

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LICENSING SUB COMMITTEE – MONDAY, 16 JULY 2018

Title of report	APPLICATION FOR GRANT OF A PREMISES LICENCE
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Purpose of report	<p>To determine an application to grant a premises licence in respect of the premises trading as The Halfway House, 128 Belvoir Road, Coalville, Leicestershire, LE67 3PQ. 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>
Council Priorities	Business and Jobs, Homes and Communities
<p>Implications:</p> <p>Financial/Staff</p> <p>Risk Management</p> <p>Equalities Impact Screening</p> <p>Human Rights</p>	<p>Implications arising from an appeal made to the Magistrates Court by anyone aggrieved by the decision of the Sub-Committee.</p> <p>N/A</p> <p>The risk of cost arising from an appeal against the decision of the Committee. In any event and in order to mitigate these risks, the Committee should give clear reasons for its decisions and any such reasons would need to be substantiated in Court.</p> <p>Equality Impact Screening already undertaken, issues identified actioned.</p> <p>Article 1 of Protocol 1 of the European Convention of Human Rights provides that everyone is entitled to the peaceful enjoyment of his possessions, except in the public interest and subject to the conditions provided for by law.</p>
Transformational Government	Not applicable.
Consultees	<p>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</p>

	premises, on the Council's website and at the Council Offices, Coalville.
Background papers	Guidance issued under Section 182 of the Licensing Act 2003 Statement of Licensing Policy – Issue 6
Recommendations	THAT THE SUB-COMMITTEE DETERMINE THE APPLICATION.

1.0 Background

- 1.1 The premises is located at 128 Belvoir Road, Coalville. It is currently being developed into a hotel with restaurant and bar.
- 1.2 A map showing the location of the premises is attached as **Appendix 1**.
- 1.3 An application for the grant of a premises licence was received from Mr Mandeep Singh Bhella on 1st June 2018. A copy of the application is attached as **Appendix 2**.
- 1.4 The application identifies that if the premises licence is granted, the supply by retail of alcohol and late night refreshment would be on and off the premises, activities such as plays, films, live music, recorded music and performances of dance would be provided as regulated entertainment indoors.
- 1.5 As part of the application, the applicant has specified steps they intend to take in order to promote the four licensing objectives which are:
 - The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The prevention of children from harm

These steps are outlined in Section M of the application as detailed in **Appendix 2**.

2.0 Representations

- 2.1 The applicant is required to serve each of the responsible authorities a copy of the application, namely; the Police, Fire Authorities, Home Office, Trading Standards Department and the District Council's Health and Safety, Environmental Protection and Planning Sections. Officers are satisfied that the applicant has served all parties as required.
- 2.2 There is one representation from the responsible authorities regarding this application. This representation is from the Council's Environmental Protection team and amends the timings for all licensable activities. This amendment was agreed with the representative of the applicant prior to this hearing and is as follows: Sunday to Thursday from 07.00hrs – Midnight, Friday and Saturday timings of 07.00hrs – 01.00hrs are retained. There is also an additional condition regarding windows and doors to be closed after 23.00hrs (except for entry and exit) for the purpose of reducing noise impact on nearby properties. I present this representation as **Appendix 3**.
- 2.3 Other persons are able to make representations within 28 days of display of the notice of application to the Licensing Authority. Nine representations have been received from other

persons. A summary of the representations is outlined below and copies of all the representations are presented as **Appendices 4-12**.

Appendix No.	Name	Capacity	Licensing objective
Appendix 4	Mr & Mrs Blaza	Local Resident	prevention of public nuisance
Appendix 5	Kathleen Wade	Local Resident	prevention of public nuisance
Appendix 6	Cllr John Geary	Ward member for Snibston South	prevention of public nuisance
Appendix 7	Kerry Rennocks	Local Resident	prevention of public nuisance
Appendix 8	John Fairbrother	Local Resident	prevention of public nuisance
Appendix 9	Mrs Ellen Knott	Local Resident	prevention of public nuisance
Appendix 10	Mark & Joanne Atkins	Local Resident	prevention of public nuisance
Appendix 11	Mr & Mrs P Williamson	Local Resident	prevention of public nuisance
Appendix 12	Mrs Pauline Heighton	Local Resident	prevention of public nuisance

3.0 Statutory Guidance

3.1 In making its decision, the Sub-Committee is obliged to have regard to Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. All Licensing Committee members have been provided with a full copy of the guidance document. Officers consider that paragraphs 1.1 to 1.5, 2.1 to 2.10, 2.15 to 2.31, 3.1 to 3.2, 3.11, 8.38 to 8.85, 9.11 to 9.12, 9.31 to 9.44, 10.1 to 10.10 and 14.1 to 14.3 may have a bearing upon the application.

4.0 Statement of Licensing Policy

4.1 The Sub-Committee is also obliged to have regard to its own Statement of Licensing Policy. Officers consider that paragraphs 2.1 to 2.5, 3.0, 4.1 to 4.4, 5.1 to 5.4, 6.1 to 6.4, 7.1 to 10.0, 11.0, 22.0, 23.0, and 26.0 may have a bearing upon the application.

5.0 Observations

5.1 The Committee is obliged to determine this application with a view to promoting the licensing objectives, which are:

- a. the prevention of crime and disorder;
- b. public safety;
- c. the prevention of public nuisance;
- d. the protection of children from harm.

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

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