff members.

**The prevention of public nuisance:**

1. Posters are prominently displayed to clearly communicate:
  - local taxi firm numbers-
  - that staff will help to organise taxis for customers if needed
  - the need for quiet and orderly dispersal when leaving the premises
2. All staff have been trained to monitor and assist with the quiet and orderly dispersal of customers at the close of business.
3. The business owners have invested substantially during the property refurbishment in the installation of acoustic wall panelling and ceiling boards to contain the sound within the premises.
4. The premises frontage and pavement is cleaned on every trading day.

**The protection of children from harm:**

1. Children under the age of 14 are not allowed on the premises. This is clearly communicated alongside the premises opening hours and managed by staff on duty.
2. The premises age verification policy is clearly communicated by posters.
3. The Challenge 21 scheme is effectively operated.
4. All staff have received training in the effective operation of Challenge 21.
5. Signage is used to clearly communicate that it is an offence to buy alcohol on behalf of anyone under 18.
6. The Premises Licence Holder ensures that all refusals to serve and incidents are properly recorded and reviewed within 24 hours.

## **2.0 Historical**

- 2.1 The premises has been licensed previously. The premises licence was originally issued on 17 February 2014. There were numerous issues with the previous premises licence holder. Those issues included numerous alleged instances of unlicensed activities, non-compliance with conditions including failing to provide cctv footage evidence on many occasions, using street furniture continuously without the required consent, and noise complaints, which emanated from both inside and outside the premises.
- 2.2 The current licence holders opened the premises in December 2024. Since opening, the premises has been run very professionally, with no issues or complaints.

## **3.0 Representations**

- 3.1 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 Derby Telegraph on Saturday 24 May 2025 and officers are satisfied that the correct notices have been displayed at the premises.
- 3.2 Each of the responsible authorities have been served a copy of the application, namely; the Police, Fire Authorities, Home Office, Trading Standards Department, Health Authority and the District Council's Health and Safety, Environmental Protection, Licensing and Planning sections. One representation was received from the responsible authorities from Environmental Protection on the grounds of the prevention of public nuisance. The representation is attached as **Appendix 6**.
- 3.3 Other persons are able to make representations within 28 days of display of the notice of application to the Licensing Authority. Two representations were received from members of the public on the grounds of the prevention of public nuisance. The representations are attached as **Appendices 7 and 8**.

## **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 1.1-1.5, 1.13, 1.16, 2.21-2.27, 3.1-3.2, 3.11, 8.50, 8.66-8.77, 8.80-8.82, 9.1, 9.3, 9.11-9.12, 9.31, 9.37-9.39, 9.42-9.44, 10.1 to 10.10, 10.13-10.14, 14.1-14.3, 16.1-16.3, 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 1.5, 2.1, 2.3, 2.5, 2.6, 6.1 to 6.4, 11.0, 13.0, 22.0, and 25.0 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;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm.

- 6.2 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 variation of 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.

- 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.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	Communities and housing – looking after our tenants and keeping our communities safe
Policy Considerations:	Statement of Licensing Policy – Issue 8
Safeguarding:	To determine the application in accordance with the Licensing Act 2003 objectives
Equalities/Diversity:	No Equality/Diversity issues raised, though this will be kept under review.
Customer Impact:	Not applicable
Economic and Social Impact:	Customers may be impacted by any decision made.
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	Paul Dennis Licensing Enforcement Officer <a href="mailto:paul.dennis@nwleicestershire.gov.uk">paul.dennis@nwleicestershire.gov.uk</a>



## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL PREMISES LICENCE

**Premises Licence Number**

**NWL20597**

### Part 1 – Premises Details

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

Borough Street Bar  
32 Borough Street  
Castle Donington  
Derby  
DE74 2LA

**Telephone number:** 07770 336405

**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	12:00 hrs - 21:30 hrs
Friday and Saturday	12:00 hrs - 22:30 hrs
Sunday	12:00 hrs - 18:00 hrs
Sundays preceding a Bank Holiday / National Holiday	12.00 hrs - 22.30 hrs
New Years Eve	12.00 hrs - 00.00 hrs

**The opening hours of the premises**

Monday to Thursday	12:00 hrs - 21:30 hrs
Friday and Saturday	12:00 hrs - 22:30 hrs
Sunday	12:00 hrs - 18:00 hrs
Sundays preceding a Bank Holiday / National Holiday	12.00 hrs - 22.30 hrs
New Years Eve	12.00 hrs - 00.00 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 the premises only.

## Part 2

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

**Mr Stephen Doig**

**Tel:**

**e-mail:**

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

Not Applicable

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

**Mr Stephen Doig**

**Tel:**

**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:** NWL11598

**Issuing authority:** North West Leicestershire District Council

**Dated:** 17<sup>th</sup> September 2024

**Paul Dennis**  
**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.
3. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
4. For the purposes of the condition set out in paragraph 1—
  - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) “permitted price” is the price found by applying the formula —
$$P = D + (D \times V)$$
Where —
    - (i) P is the permitted price,
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on

the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

5. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
6.
  - (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
  - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
7.
  - (1) The responsible person must 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 —
    - (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 in a manner which carries a significant risk of undermining a licensing objective;
    - (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 in a manner which carries a significant risk of undermining a licensing objective;

- (d) 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;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 8. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 9.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) 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 either—
    - (a) a holographic mark, or
    - (b) an ultraviolet feature
- 10. The responsible person must 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;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

## **Annex 2 – Conditions consistent with the Operating Schedule**

### **General - all licensing objectives:**

1. The Premises Licence Holder and Designated Premises Supervisor will, in regular consultation with the Licensing Officers and Responsible Authorities and by effective management, regular training and support for all staff, ensure that the four licensing objectives are promoted, understood, practised and delivered. The business will work to promote harmony with its neighbours and the local community.

