

Title of Report	APPLICATION FOR A VARIATION OF PREMISES LICENCE	
Presented by	Paul Dennis Licensing Enforcement Officer	
Background Papers	Revised Guidance issued under Section 182 of the Licensing Act 2003 Statement of Licensing Policy – Issue 7 Cumulative Impact Assessment 2022 - 2025	Public Report: Yes
Purpose of Report	<p>To determine an application for a variation of a premises licence in respect of the premises The Lamb, Market Street, Ashby de la Zouch, LE65 1AN.</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 The Lamb is a licensed premises on Market Street, Ashby de la Zouch. The premises licence is presented as **Appendix 1**.
- 1.2 On 7 September 2022, the Craft Union Pub Company Limited submitted an application for a variation of premises licence. A copy of the application is presented as **Appendix 2**. A plan of the premises is presented as **Appendix 3**.
- 1.3 An aerial view of the site is presented as **Appendix 4** and a map is presented as **Appendix 5**.
- 1.4 Following the submission of the variation application, the Craft Union Pub Company held discussions with the Police. It was agreed that 3 conditions would be added to the licence and that the old outdated "Public Entertainment Licence" conditions would be removed. It was also agreed that other conditions, such as the conditions concerning competitive England International football matches

would remain on the licence, The additional 3 conditions are presented as **Appendix 6.**

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

Opening Hours	<p>Timings</p> <p>Monday - Wednesday (remains the same)</p> <p>Thursday (extended by one hour from 00:30 hours)</p> <p>Friday - Saturday (extended by one hour from 01:30 hours)</p> <p>Sunday (remains the same)</p> <p>Sunday and Monday of all Bank Holiday weekends, Christmas Eve, Boxing Day (extended by 30 minutes from 01:00 hours)</p>	<p>09:00 hours - 23:30 hours</p> <p>09:00 hours - 01:30 hours</p> <p>09:00 hours - 02:30 hours</p> <p>09:00 hours - 00:30 hours</p> <p>09:00 hours - 01:30 hours</p>
Licensable activity	Timings	
Supply by retail of alcohol	<p>Monday - Wednesday (remains the same)</p> <p>Thursday (extended by one hour from 00:00 hours)</p> <p>Friday - Saturday (extended by one hour from 01:00 hours)</p> <p>Sunday (remains the same)</p> <p>Sunday and Monday of all Bank Holiday weekends, Christmas Eve, Boxing Day (remains the same)</p>	<p>09:00 hours - 23:00 hours</p> <p>09:00 hours - 01:00 hours</p> <p>09:00 hours - 02:00 hours</p> <p>09:00 hours - 00:00 hours</p> <p>09:00 hours - 01:00 hours</p>

Provision of Live Music	Monday - Wednesday (remains the same)	09:00 hours - 23:00 hours
	Thursday (extended by one hour from 00:00 hours)	09:00 hours - 01:00 hours
	Friday - Saturday (extended by one hour from 01:00 hours)	09:00 hours - 02:00 hours
	Sunday (remains the same)	09:00 hours - 00:00 hours
	Sunday and Monday of all Bank Holiday weekends, Christmas Eve, Boxing Day (remains the same)	09:00 hours - 01:00 hours
Provision of Recorded Music	Monday - Wednesday (remains the same)	09:00 hours - 23:00 hours
	Thursday (extended by one hour from 00:00 hours)	09:00 hours - 01:00 hours
	Friday - Saturday (extended by one hour from 01:00 hours)	09:00 hours - 02:00 hours
	Sunday (remains the same)	09:00 hours - 00:00 hours
	Sunday and Monday of all Bank Holiday weekends, Christmas Eve, Boxing Day (remains the same)	09:00 hours - 01:00 hours

- 1.6 Note: there are no changes with regard to the existing licence times for all the other licensable activities, including Films (indoors), Indoor sporting events, performance of dance (indoors), anything of a similar description and late night refreshment.

