

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL
LICENSING SUB-COMMITTEE – MONDAY,
15 JANUARY 2023



Title of Report	APPLICATION FOR A GRANT OF PREMISES LICENCE	
Presented by	Tonya Cooper Licensing Enforcement Officer	
Background Papers	Revised Guidance issued under section 182 of the Licensing Act 2003 (publishing.service.gov.uk) Statement of Licensing Policy – Issue 7	Public Report: Yes
Purpose of Report	<p>To determine an application for a grant of a premises licence in respect of the premises Bardon Truck Park, Beveridge Lane, Bardon Hill, LE67 1TB.</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 On 16 November 2023, Brett Parker submitted an application for a premises licence grant at Bardon Truck Park, Beveridge Lane, Bardon Hill, LE67 1TB. A copy of the application is attached as Appendix 1. A plan of the premises is attached as Appendix 2.
- 1.2 An aerial view of the site is attached as Appendix 3 and a map is attached as Appendix 4.

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

Opening Hours	Timings	
	Everyday	12:00 hours - 22:00 hours
Licensable activity	Timings	
Supply by retail of alcohol	Everyday	12:00 hours - 22:00 hours

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

General

- Staff selling or serving alcohol will be made aware of their responsibility to prevent drunken and disorderly behaviour and underage sales of alcohol.

The Prevention of Crime and Disorder

- We will join a Pubwatch and/or Shopwatch partnership scheme.

Public Safety

- Alcohol will only be sold to persons staying on site.

The Prevention of Public Nuisance

- There shall be signs displayed in the car park asking customers to respect the needs of local residents.

The Protection of Children from Harm

- Relevant signs at point of sale will be displayed.
- Vigilance and monitoring will take place both inside and outside the premises.
- There will be regular staff training on when and how to refuse a sale.
- There will be a no proof, no sale, age verification policy in place.

- 1.5 The premises are not currently trading and therefore the licensing authority have not received any complaints in relation to the premises.
- 1.6 Outlined below are licensed premises within the vicinity of the applicant's premises detailing their current opening hours and licensable activities:

<p>Charnwood Arms, Beveridge Lane, Bardon Hill, LE67 1TB</p>	<p>Opening Hours: Monday to Thursday – 07:00hrs to 01:30hrs Friday and Saturday – 07:00hrs to 02:30hrs Sunday – 07:00hrs to 00:30 midnight</p> <p>Supply by retail of alcohol: Monday to Thursday – 10:00hrs to 01:00hrs Friday and Saturday – 10:00hrs to 02:00hrs Sunday – 10:00hrs to 00:00 midnight</p> <p>Late Night Refreshment: Monday to Thursday – 10:00hrs to 01:00hrs Friday and Saturday – 10:00hrs to 02:00hrs Sunday – 23:00hrs to 00:00 midnight</p> <p>Performance of Plays, Films, Live Music, Recorded Music and Performance of Dance: Monday to Thursday – 10:00hrs to 01:00hrs Friday and Saturday – 10:00hrs to 02:00hrs Sunday – 07:00hrs to 00:00 midnight</p>
<p>Birch Tree, Bardon Road, Coalville, LE67 1TD</p>	<p>Opening Hours: Sunday to Thursday – 08.00am to 01.00am Friday and Saturday – 08.00am to 02.00am Christmas Eve and New Year's Eve – 08.00am to 02.00am</p> <p>Supply by retail of alcohol: Sunday to Thursday – 11.00am to 12midnight. Friday and Saturday – 11.00am to 01.00am Christmas Eve and New Year's Eve – 11.00am to 01.00am.</p> <p>Late Night Refreshment: Monday to Saturday, other than Good Friday or Christmas Day, 11.00pm to 11.30pm</p> <p>Live music: Sunday to Thursday – 7.00pm to 11.30pm. Friday and Saturday – 7.00pm to 12.30am. Christmas Eve and New Year's Eve – 7.00pm to 12.30am.</p>

	<p>Recorded music: Sunday to Thursday – 08.00am to 12.30am. Friday and Saturday – 08.00am to 01.30am. Christmas Eve and New Year’s Eve – 08.00am to 01.30am.</p>
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2 Representations

- 2.1 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 Coalville Times on Friday, 24 November 2023 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 Ellistown and Battleflat Parish Council on the grounds of prevention of crime and disorder and public safety. This representation is presented as Appendix 5.
- 2.4 Following Ellistown and Battleflat Parish Council’s representation, the applicant’s response is attached as Appendix 6.

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 2.7, 2.8 to 2.9, 2.16 to 2.17, 2.21 to 2.38, 3.1 to 3.2, 8.13 to 8.14, 8.34, 8.41 to 8.49, 8.80 to 8.87, 9.1, 9.3 to 9.9, 9.31 to 9.44, 10.1 to 10.10, 10.13 to 10.15, 13.10, 14.1 to 14.3, 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, 7.1 to 7.4, 11.0, 19.2, 22.0, 23.0, and 26.0 may have a bearing upon the application.

Observations

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.

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 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:	Communities and housing – looking after our tenants and keeping our communities safe.
Policy Considerations:	Statement of Licensing Policy – Issue 7
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:	Customers may be impacted by any decision made.
Economic and Social Impact:	Not applicable
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.
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