### **The prevention of crime and disorder:**

2. CCTV will be installed to specifications and in locations agreed with the Leicestershire Constabulary Crime Reduction Officer and maintained in accordance with the Information Commissioner's CCTV Code of Practice.
3. The CCTV will be installed, maintained and working whilst the premises is open to the public. CCTV footage will be recorded 24 hours a day, 7 days a week.
4. The CCTV will cover the entry and exit points of the premises and all areas where alcohol/money is served/taken and all areas where the public have access and the immediate vicinity outside the premises.
5. The images/recordings will be downloadable in a suitable format and provided to any member of a responsible authority upon request and without undue delay, not exceeding 5 working days.
6. Images and recordings will be of evidential quality, will indicate the correct time and date and be kept for at least 31 days.
7. All staff will be trained in the use of the CCTV system and at least one member of staff will be on duty who is trained to download the systems images should any member of a responsible authority make a request for the footage.
8. An incident log will be kept and maintained at the premises and will record any crimes, incidents, ejection of patrons, complaints, refusals of sales and Authority visits.
9. Signage will be prominently displayed with the premises operating hours.
10. The Local Authority Licensing Team and Police will be notified not less than 5 clear working days of any seasonal variations and events taking place.
11. The premises licence holder will engage and communicate with similar operators and Police to keep abreast of any potential issues. Retail Radio and Pub Watch schemes will be joined if available in the area.

**Public safety:**

12. Twenty-Four hour CCTV will be installed, and operated as described above under the Prevention of Crime and Disorder Licensing Objective.
13. A fire safety audit will be undertaken, and all recommendations/actions therein will be complied with within 60 days of receipt.
14. All staff will receive 6 monthly training on fire safety legislation and on their responsibilities in respect of licensing legislation. This training will be documented and presented to a member of a responsible authority upon request.
15. The appropriate levels of Public Liability Insurance will be put in place.
16. First Aid training for will be undertaken by the Designated Premises Supervisor.
17. Disabled customers will be made aware of evacuation arrangements

**The prevention of public nuisance:**

18. The sale by retail of alcohol shall cease immediately at the premises closing time each day and in accordance with the premises permitted opening times and in accordance with the permitted planning times.
19. Signage will be displayed at the premises requesting that patrons leave the premises quietly.
20. Details of a reputable local taxi company will be displayed at the premises.
21. All staff will be trained to monitor and assist with the quiet and orderly dispersal of customers at the close of business.
22. Disposal of bottles will not be undertaken at the premises between the hours of 23.00 and 08.00 the following morning.
23. Regular checks carried out to the front outside area of the premises to ensure that is kept free from smoking related litter.
24. The premises frontage and pavement will be cleaned on every trading day.

**The protection of children from harm:**

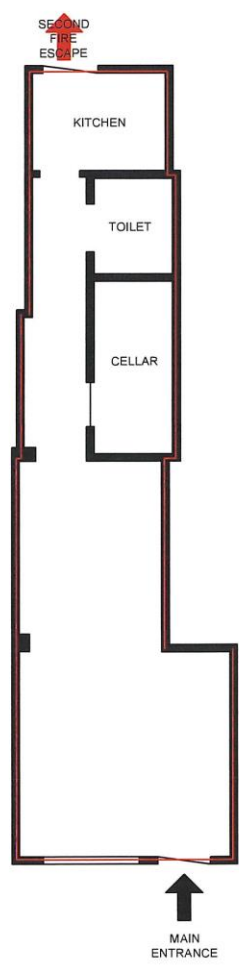
25. Children under the age of 14 will not be allowed on the premises. This will be clearly communicated alongside the premises opening hours.
26. Children above the age of 14 will be permitted provided they are accompanied by an appropriate adult.
27. The premises age verification policy will be clearly communicated by poster.

28. The Challenge 21 scheme will be operated.
29. All staff will be trained in the effective operation of Challenge 21 and made familiar with the Home Office False I.D. Guidance July 2012.
30. Signage will be used to clearly communicate that it is an offence to buy alcohol on behalf of anyone under 18.

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

1. The premises licence holder shall ensure that no customers shall take glasses or open bottles from the premises.
2. There shall be no recorded music, live music, amplified music, speaker or television usage in or outside the premises.

Annex 4 – Plans



ADRESS: 32 Borough St, Castle Donington, Derby DE74 2LA
DATE: 29/06/2024
SCALE: 1:100 at A4  NOTE: For the plan to be in scale, the above scale bar must measure correct when printed (for example 5cm)

Customer area

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**DECISION: Licence granted with conditions****NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL****LICENSING ACT 2003 SUB-COMMITTEE****RECORD OF PROCEEDINGS/MEMBERS NOTES**

1.	<b>Date of Hearing</b>	28 August 2024
2.	<ul style="list-style-type: none"> <li>• <b>Panel/Committee members present</b></li> <li>• <b>Members/officers observing</b></li> </ul>	Councillor G Rogers (Chair) Councillor Cllr C Beck Councillor N Smith  Cllr M Ball Cllr T Saffell Cllr A Barker
3.	<b>Licensing Officer</b>	Tonya Cooper (Licensing Enforcement Officer) Meggie Wainwright (Officer)
4.	<b>Democratic Services Officer</b>	Tom Devonshire
5.	<b>Legal Advisor</b>	Dave Gill
6.	<b>Declarations of interests by members or officers</b>	None  Councillor N Smith noted that he had sat on a previous hearing panel relating to the premises.
7.	<b>Nature of Application(s)</b>	Application for grant of premises licence
8.	<b>Applicant</b>	Stephen J Doig Andrew S Green
9.	<b>Premises</b>	32 Borough Street, Castle Donington, Derby, DE74 2LA.
10.	<b>Parties/Representatives and Witnesses present</b>	
	<b>For the Applicants</b>	Stephen J Doig

<b>Signature:</b>	
<b>Chairman:</b>	Cllr Rogers
<b>Date of Hearing:</b>	28 August 2024

