

DATE: 2 October 2015  
MY REF: Licensing Sub-Committee  
YOUR REF:  
CONTACT: Democratic Services  
TEL NO:  
FAX NO: 0116 272 7596  
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**To Members of the Licensing Sub-Committee**

Cllr. Roy Denney  
Cllr. David Findlay

Cllr. Barry Garner (reserve  
member)  
Cllr. Phil Moitt

Dear Councillor,

A meeting of the **LICENSING SUB-COMMITTEE** will be held in the Brooks Room - Council Offices, Narborough at these offices on **TUESDAY, 20 OCTOBER 2015** at **10.00 a.m.** for the transaction of the following business and your attendance is requested.

Yours faithfully



**Colin Jones**  
**Corporate Services Group Manager**

**AGENDA**

1. Election of Chairman
2. Apologies for Absence
3. Disclosures of Interests from Members

To receive disclosures of interests from Members (i.e. the existence and the nature of those interests in respect of items on this agenda).

4. Licensing Hearing - Badgers Mount Hotel (Pages 3 - 46)

To consider the report of the Senior Licensing & Enforcement Officer (enclosed).



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**Blaby District Council**  
**Licensing Sub-Committee**

**Date of Meeting** 20 October 2015

**Title of Report** **Application to vary a Premises Licence –  
Badgers Mount Hotel, 6 Station Road, Elvesthorpe,  
Leicestershire LE9 7SG**

**Report Author** Senior Licensing & Enforcement Officer

**1. What is this report about?**

- 1.1 The Licensing Sub-Committee is required to determine an application to vary a premises licence relating to Badgers Mount Hotel, 6 Station Road, Elvesthorpe, Leicestershire LE9 7SG.

**2. Recommendation**

- 2.1 That the Licensing Sub-Committee determines the application in accordance with the Licensing Act 2003.

Having considered the application and representation(s), Members must consider whether to

- Grant the variation to the licence without modification
- Grant the variation to the licence subject to conditions
- Exclude from the licence any of the licensable activities requested
- Reject the application

Giving full reasons for their decision.

**3. Reason for Decision Recommended**

- 3.1 The Licensing Act 2003 requires that the Licensing Sub-Committee determine an application to vary a premises licence when relevant representations are received.

**4. Matters to consider**

- 4.1 The Licensing Authority received a complete application to vary the Premises Licence on 25<sup>th</sup> August 2015. The application was submitted in accordance with the requirements of the Licensing Act 2003 by Mr I Poxon & Mrs J Hirons.

The variation application requests the addition of live and recorded music and

anything of a similar description (indoors & outdoors) from 10.00hrs to 00.00hrs Monday to Saturday and 12.00hrs to 22.30hrs on Sunday and that the terminal hour on New Years Eve is 00.30hrs.

The application also details a request to extend the current hours for the sale of alcohol on and off the premises by one hour. The hours requested for the sale of alcohol are Monday to Saturday 10.00hrs to 00.00hrs and that the terminal hour on New Years Eve is 00.30hrs.

The steps the applicant proposes to take to promote the licensing objectives are set out in the operating schedule.

In arriving at its decision on the application, the Licensing Authority's primary consideration must be the promotion of the licensing objectives.

A copy of the application to vary is attached at Appendix A.

A copy of the current Premises Licence is attached at Appendix B.

#### 4.2 Relevant Representations

**Responsible Authorities** – There were no representations received from any of the Responsible Authorities.

##### **Other Persons**

Parish Council – Elvesthorpe Parish Council submitted a representation relating to the prevention of public nuisance. A copy of the representation is attached at Appendix C.

Local Councillor – Cllr David Freer submitted a representation relating to the prevention of public nuisance. A copy of the representation is attached at Appendix D

Local Resident – A letter of representation was submitted from a local resident which relates to the prevention of public nuisance. A copy of the letter of representation is attached at Appendix E.

