

<b>Title of Report</b>	<b>APPLICATION FOR A VARIATION OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003</b>	
<b>Presented by</b>	Paul Dennis Licensing Enforcement Officer	
<b>Background Papers</b>	<a href="#">Revised Guidance issued under section 182 of the Licensing Act 2003</a>  <a href="#">Licensing Act 2003 (legislation.gov.uk)</a>  <a href="#">Statement of Licensing Policy 2024-2029</a>  <a href="#">Licensing Act 2003 Cumulative Impact Assessment</a>	<b>Public Report: Yes</b>
<b>Purpose of Report</b>	<p>To determine an application for the variation of a premises licence in respect of The Bull’s Head, 67 Market Street, Ashby de la Zouch, LE65 1AH.</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 Statement of Licensing Policy.</p>	
<b>Recommendations</b>	<b>THAT THE SUB COMMITTEE DETERMINE THE APPLICATION.</b>	

## 1.0 Background

- 1.1 The current licence holders (Bull’s Head Ashby Ltd.) have occupied the premises since 22<sup>nd</sup> May 2025. The existing premises licence is attached as **Appendix 1**.
- 1.2 Selina Wallis applied for the variation of a premises licence for The Bull’s Head, 67 Market Street, Ashby de la Zouch, LE65 1AH on 30 April 2026. The application form is attached as **Appendix 2**.
- 1.3 The applicant has specified within their application the following amendments to their existing premises licence, should the application be granted in full:
 

An extension to the hours for the sale by retail of alcohol on Thursday to Saturday, until 02:00 hours and the addition of an external bar in the beer garden.
- 1.4 A map of the site is attached as **Appendix 3**. An aerial view of the site is attached as **Appendix 4**.

- 1.5 The applicants offered the following conditions in support of their application (some of which are already existing licence conditions):

**General - all licensing objectives**

We are committed to promoting all four licencing objectives and will ensure the premises operates responsibly and appropriate policies in place

**The prevention of crime and disorder**

Staff will be trained. CCTV will be in operation on the premises. An incident log shall be used. We will refuse to serve drunk people, proactively manage crowds, queues and large groups.

**Public safety**

Fire safety training will be provided for staff, capacity limits and risk assessments will be implemented. First aid will be provided.

**The prevention of public nuisance**

Noise will be controlled. Smoking areas will be provided. Customers will be asked to leave the premises quietly.

**The protection of children from harm**

A Challenge 25 scheme shall be in operation. ID checks will be performed. No unaccompanied minors shall be allowed on the premises. Staff training shall be provided. Children under the age of 18 will not be allowed on the premises on Fridays and Saturdays after 9pm.

**2.0 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 Ashby Times on Friday 8 May 2026 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, Health Authority and the District Council's Health and Safety, Environmental Protection, Licensing and Planning sections. One representation was received from the responsible authorities, namely the Police on the grounds of the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. The representation is attached as **Appendix 5**. The applicant agreed to the inclusion of 18 conditions proposed by the Police on the premises licence. The signed agreement between the two parties is attached as **Appendix 6**.

- 2.3 Other persons, including members of the general public may make representations to the Licensing Authority within 28 days of the notice of application being displayed.

One representation was received from the Ashby Civic Society on the grounds of the prevention of public nuisance. The representation is attached as **Appendix 7**.

- 2.4 Licensing officers sought to facilitate an agreed position between the parties in order to avoid the need for a Licensing Sub-Committee hearing. However, as the parties remained unable to reach agreement, the matter was referred to a hearing.

The discussions related to the proposed hours for licensable activities taking place outside the premises, including recorded music, live music and the sale of alcohol by retail.

### **3.0 Cumulative Impact**

- 3.1 The premises are situated in Market Street, Ashby De La Zouch which is within the area of the special policy on cumulative impact zone (CIZ).

- 3.2 The Council considers that within the CIZ, the number of premises licences and/or club premises certificates are such that it is likely that granting further premises licences and/or club premises certificates or variations to existing premises licences and/or club premises certificates would be inconsistent with its duty to promote the licensing objectives.

- 3.3 Although this assessment provides an evidential basis for applications within the CIZ to be refused; it does not relieve responsible authorities or any other persons of the need to make a relevant representation. Each application will be considered on a case-by-case basis and applicants are expected to demonstrate why the operation of the premises would not add to the cumulative impact already being experienced. The assessment will never be used as a ground for revoking an existing licence or certificate.

### **4.0 Statutory Guidance**

- 4.1 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 1.1-1.5, 1.13, 1.16-1.19, 2.20-2.26, 3.1-3.2, 3.11, 8.13-8.14, 8.35-8.37, 8.50, 8.66-8.71, 8.74-8.77, 8.80-8.82, 9.1, 9.3, 9.11-9.12, 9.31, 9.37-9.39, 9.42-9.44, 10.1 to 10.10, 10.13-10.14, 14.1-14.3, 16.1-16.3, 16.6, 16.26, 16.33, 16.42-16.44, 16.57-61 may have a bearing upon the application.

### **5.0 Statement of Licensing Policy**

- 5.1 The Sub Committee is also obliged to have regard to its own Statement of Licensing Policy. Officers consider that paragraphs 1.5-1.6, 2.1, 2.3, 2.4, 2.5, 2.6, 6.1 to 6.4, 10.0, 11.0, 13.0, 22.0 and 25.0 may have a bearing upon the application.

### **6.0 Observations**

- 6.1 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.

- 6.2 The Sub 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.

6.3 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.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	Business and Jobs, Homes and Communities
Policy Considerations:	Statement of Licensing Policy – Issue 8
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:	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, 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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