	<p><b><u>Responsible authorities</u></b></p> <p><b><u>Interested Parties (persons making relevant representations) given permission to speak</u></b></p> <p><b><u>Interested Parties (persons making relevant representations) refused permission to speak and reason why</u></b></p>	<p>Andrew S Green</p> <p>None</p> <p>None</p> <p>None</p>
11.	<b>Parties/witnesses not present and reason why</b>	Jayne Orme Ben Lee
12.	<b>Applications and Decisions on ancillary issues, e.g. requests for adjournments; determinations whether to proceed in absence; directions, etc.</b>	It was resolved that all parties be given 10mins to speak.
13.	<b>Written Representations and supplementary material taken into consideration</b>	Agenda pack, appendices and additional papers submitted by the Applicant.
14.	<b>Facts/Issues</b>	Whether the granting the premises licence will undermine the Prevention of Crime and Disorder and Public Safety licensing objectives.
15.	<b>Full text of decision on the application</b>  See full minutes.	
16.	<b>DECISION:</b>  In reaching its decision the Sub-Committee had regard to the report prepared by the Licensing Enforcement Officer along with the appendices and additional papers. The Sub-Committee also listened carefully to what was said today by the Applicants. The Sub-Committee also had regard to	

<b>Signature:</b>	
<b>Chairman:</b>	Cllr Rogers
<b>Date of Hearing:</b>	28 August 2024

the Council's Statement of Licensing Policy and Guidance issued under Section 182 of the Licensing Act 2003 as well as the Human Rights Act 1998.

The Sub Committee were mindful that the premises had had a chequered history but were satisfied that the applicants intended to bring a new management regime to the premises and were committed to ensuring cordial relations with the neighboring residential occupiers. However, the Sub Committee was mindful that it was still possible for there to be concerns that granting a license could result in the licensing objectives being undermined.

The Interested Parties had objected on the grounds of Crime and Disorder and Public Safety, as they were concerned that selling alcohol on the site and the playing of recorded and live music and the use of a TV would cause them disturbance. It was noted by Members that the issue of noise had been negotiated away with the Environmental Protection Team and agreed a condition to imposed on the licence.


The Interested Parties were also concerned that patrons might gather on the footpath in front of the premises whilst drinking and smoking and cause further disturbance. Notwithstanding the fact that the application was for an 'on' licence only Members agreed that in order to ensure that there would be no disturbance a condition would be imposed on the licence that prevented open bottles or glasses being taken from the premises. .

The Sub Committee reminded itself of paragraph 9.12 of the Statutory Guidance which states:


"Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective."

The Sub Committee was, therefore, conscious that the representation from the Environmental Protection Team had been negotiated away and that there had been no representations received from any of the other responsible authorities.

The Applicants had outlined the controls in place on the premises and Members were satisfied that taken together with the additional conditions

<b>Signature:</b>	
<b>Chairman:</b>	Cllr Rogers
<b>Date of Hearing:</b>	28 August 2024

	<p>the Sub Committee was of the view that these controls would assist in ensuring the promotion of the licensing objectives.</p> <p>The Sub Committee, therefore, decided to grant the licence with the below conditions added to the licence:</p> <ol style="list-style-type: none"> <li>1. The premises licence holder shall ensure that no customers shall take glasses or open bottles from the premises; and</li> <li>2. There shall be no recorded music, live music, amplified music, speaker or television usage in or outside the premises.</li> </ol> <p>There is a right of appeal to the magistrates' court for anyone aggrieved by the decision, any appeal to be lodged within 21 days of being notified of this decision.</p>

<b>Signature:</b>	
<b>Chairman:</b>	Cllr Rogers
<b>Date of Hearing:</b>	28 August 2024



## Vary a Premise Licence - The Borough Street Bar

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### Applicant details

**Name:** Stephen Doig

**Address:** [REDACTED]

**Email address:** [REDACTED]

**Phone numbers:**

07770336405

**Date of birth:**

### Premise Details

**Name of premises:** The Borough Street Bar

**Phone number of premise:** 07770336405

**Address:**

32 Borough Street

Castle Donington

DE74 2LA

**Existing premise licence number:** 20597

**Do you have a copy of the current premise licence?**(if yes see attached upload) Yes

**Please tell us why you haven't attached a copy**(if relevant):

If amending the current licensed area see attached upload of new plan

**Non-domestic rateable value of premise**— Band A - None to £4,300

### Variation required

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

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

**Please describe briefly the nature of the proposed variation:**(Please see guidance note 2) To allow the serving of drinks outside subject to obtaining a Pavement Licence

To amend our Sunday opening time to opening from 12.00 until 21.30  
To allow the playing of recorded music for background only to create ambience

**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:**

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

**General – all four licensing objectives (please read guidance note 11)**

The Premises Licence Holder and Designated Premises Supervisor, in regular consultation with the Licensing Officers and Responsible Authorities, and by strong management, regular training and support for all staff ensures that the four licensing objectives are promoted, understood, practised and delivered. The business also works hard to promote harmony with its neighbours and the local community.

**The prevention of crime and disorder**

1. A state of the art 24 -hour CCTV has been professionally installed. All staff members have been trained in its use and a Refusal to Serve and Incident log is maintained for inspection by the Licensing Officer and Responsible Authorities.

2. The Premises Licence Holder ensures that all refusals to serve and incidents are properly recorded and reviewed within 24 hours.

3. Posters are prominently displayed to clearly communicate:

- the premises licensing hours
- the age restrictions for children
- refusal to serve any person considered to be drunk
- the availability of drinks in the following measures:
  - I. beer or cider ½ pint
  - II. gin, rum, vodka or whisky 25ml or 35ml
  - III. still wine 125ml.
- the availability of free tap water on request

**Public safety**

1. The provision of 24 hour CCTV has been installed as described under Prevention of Crime and Disorder.
2. Public Liability Insurance of up to £5million has been put in place.
3. Disabled customers are made aware of evacuation arrangements.
4. A Health & Safety Policy has been devised including a Risk Assessment and all staff have been given awareness training.
5. A Fire Safety Risk Assessment has been undertaken by a professionally qualified Fire Safety Officer and Fire Safety Training has been undertaken with all staff members.