#### 4.3 Appropriate Consultations

The Act requires that the applicant sends a copy of their application to the Licensing Authority and all Responsible Authorities. When the application is accepted the applicant must place a notice detailing the application and the relevant dates for representations to be submitted, once in a local publication and on, at or near to the premises for 28 consecutive days. The Licensing Authority must also display a notice detailing the application on their website for 28 consecutive days commencing on the day after the application has been accepted.

#### 4.4 Significant Issues

None.

## **5. Other significant issues**

- 5.1 In preparing this report, the author has considered issues related to Human Rights, Legal Matters, Human Resources, Equalities, Public Health Inequalities, and Climate Local and there are no areas of concern.

## **6. Appendix**

- 6.1 Appendix A – A copy of the application to vary the Premises Licence
- 6.2 Appendix B – A copy of Copy of the current Premises Licence
- 6.3 Appendix C – A copy of the representations made by Elmhurstorpe Parish Council
- 6.4 Appendix D – A copy of the representation made by Cllr David Freer
- 6.5 Appendix E – A copy of the representation made by a Local Resident

## **7. Background paper(s)**

- 7.1 The Licensing Sub-Committee shall refer to the Statement of Licensing Policy, in particular sections;  
2.0 Promotion of the Licensing Objectives,  
3.0 Prevention of Public Nuisance,
- 7.2 The current guidance issued under Section 182 of the Licensing Act 2003 (March 2015), by the Home Office, should also to be taken into consideration. In particular:

### Sections

- 1.2 – 1.5 Licensing objectives and aims  
1.15 – 1.17 General Principles – each application on its own merits  
2.14 – 2.20 Public nuisance  
8.33 – 8.41 Steps to promote the licensing objectives  
9.30 – 9.40 Hearings  
9.41 – 9.43 Determining actions that are appropriate for the promotion of the Licensing objectives  
10.1 – 10.3 Conditions - general  
10.8 – 10.9 Imposed conditions  
13.44 – 13.45 Licensing Hours

## **8. Report author's contact details**

Mandy Geary                                      Senior Licensing & Enforcement Officer  
Mandy.geary@blaby.gov.uk      0116 272 7513

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## Application to vary a premises licence under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.  
 If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
 You may wish to keep a copy of the completed form for your records.

We Mr Poxon & Mrs Hirons

*(Insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number BLPR 0082
--------------------------------------

### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Badgers Mount Hotel 6 Station Road Elmesthorpe			
Post town	Leicester	Post code	LE9 7SG

Telephone number at premises (if any)	01455 848161
Non-domestic rateable value of premises	£4,250

### Part 2 – Applicant details

Daytime contact telephone number	01455 848161
E-mail address (optional)	info@badgersmount.com

Current postal address if different from premises address			
Post Town		Postcode	

### Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

☒

If not do you want the variation to take effect from

Day	Month	Year

**Please describe briefly the nature of the proposed variation (Please see guidance note 1)**

Badgers Mount Hotel would like to extend the Licensable Activities for the sale by retail of Alcohol and also the Provision of Regulated Entertainment, both to finish at Midnight.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend



## Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

### Provision of regulated entertainment

Please tick yes

- |  |                                     |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A)   | <input type="checkbox"/>            |
| b) films (if ticking yes, fill in box B)   | <input type="checkbox"/>            |
| c) indoor sporting events (if ticking yes, fill in box C)  | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)   | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)  | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)  | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)   | <input type="checkbox"/>            |
| h) anything of a similar description to that falling within (e), (f) or (g)<br>(if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

### Provision of entertainment facilities:

- |  |                          |
|--|--------------------------|
| i) making music (if ticking yes, fill in box I)  | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J)   | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j)<br>(if ticking yes, fill in box K) | <input type="checkbox"/> |

### Provision of late night refreshment (if ticking yes, fill in box L)

☐

### Sale by retail of alcohol (if ticking yes, fill in box M)

☒

In all cases complete boxes N, O and P

# A

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat					
Sun					

# B

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Wed					
Thur					
			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Wed			
Thur			
Fri			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)			
Mon						
Tue						
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)			
Thur						
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)			
Sat						
Sun						

