

Environmental Health

Licensing

Please ask for: Paul Dennis

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Our Ref: 21/00471/PREM

Your Ref: 235/WS/Dovecote Veterinary
Hospital

Date: 17 September 2021

Wafaa Syed
CVS (UK) Limited
Legal Department
CVS House Owen Road
Diss
IP22 4ER

Dear Sir/Madam,

**LICENSING ACT 2003 – GRANT NEW PREMISES LICENCE
THE SPAR, DELVEN LANE, CASTLE DONINGTON, DE74 2LJ**

Thank you for your e-mail and representation concerning the above application. Please accept this letter as acknowledgement of your representation. Unfortunately, in this instance, your representation is not considered relevant and is therefore rejected. The reason for rejection is as follows:-

We understand the premises is a Library and is registered under use class F1 d. We are of the view that the sale of alcohol within a library is not in the public's best interests and there will be a high risk of public nuisance. Such a license will not be suitable for such a setting especially where minors are likely to attend.

All Planning issues are dealt with under the Town and Country Planning Act 1990 and not under the Licensing Act, so this is not relevant with regard to this application. However the premises was a library. It is not a library anymore. I understand the applicant has been in touch with the planning department and an application is being submitted. Of course they will have to change the planning permissions to operate as a shop. However this has nothing to do with this application or the licensing act objectives, so it would not concern this application. I can confirm the sale of alcohol will not take place within a library, where minors are likely to attend.

In the event the license is granted, we are concerned there will be an influx of intoxicated individuals making use of the surrounding parking and driving vehicles while intoxicated, and therefore causing a risk to public safety, especially to our staff and clients. Individuals will have to park on the Road or pavement to access the library; this will cause a public safety issue.

Parking issues are covered under the Highways Act 1980 and are not a matter for the Licensing Act, this is therefore not relevant with regard to this application. If you wish to discuss parking issues, please contact Highways at Leicestershire County Council

The alcohol licence would increase the number of intoxicated individuals and therefore result in a risk of the hospital being broken into as there are dangerous drugs being stored on site. This is a risk of harm to the public and the cause of public nuisance.

The application is for a shop with “off-sales” only and not for a bar with “on sales”. Therefore it is highly unlikely there will be “increased numbers of intoxicated individuals” in the area due to a shop opening. We also have numerous veterinary surgeons within the North West Leicestershire District which are close to shops and bars and I am not aware of these veterinary hospitals being broken into by intoxicated individuals, as a result of having a local shop selling alcohol.

As a result, this representation cannot be considered as relevant, as there is no evidence of “cause to public safety”, “an increased number in intoxicated people”, “public nuisance” or “break-ins at veterinary hospitals”. However, should you have evidence of cause to public safety, an increase in intoxicated people, public nuisance or break-ins into your hospital, please feel free to submit a further representation with this evidence attached (before the end of representations deadline on 31 August 2021) and it will be given every consideration by the licensing Sub-Committee.

Should the licence be issued and as a result, the issues you mention above do materialise, there is an option within the Licensing Act for you to call a review of the licence. If there is evidence of these issues demonstrated at the review, the licence could be revoked or amended, so there are measures in place going forward within the Licensing Act. However at this stage, the issues you mention are merely speculation of a worse-case scenarios and cannot be considered, as they may never occur.

Please feel free to contact me if you wish to discuss this further.

Yours Sincerely,

Paul Dennis
Licensing Enforcement Officer