**The prevention of public nuisance**

1. Posters are prominently displayed to clearly communicate:

- local taxi firm numbers-
- that staff will help to organise taxis for customers if needed
- the need for quiet and orderly dispersal when leaving the premises

2. All staff have been trained to monitor and assist with the quiet and orderly dispersal of customers at the close of business.
3. The business owners have invested substantially during the property refurbishment in the installation of acoustic wall panelling and ceiling boards to contain the sound within the premises.
4. The premises frontage and pavement is cleaned on every trading day.

### **The protection of children from harm**

1. Children under the age of 14 are not allowed on the premises. This is clearly communicated alongside the premises opening hours and managed by staff on duty.
2. The premises age verification policy is clearly communicated by posters.
3. The Challenge 21 scheme is effectively operated.
4. All staff have received training in the effective operation of Challenge 21.
5. Signage is used to clearly communicate that it is an offence to buy alcohol on behalf of anyone under 18.
6. The Premises Licence Holder ensures that all refusals to serve and incidents are properly recorded and reviewed within 24 hours.

**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 10).**

None

---

## **Operating Schedule**

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

**Plays:** No

**Films:** No

**Indoor sporting events:** No

**Boxing or wrestling :** No

**Live music:** No

**Recorded music:** Yes

**Performance of dance:** No

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

**Provision of late night refreshment:** No

**Supply of alcohol:** Yes

**Will the premises be used exclusively or primarily for the supply of alcohol for consumption on the premises?** Yes

---

## **Hours premises are open to the public**

Please select the days that the premise will be open to the public.

Please only include the days the premises actually opens and not the days it stays open until. For example, a bar that opens on Saturday morning at 9am until 3am on Sunday morning, but then does not open on Sunday should not be ticked for Sunday opening.

**Monday:** { daysPremiseWillBeMon}

**Tuesday:** { daysPremiseWillBeTue}

**Wednesday:** { daysPremiseWillBeWed}

**Thursday:** { daysPremiseWillBeThur}

**Friday:** { daysPremiseWillBeFri}

**Saturday:** { daysPremiseWillBeSat}

**Sunday:** { daysPremiseWillBeSun}

## Opening times

If the premises doesn't close until the early morning of the following day, include the end time in the same day as the start time. For example, for a bar that opens on Saturday morning at 9am and closes on 3am the following day would input the start time as 9:00 and end time as 3:00.

**Monday opening time:** 12:00

**Monday closing time:** 21:30

**Tuesday opening time:** 12:00

**Tuesday closing time:** 21:30

**Wednesday opening time:** 12:00

**Wednesday closing time:** 21:30

**Thursday opening time:** 12:00

**Thursday closing time:** 21:30

**Friday opening time:** 12:00

**Friday closing time:** 22:30

**Saturday opening time :** 12:00

**Saturday closing time:** 22:30

**Sunday opening time:** 12:00

**Sunday closing time:** 21:30

**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:** New Years Eve as per existing Licence

**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:** New Years Eve as per existing Licence

**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:** The Condition preventing the serving of alcohol outside the premises  
The Condition preventing the playing of recorded music

---

## **Recorded Music**

### **Details of the Playing of Recorded Music to Take Place**

Please provide the details below of the playing of recorded music that will be carried out at the premises. Please note that no licence permission is required for:

- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
- any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Standard days and timings

Please only give details for the days of the week when you intend the premises to be used for the activity.

**Monday start time :** 12:00

**Monday finish time:** 21:30

**Tuesday start time:** 12:00

**Tuesday finish time:** 21:30

**Wednesday start time:** 12:00

**Wednesday finish time:** 21:30

**Thursday start time:** 12:00

**Thursday finish time:** 21:30

**Friday start time:** 12:00

**Friday finish time:** 22:30

**Saturday start time:** 12:00

**Saturday finish time:** 22:30

**Sunday start time:** 12:00

**Sunday finish time:** 21:30

**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: New Years Eve from 12.00 until 00.30**

**Description of the type of activity that will take place. 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:** Low level ambient background music only from a small speaker

**State any seasonal variations for the activities. For example (but not exclusively), where the activity will occur on additional days during the summer months :** New Years Eve as per current licence

---

## **Supply of alcohol**

### **Details of the Supply of Alcohol to Take Place**

Please fill in the details below about the supply of alcohol that will be carried out on the premises. Please note that if the premises is primarily or exclusively for the supply and consumption of alcohol, there may be an additional charge factored into the application fee.

Standard days and timings

Please only give details for the days of the week when you intend the premises to be used for the activity.

**Monday start time:** 12:00

**Monday finish time:** 21:30

**Tuesday start time:** 12:00

**Tuesday finish time:** 21:30

**Wednesday start time:** 12:00

**Wednesday finish time:** 21:30

**Thursday start time:** 12:00

**Thursday finish time :** 21:30

**Friday start time:** 12:00

**Friday finish time:** 22:30

**Saturday start time:** 12:00

**Saturday finish time:** 22:30

**Sunday start time:** 12:00

**Sunday finish time:** 21:30

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: { listTheTimesWhenSupply}

### **Additional Details of the Activities**

**Where will the supply of alcohol for consumption take place?**Both

**Description of the type of activity that will take place. 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:** Permission to serve alcohol for consumption directly outside the premises on suitable furniture and within an area on the pavement enclosed within barriers in accordance with and subject to obtaining a Pavement Licence  
Permission to play low level ambient background music within the premises

**State any seasonal variations for the activities. For example (but not exclusively), where the activity will occur on additional days during the summer months:** New Years Eve as per current licence

## 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.

I understand that I must now advertise my application.

I understand that if I do not comply with the above requirements my application will be rejected.

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

**Signature of applicant:**

**Date:** 21/05/2025

**Capacity :** Premises Licence Holder

## Payment Details

Amount: 100  
Income code: A93227|G0310|||||GEN  
Fund Code: 04  
VAT Code: SE  
Transaction Reference: 229-57213

{case ref

2025-05-21

\*\*\*\*\*  
\*\*\*\*\*

Please find below the visible summary of a recently submitted Application to vary a premises licence.