- 1.7 Outlined below are similar premises within the vicinity of the applicant's premises, detailing their current opening hours and licensable activities:

Bull's Head 67 Market Street Ashby	Opening Hours: Everyday - 07:00 hours - 01:30 hours Supply by retail of alcohol: Everyday - 09:00 hours - 01:00 hours Live Music: Everyday - 10:00 hours - 01:00 hours Recorded Music No time restrictions
Manhattans 60a Market Street Ashby	Opening Hours: Monday - Tuesday - 09:00 hours - 00:00 hours Wednesday - Thursday - 09:00 hours - 02:00 hours Friday - Saturday - 09:00 hours - 03:30 hours Supply by retail of alcohol: Monday - Tuesday - 10:00 hours - 23:00 hours Wednesday - Thursday - 10:00 hours - 02:00 hours Friday - Saturday - 10:00 hours - 03:00 hours Live Music: Monday - Tuesday - 09:00 hours - 00:00 hours Wednesday - Thursday - 09:00 hours - 02:00 hours Friday - Saturday - 09:00 hours - 03:30 hours Recorded Music No time restrictions
Queen's Head and Ciro's 79 Market Street Ashby	Opening Hours: Sunday - Thursday - 09:00 hours - 02:30 hours Friday - Saturday - 09:00 hours - 04:00 hours Supply by retail of alcohol: Sunday - Thursday - 09:00 hours - 02:00 hours Friday - Saturday - 09:00 hours - 03:30 hours Live Music: Sunday - Thursday - 09:00 hours - 02:30 hours Friday - Saturday - 09:00 hours - 04:00 hours Recorded Music Sunday - Thursday - 09:00 hours - 02:30 hours Friday - Saturday - 09:00 hours - 04:00 hours

White Hart Inn 82 Market Street Ashby	<p>Opening Hours: Monday - Thursday - 09:00 hours - 00:30 hours Friday - Saturday - 09:00 hours - 02:30 hours Sunday - 09:00 hours - 00:30 hours</p> <p>Supply by retail of alcohol: Monday - Thursday - 10:00 hours – 00:00 hours Friday - Saturday - 10:00 hours - 02:00 hours Sunday - 11:00 hours - 00:00 hours</p> <p>Live Music: Monday - Thursday - 10:00 hours - 00:00 hours Friday - Saturday - 10:00 hours - 02:00 hours Sunday - 11:00 hours - 00:00 hours</p> <p>Recorded Music Monday - Thursday - 10:00 hours - 00:00 hours Friday - Saturday - 10:00 hours - 02:00 hours Sunday - 11:00 hours - 00:00 hours</p>
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2 Representations

- 2.1 In respect of an application for the variation 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 Ashby Times on Friday, 16 September 2022 and officers are satisfied that the correct notices have been displayed at the premises.
- 2.2 Each of the responsible authorities have been served a copy of the application, namely: the Police, Fire Authorities, Home Office, Trading Standards Department, the District Council's Health and Safety, Environmental Protection, Public Health Authority and Planning Sections. We have received no representations from the responsible authorities.
- 2.3 One relevant representation has been received from Ashby Town Council on the grounds of prevention of crime and disorder, prevention of public nuisance and public safety. This representation is presented as **Appendix 7**.

Statutory Guidance

In making its decision, the Sub-Committee is obliged to have regard to Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. All Licensing Committee members have been provided with a full copy of the guidance document. Officers consider that paragraphs 1.1 to 1.5, 1.13 to 1.17, 2.1 to 2.9, 2.15 to 2.31, 3.1 to 3.2, 8.13 to 8.14, 8.41 to 8.53, 8.80 to 8.82, 9.1, 9.3, 9.31 to 9.44, 10.1 to 10.10, 10.13 to 10.14, 13.10, 14.1 to 14.3, 14.20 to 14.23 may have a bearing upon the application.

Statement of Licensing Policy

The Sub-Committee is also obliged to have regard to its own Statement of Licensing Policy. Officers consider that paragraphs 2.1 to 2.5, 3.0, 4.1 to 4.4, 5.1 to 5.4, 6.1 to 6.4, 10.0, 11.0, 13.0, 22.0, 23.0, 26.0 and Appendix1 may have a bearing upon the application.

Cumulative Impact Assessment

The Sub-Committee is also obliged to have regard to the North West Leicestershire Cumulative Impact Assessment which is presented as **Appendix 8**.

Observations

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

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm.

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

- Grant the application and issue the 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.

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 Cumulative Impact Assessment
Safeguarding:	To determine the application in accordance with the Licensing Act 2003 objectives.
Equalities/Diversity:	No information has been provided to indicate an Equality Impact Assessment (EIA) is required though this will be kept under review and an EIA carried out if necessary.
Customer Impact:	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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