

Title of Report	APPLICATION FOR A NEW PREMISES LICENCE	
Presented by	Councillor A Woodman Community Services Portfolio Holder	
Background Papers	Revised Guidance issued under Section 182 of the Licensing Act 2003 Statement of Licensing Policy – Issue 7	Public Report: Yes
Purpose of Report	<p>To determine an application to grant a premises licence in respect of the premises The Three Crowns, 25 Market Place, Whitwick, Leicestershire, LE67 5DT.</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>	
Recommendations	THAT THE SUB-COMMITTEE DETERMINE THE APPLICATION.	

1. Background

- 1.1. Until 7th April 2020, The Three Crowns of 25 Market Place, Whitwick, Leicestershire, LE67 5DT held a premises licence and was licensed for a range of licensable activities.
- 1.2. Upon the sale of the property to Mr Imtiaz Alimahomed, the existing licence holder instructed the Council that if Mr Alimahomed did not apply to transfer the premises licence within 7 days of the purchase, they would surrender the premises licence.
- 1.3. When no transfer application was received during this period, the premises licence for The Three Crowns was surrendered as requested.
- 1.4. On 19th October 2020, Mr Alimahomed applied for the grant of a premises licence. A copy of the application, the premises plan, and a location plan of the premises are presented as **Appendix 1**.
- 1.5. The application identifies that if the premises licence is granted, the following opening hours and licensable activities will occur, which have since been agreed with the Council’s Environmental Protection team. The timings from the original application have been amended by the applicant following consultation with Environmental Protection; amending the end time for Live music and Recorded music from 00:30hrs on Friday and Saturdays to 00:00. This agreement is presented as **Appendix 2**.

Opening Hours	Timings Sunday – Thursday Friday Saturday	12.00hrs – 23.00hrs 12.00hrs – 00.30hrs 12.00hrs – 01.30hrs Terminal hour to be 01.00hrs on Christmas Eve, Boxing Day, New Year’s Eve, bank holidays if these occasions should fall on a Sunday – Thursday
Licensable activity	Timings	
Supply by retail of alcohol	Sunday – Thursday Friday Saturday	12.00hrs – 23.00hrs 12.00hrs – 00.30hrs 12.00hrs – 01.00hrs Terminal hour to be 01.00hrs on Christmas Eve, Boxing Day, New Year’s Eve, bank holidays if these occasions should fall on a Sunday – Thursday
Live music (Indoors)	Friday Saturday	12.00hrs – 00.00hrs 12.00hrs – 00.00hrs
Recorded music (Indoors)	Friday Saturday	12.00hrs – 00.00hrs 12.00hrs – 00.00hrs

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

- **The prevention of crime and disorder**

CCTV to be installed working and recording at all times and to be kept for a period of time in case it’s needed.

Notices in place in the pub to make the public aware of this.

No drinks to be taken outside the premises.

Will have an up to date incident book.

- **Public safety**

For the licence holder to have a check the premises is safe for the public each day be for opening.

To have all staff trained in case of an emergency situations also staff to be trained in safety procedures along with a full stocked first aid kit.

- **The prevention of public nuisance**
To keep all doors and windows closed when there is an event on.
Staff to do a perimeter check every 30-60 minutes to keep an eye out for anyone causing a nuisance and to keep all noise down to a minimum.
No glasses to be taken outside plastic only.
- **The protection of children from harm**
All children to be supervised by an adult at all times and to be left the premises by 7pm.

1.7 Furthermore, additional steps to promote the licensing objectives have been agreed with the Council's Environmental Protection team and Leicestershire Police and these can be seen in **Appendix 2 and Appendix 3** respectively.

2 Representations

- 2.1. Each of the responsible authorities have been served 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.
- 2.2 Aside from the Police and the Environmental Protection team, there is only one further representation from the responsible authorities and that relates to comments and recommendations made by the Council's Environmental Health team. After damage had been caused to the premises by persons who had gained unauthorised access, a number of safety matters needed addressing before the Environmental Health Team are satisfied the premises can open to the public safely. I present the requirements as **Appendix 4**.
- 2.3 Other persons are able to make representations within 28 days of display of the notice of application to the Licensing Authority. Four representations have been received from other persons. A summary of the representations is outlined below and copies of all the representations from those persons are presented as **Appendices 5 - 8**.

Appendix No.	Name	Capacity	Licensing objective
Appendix 5	Mrs Angela Burr	Local Resident	prevention of crime and disorder prevention of public nuisance
Appendix 6	Mr Paul Whyman	Local Resident	prevention of crime and disorder prevention of public nuisance
Appendix 7	Karen Ferry	Local Resident	prevention of crime and disorder prevention of public nuisance
Appendix 8	Anonymous	Local Resident	prevention of crime and disorder prevention of public nuisance

3. 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 2.6, 2.15 to 2.21, 3.1 to 3.2, 3.11, 8.38

to 8.49, 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. 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, 6.1 to 6.4, 11.0, 22.0, 23.0, and 26.0 may have a bearing upon the application.

5. 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.

Policies and other considerations, as appropriate	
Council Priorities:	Business and Jobs, Homes and Communities
Policy Considerations:	Statement of Licensing Policy – Issue 7
Safeguarding:	To determine the application in accordance with the Licensing Act 2003 objectives
Equalities/Diversity:	Equality Impact Assessment already undertaken, issues identified actioned
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, in a local newspaper, on the Council's website and at the Council Offices, Coalville.

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.
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