**Your Details:**

Title	Your name	Your address	Your email address	Are these details correct?
Mr	Stephen Doig	4, Grays Close, Castle Donington, DE74 2HX	stevedoig1@hotmail.com	Yes

**Are you an agent acting on behalf of the applicant?:**No

**subform 1:**

**Name of premises:** The Borough Street Bar

**Phone number of premise:** 07770336405

**Existing premise licence number:**20597

**Do you have a copy of the current premise licence?:**Yes

**Please upload a copy of the original premise licence:**BSB Premises Licence NWL20597 17 09 2024.pdf

**If you are amending the current licensed area, please upload your new plan here:**

**Premise Details:**

Please enter a postcode or street name	Select address
DE74 2LA	32 Borough Street, Castle Donington

**Non-domestic rateable value of premise:**Band A - None to £4,300

**Do you want the proposed variation to have effect as soon as possible:**Yes

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

**Please describe briefly the nature of the proposed variation (Please see guidance note 2):**To allow the serving of drinks outside subject to obtaining a Pavement Licence  
To amend our Sunday opening time to opening from 12.00 until 21.30  
To allow the playing of recorded music for background only to create ambience

**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::**

**General – all four licensing objectives (please read guidance note 11):**The Premises Licence Holder and Designated Premises Supervisor, in regular consultation with the Licensing Officers and Responsible Authorities, and by strong management, regular training and support for all staff ensures that the four licensing objectives are promoted, understood, practised and delivered. The business also works hard to promote harmony with its neighbours and the local community.

**The prevention of crime and disorder:**

1. A state of the art 24 -hour CCTV has been professionally installed. All staff members have been

trained in its use and a Refusal to Serve and Incident log is maintained for inspection by the Licensing Officer and Responsible Authorities.

2. The Premises Licence Holder ensures that all refusals to serve and incidents are properly recorded and reviewed within 24 hours.

3. Posters are prominently displayed to clearly communicate: -

- the premises licensing hours
- the age restrictions for children
- refusal to serve any person considered to be drunk
- the availability of drinks in the following measures: -

I. beer or cider ½ pint

II. gin, rum, vodka or whisky 25ml or 35ml

III. still wine 125ml.

- the availability of free tap water on request

**Public safety:** 1. The provision of 24 hour CCTV has been installed as described under Prevention of Crime and Disorder.

2. Public Liability Insurance of up to £5million has been put in place.

3. Disabled customers are made aware of evacuation arrangements.

4. A Health & Safety Policy has been devised including a Risk Assessment and all staff have been given awareness training.

5. A Fire Safety Risk Assessment has been undertaken by a professionally qualified Fire Safety Officer and Fire Safety Training has been undertaken with all staff members.

**The prevention of public nuisance:** 1. Posters are prominently displayed to clearly communicate:

- local taxi firm numbers-
- that staff will help to organise taxis for customers if needed
- the need for quiet and orderly dispersal when leaving the premises

2. All staff have been trained to monitor and assist with the quiet and orderly dispersal of customers at the close of business.

3. The business owners have invested substantially during the property refurbishment in the installation of acoustic wall panelling and ceiling boards to contain the sound within the premises.

4. The premises frontage and pavement is cleaned on every trading day.

**The protection of children from harm:** 1. Children under the age of 14 are not allowed on the premises. This is clearly communicated alongside the premises opening hours and managed by staff on duty.

2. The premises age verification policy is clearly communicated by posters.

3. The Challenge 21 scheme is effectively operated.

4. All staff have received training in the effective operation of Challenge 21.

5. Signage is used to clearly communicate that it is an offence to buy alcohol on behalf of anyone under 18.

6. The Premises Licence Holder ensures that all refusals to serve and incidents are properly recorded and reviewed within 24 hours.

**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 10).: None**

**Plays: No**

**Films: No**

**Indoor sporting events: No**

**Boxing or wrestling: No**

**Live music: No**

**Recorded music: Yes**

**Performance of dance: No**

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

**Provision of late night refreshment: No**

**Supply of alcohol: Yes**

**Will the premises be used exclusively or primarily for the supply of alcohol for consumption on the premises?: Yes**

**Monday: Yes**

**Tuesday: Yes**

**Wednesday: Yes**

**Thursday: Yes**

**Friday: Yes**

**Saturday: Yes**

**Sunday: Yes**

**Monday opening time: 12:00**

**Monday closing time: 21:30**

**Tuesday opening time: 12:00**

**Tuesday closing time: 21:30**

**Wednesday opening time: 12:00**

**Wednesday closing time: 21:30**

**Thursday opening time: 12:00**

**Thursday closing time: 21:30**

**Friday opening time: 12:00**

**Friday closing time: 22:30**

**Saturday opening time: 12:00**

**Saturday closing time: 22:30**

**Sunday opening time: 12:00**

**Sunday closing time: 21:30**

**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.:** New Years Eve as per existing Licence

**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.:** New Years Eve as per existing Licence

**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:** The Condition preventing the serving of alcohol outside the premises  
The Condition preventing the playing of recorded music

**Monday start time: 12:00**

**Monday finish time: 21:30**

**Tuesday start time: 12:00**

**Tuesday finish time: 21:30**

**Wednesday start time: 12:00**

**Wednesday finishing time: 21:30**

**Thursday start time: 12:00**

**Thursday finish time: 21:30**

**Friday start time: 12:00**

**Friday finish time: 22:30**

**Saturday start time: 12:00**

**Saturday finish time: 22:30**

**Sunday start time: 12:00**

**Sunday finish time: 21:30**

**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.:** New Years Eve from 12.00 until 00.30

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

**Description of the type of activity that will take place. 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.:** Low level ambient background music only from a small speaker

**State any seasonal variations for the activities. For example (but not exclusively), where the activity will occur on additional days during the summer months.:** New Years Eve as per current licence

**Monday start time:** 12:00

**Monday finish time:** 21:30

**Tuesday start time:** 12:00

**Tuesday finish time:** 21:30

**Wednesday start time:** 12:00

**Wednesday finishing time:** 21:30

**Thursday start time:** 12:00

**Thursday finish time:** 21:30

**Friday start time:** 12:00

**Friday finish time:** 22:30

**Saturday start time:** 12:00

**Saturday finish time:** 22:30

**Sunday start time:** 12:00

**Sunday finish time:** 21:30

**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.:** New Years Eve as per existing Licence

**Where will the supply of alcohol for consumption take place?:**Both

**Description of the type of activity that will take place. 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.:** Permission to serve alcohol for consumption directly outside the premises on suitable furniture and within an area on the pavement enclosed within barriers in accordance with and subject to obtaining a Pavement Licence

Permission to play low level ambient background music within the premises

**State any seasonal variations for the activities. For example (but not exclusively), where the activity will occur on additional days during the summer months.:** New Years Eve as per current licence

**Signature:**

Date
2025-05-21

**Capacity:** Premises Licence Holder

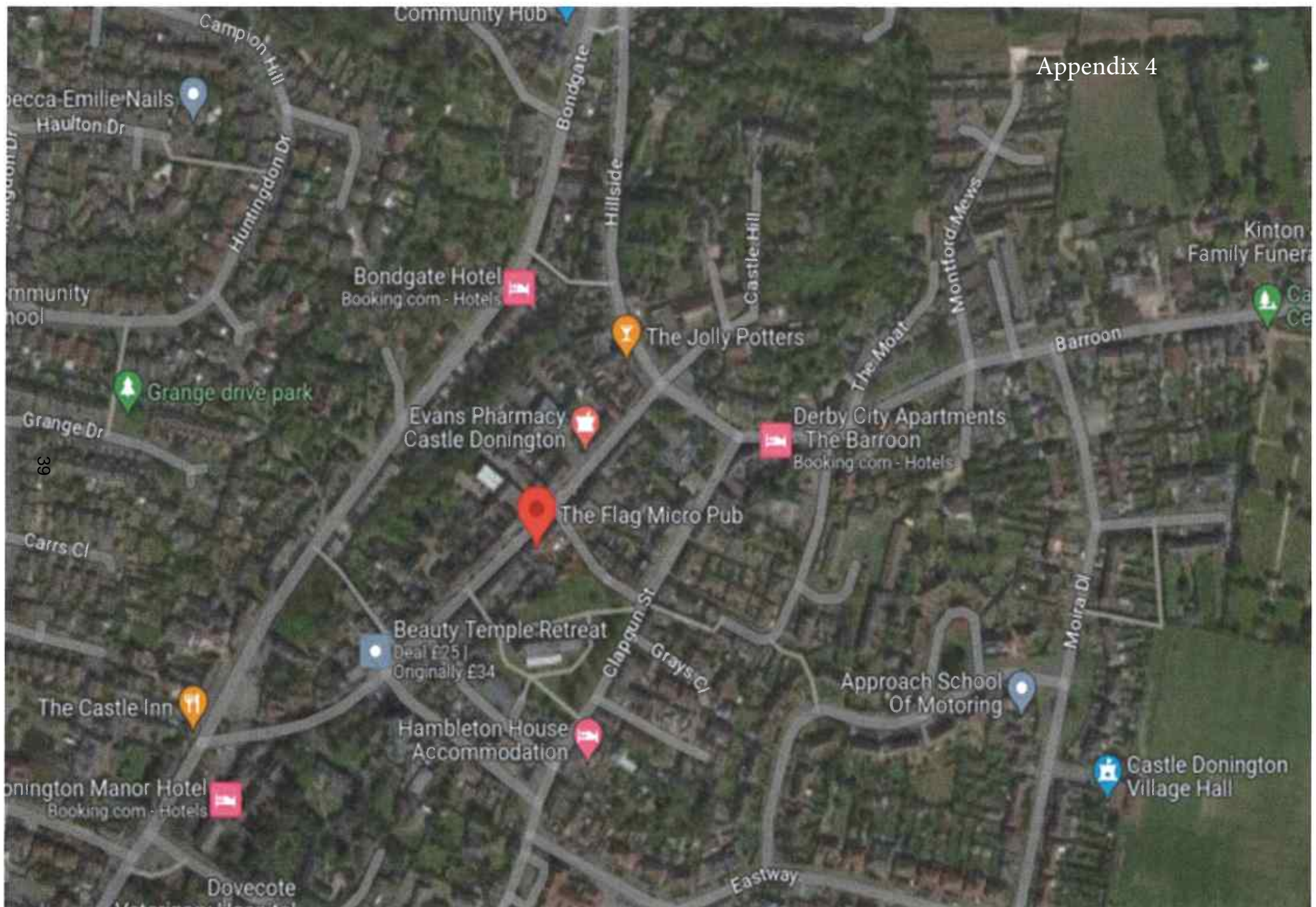
**Signature of applicant:**

**Date:** 21/05/2025

**Payment Details**

Amount: 100  
Income code: A93227|G0310|||||GEN  
Fund Code: 04  
VAT Code: SE  
Transaction Reference: 229-57213

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

**Appendix 6**

**REPRESENTATION FORM**

<b>Your name/organisation name/name of body you represent</b>	Anisa Badani
<b>Organisation name/name of body you represent (if appropriate)</b>	North West Leicestershire District Council Environmental Protection Team
<b>Your Postal address</b>	
<b>Name of the premises you are making a representation about</b>	Borough Street Bar
<b>Address of the premises you are making a representation about</b>	Borough Street, Castle Donington, DE74 2LA

**What are you making a representation about?**

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)

To allow the consumption of drinks outside, subject to obtaining a Pavement Licence, to extend the Sunday hours for the supply by retail of alcohol to 12:00 hours to 21:30 hours and to add recorded music, Friday and Saturday 12:00 hours to 22:30 hours, Sunday to Thursday 12:00 hours to 21:30 hours. .

Your representation must relate to one of the four Licensing Objectives

<b>Licensing Objective</b>	<b><i>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</i></b>
<b>To prevent crime and disorder</b>	
<b>Public safety</b>	
<b>To prevent public nuisance</b>	<p>The Environmental Protection Team have concerns to allow the consumption of drinks outside the above premises and recorded music being played.</p> <p>Noise complaints have been received by our department in previous years regarding the playing of music, television use and noise created by those who drink at the micro pub gathering outside the premises. Complaints were predominantly made by persons living above the premises. In line with our procedure, noise monitoring equipment was installed inside the dwelling above the premises.</p> <p>It was evident during the noise assessment of our recordings and observations that the noise created outside the premises was an issue and likely to cause a statutory nuisance if no improvement was made. Music being played inside the premises meant micro pub goers were heard on the recordings singing along. The previous owner slowly made improvements and operated the micro pub without music and made sure micro pub goers were not</p>

	<p>gathering outside. This operation suited the premises with it being a micro pub and noise complaints ceased.</p> <p>Part of the reason why music was clearly heard in the dwelling above the premises was due to the fact that no insulation was in place and so sound did not reduce when heard in the dwelling. I am aware from the Licensing Team that the applicant has made efforts to refurbish the premises to include insulation between the premises and the dwelling above. It is not clear whether recorded music would be heard in the dwelling with the insulation now in place.</p>
<b>To protect children from harm</b>	

<p><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></p>	<p>The Environmental Protection Team would consider allowing recorded music if the applicant can submit a noise impact assessment to evidence the insulation would protect the dwelling above the premises from unreasonable noise. The World Health Organisation sets guideline values for community noise in specific environments. The noise impact assessment would need to indicate whether the guideline decibel levels for a dwelling indoors and inside bedrooms could be met.</p> <p>The Environmental Protection Team would object to consumption of drinks outside due to the insulation having no benefit to the external noise, previous noise disturbance created by micro pub goes gathering outside and the dwelling facing the pavement. Similar premises in the area with pavement licences do not have a dwelling above.</p> <p>The Environmental Protection Team has no objection to the extended opening hours.</p>
--	--

Signed: A. Badani

Date: 17<sup>th</sup> June 2025

Capacity: Environmental Health Officer

## NOT FOR PUBLICATION

<b>Your e-mail address</b>	anisa.badani@nwleicestershire.gov.uk
<b>Your contact telephone number</b>	07973 621 497

### 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:

Licensing  
North West Leicestershire District Council  
PO Box 11051  
Coalville  
Leicestershire  
LE67 0FW

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

Tel: 01530 454545

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

**Appendix 7**

**REPRESENTATION FORM**

<b>Your name/organisation name/name of body you represent</b>	Jayne Orme
<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>	Borough Street Bar
<b>Address of the premises you are making a representation about</b>	32, Borough Street, Castle Donington, Derby, DE74 2LA

**What are you making a representation about?**

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)

I wish to make a representation about the Variation to the Premises License, specifically the removal of conditions 1. The premises licence holder shall ensure that no customers shall take glasses or open bottles from the premises and 2. There shall be no recorded music, live music, amplified music, speaker or television usage in or outside the premises.

Your representation must relate to one of the four Licensing Objectives

<b>Licensing Objective</b>	<b><i>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</i></b>
<b>To prevent crime and disorder</b>	
<b>Public safety</b>	
<b>To prevent public nuisance</b>	<p>With regard to the request to be able to play recorded music, it is my understanding that planning permission was granted for a 'micropub' and it is my belief that it was stated that planning permission would not have been granted for a 'pub'. According to the Micropub Association's definition a micropub is a "small freehouse which listens to its customers, mainly serves cask ales, promotes conversation, shuns all forms of electronic entertainment..." Thus, it would seem that recorded music should not be played and the request to be able to play recorded music, should be refused.</p> <p>With regard to the request to allow the micropub's clientele to take drinks, in open bottles and glasses, outside onto Borough Street. The rationale for the restriction, behind the imposing of a condition on the license preventing open bottles and glasses being taken from the premises, still holds true today and, in some way, the request to remove this condition, could be seen as</p>

	contemptuous of the original decision making process undertaken by members.
<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>	Keep the existing conditions exactly as they are.
---	---

Signed: Jayne M. Orme

Date: 16th June 2025

Capacity: Neighbour

**NOT FOR PUBLICATION**

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

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

**Appendix 8**

**REPRESENTATION FORM**

<b>Your name/organisation name/name of body you represent</b>	Mr Ben Lee
<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>	Borough Street Bar
<b>Address of the premises you are making a representation about</b>	32 Borough Street, Castle Donington, Derby DE74 2LA

**What are you making a representation about?**

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)

I wish to make a representation about the Variation to the Premises License, specifically the removal of conditions 1. The premises licence holder shall ensure that no customers shall take glasses or open bottles from the premises and 2. There shall be no recorded music, live music, amplified music, speaker or television usage in or outside the premises.

Your representation must relate to one of the four Licensing Objectives

<b>Licensing Objective</b>	<b><i>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</i></b>
<b>To prevent crime and disorder</b>	N/A
<b>Public safety</b>	N/A
<b>To prevent public nuisance</b>	<p><b><u>General</u></b></p> <p>In the application there is a section stating; "Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation"</p> <p>The information provided by the applicant in response to this is basically just a facsimile of the original license application (See historic premise license application and current premise license variation docs for comparison) with a couple of minor alterations, mainly being the tense of the content changing from "we will" to "we have"</p> <p>The only additional steps described as part of the variation, which were not already described in the license application, are the display of posters regarding the refusal to serve any person considered to be drunk, and the availability of drinks in certain measures. Plus, a Health &amp; Safety policy has been devised and some attempts have been made to contain sound within the property. Other than those four 'additional steps' there is nothing different to the original license application, which resulted in a</p>

hearing in which the sub-committee members “agreed that in order to ensure that there would be no disturbance, a condition would be imposed on the license that prevented open bottles or glasses being taken off the premises”

Along with the condition that there shall be no recorded music, live music, amplified music, speaker or television usage in or outside the premises, we have eventually reached a point, after many years of having a licensed premises next door, where there is little to no disturbance (Other than smokers congregating outside of our property, and the premises large sash window and front door being wide open during warm weather) and this is 100% due to the imposing of these two critical conditions.

To call committee members decision making into question, so soon, within a year of the license hearing, within six months of opening, without exercising the right of appeal to a magistrates’ court in the first instance of the conditions being imposed, without providing any pertinent additional steps to support the four licensing objectives as part of the proposed variation, and before we have even had any real opportunity to enjoy our first summer without the disturbance of drinkers gathering outside the premises, is all absolutely unbelievable, and I truly hope that all those involved at the council understand what a hugely detrimental effect this would have if one or, heaven forbid, both of the above conditions be removed. We are as happy as we can be with the current situation and minimal disturbance, please do not allow this monumental backward step after we fought for so long to reach this point, we would rather things be left exactly as they are.

**1. The premises licence holder shall ensure that no customers shall take glasses or open bottles from the premises**

This is a long standing issue, which I have already explained in great detail as part of my representation about the recent license application. Although the license was granted after a hearing, the sub committee was mindful that it was still possible for there to be concerns that granting a license could result in the licensing objectives being undermined. Notwithstanding the fact that the application was for an ‘on’ license only, members agreed that in order to ensure that there would be no disturbance a condition would be imposed on the license that prevented open bottles or glasses being taken from the premises.

This condition was added in a direct response to concerns raised in my representation that patrons would gather on the pavement outside the premises and my property, drinking and smoking, and causing further disturbance. So wouldn’t removing this condition, when there are absolutely no additional steps being offered by the applicant to prevent public nuisance, result in the licensing objectives being undermined? This is what members stated in the license hearing, and this is why the members agreed to add this condition, they added the condition to allay their concerns and prevent further disturbance. Surely, to remove it would mean reinstating that concern and creating further disturbance, which would undermine the licensing objectives?

This condition is only 10 months old, and the premises only actually started operating in mid-December 2024, only 6 months

ago. Summer has hardly begun, and we haven't even had an opportunity to benefit from the condition yet. The additional concern is that patrons leaving the premises to smoke and/or drink (I refer to drink during the time of previous management) they naturally turn left out of the pub and stand in front of our property, rather than standing in front of the pub. The newly opened front window seems to have enhanced this behaviour, I assume as patrons may not wish to smoke in front of an open window, near to patrons sitting inside?

If the condition regarding drinking outside was removed, we would return to what we had to put up with during the previous license holders tenure of ten years, which is drinkers congregating outside our house, which invariably leads to our lounge window sill and front step being used as a place for patrons to place their open bottles and glasses and congregate, whilst drinking and smoking. Past experience has also taught us that pub staff have very little appetite for telling customers to move away from our property, it causes confrontation and is essentially a full time job in warm weather, so it ended up unresolved or pub staff just bad mouthed us to patrons and blamed us for complaining, causing customer animosity towards us and our property. When you overhear these kinds of conversations on your doorstep it alters the way in which you go about your daily life, especially when strangers are standing outside your house drinking and making comments towards you when you come home or go out.

**2. There shall be no recorded music, live music, amplified music, speaker or television usage in or outside the premises.**

To allow the playing of recorded background music, only to create ambience, is the very thin end of an ambiguous wedge. 'Ambience' is a word with a broad definition. It is perceived differently and can mean different things to different people. To remove this existing condition, to allow the playing of music, will leave us with no protection from nuisance and noise disturbance, especially as we have the new development of the front, sash window of the premises being fully opened in warm weather (Something the former license holder had never done) Along with this approx 6' by 4' aperture appearing, along with the front door being wide open, does little to 'contain the sound within the premises' and negates any measures taken during refurbishment. This 'additional step' seems to be going in the opposite direction to promoting any of the four licensing objectives, least of all 'The Prevention of Public Nuisance' and offers me absolutely no reassurance or comfort when considering the possibility of music being played on the premises.

A condition preventing the playing of all forms of music has been long standing at the address, ever since the property was granted planning permission for a micropub in 2014, but this most recent license and condition is only 10 months old, and the premises only actually started operating in mid-December 2024, just 6 months ago.

The potential for disturbance and noise has always been flagged by Environmental Protection to protect us from this becoming a nuisance. Historically, Environmental Protection have visited the

	<p>property, when under the management of the former licensee, to ask that a sound system and speakers be removed, and more recently made representations about the playing of music on the grounds of preventing public nuisance, in respect to the two most recent license applications, in April 2024 and July 2024 (The most recent representation regarding music was negotiated away with the Environmental Protection Team, as the current license holder agreed to a condition being imposed to prevent the playing of all forms of music, yet here we are, six months later, with him now asking for it to be removed?) I just hope that the Environmental Protection Team will raise the representation again in respect to this application for a variation, as absolutely nothing has changed, other than the newly opened up front window.</p> <p>If this condition is removed we lose all form of protection along with it. All we are left with is a vague, ambiguous assurance that only ambient music will be played, but it will fall down to us to have to report every time the music is cranked up for a party or a special occasion, and it will fall to us to prove it is a nuisance and keep logs, and gather evidence, and call for a license review or get Environmental Protection involved. Then there's the potential for a TV, as they are allowed to play music, and so on. Plus, the management or license holder may change hands, and then we get someone new who is allowed to play music but they don't want it for ambience, they may like it loud?</p>
<b>To protect children from harm</b>	N/A

<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>	Keep the existing conditions exactly as they are.
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Signed: Mr Ben Lee

Date: 16 June 2025

Capacity: Owner/Resident

## 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:

Licensing  
North West Leicestershire District Council  
PO Box 11051  
Coalville  
Leicestershire  
LE67 0FW

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

Tel: 01530 454545

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