# E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)  Badgers Mount Hotel is a popular venue for Weddings/Parties with both amplified and unamplified music being played.		
Mon	10:00	00:00			
Tue	10:00	00:00	State any seasonal variations for the performance of live music (please read guidance note 4)  Badgers Mount Hotel does host a greater number of Weddings during the Summer months.		
Wed	10:00	00:00			
Thur	10:00	00:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)  New Years Eve up to 00:30,		
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	12:00	22:30			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)  Badgers Mount Hotel is a popular venue for Weddings/Parties with both amplified and unamplified music being played.		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00			
			State any seasonal variations for the playing of recorded music (please read guidance note 4)  Badgers Mount Hotel does host a greater number of Weddings during the Summer months.		
Thur	10:00	00:00			
Fri	10:00	00:00			
Sat	10:00	00:00			
			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)  New Years Eve up until 00:30.		
Sun	12:00	22:30			

# G

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Wed					
Thur					
			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Fri					
Sat					
Sun					



# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the type of entertainment you will be providing</u></b>	
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon	10:00	00:00		Outdoors <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
Tue	10:00	00:00	Please give further details here (please read guidance note 3)  Badgers Mount Hotel is a popular venue for Weddings/Parties with both amplified and unamplified music being played.	
Wed	10:00	00:00		
			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)	
Thur	10:00	00:00		
Fri	10:00	00:00	Badgers Mount Hotel does host a greater number of Weddings during the Summer months.	
Sat	10:00	00:00	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun	12:00	22:30	New Years Eve up until 00:30.	

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the facilities for making music you will be providing</u></b>	
			<b><u>Will the facilities for making music be indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	
Tue				
Wed			<b><u>State any seasonal variations for the provision of facilities for making music</u></b> (please read guidance note 4)	
Thur				
Fri			<b><u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)	
Sat				
Sun				

# J

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			<b><u>Will the facilities for dancing be indoors or outdoors or both – please tick</u></b> (see guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
			<b><u>Please give a description of the facilities for dancing you will be providing</u></b>		
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for providing dancing facilities</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

# K

<b>Provision of facilities for entertainment of a similar description to that falling within i or j</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the type of entertainment facility you will be providing</u></b>	
Day	Start	Finish	<b><u>Will the entertainment facility be indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)	
Wed				
Thur			<b><u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u></b> (please read guidance note 4)	
Fri				
Sat			<b><u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)	
Sun				

# L

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)	
Mon				
Tue				
			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)	
Wed				
Thur				
			<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 5)	
Fri				
Sat				
Sun				

# M

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)</b>	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10:00	00:00			
Tue	10:00	00:00	Badgers Mount Hotel do hold more Weddings / Parties in the Summer months.		
Wed	10:00	00:00			
Thur	10:00	00:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	10:00	00:00	New Years Eve - Badgers Mount Hotel would like to extend the Licensable Activities for the sale by retail of Alcohol and also the Provision of Regulated Entertainment, both to finish at 00:30.		
Sat	10:00	00:00			
Sun	12:00	22:30			

# N

<p><b>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)</b></p> <p>N/A</p>
---

O

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b><u>State any seasonal variations</u></b> (please read guidance note 4)  Badgers Mount Hotel do hold more Weddings / Parties in the Summer months.  Badgers Mount Hotel is open to the public 24 hours a day, 7 days a week due to the nature of the business.
Day	Start	Finish	<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 5)
Mon	00:01	00:00	
Tue	00:01	00:00	
Wed	00:01	00:00	
Thur	00:01	00:00	
Fri	00:01	00:00	
Sat	00:01	00:00	
Sun	00:01	00:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Badgers Mount Hotel would like to extend the Licensable Activities for the sale by retail of Alcohol and also the Provision of Regulated Entertainment, both to finish at Midnight.

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

☒  
☐

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence



**P** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)**

Badgers Mount Hotel have a Night Porter working every night, throughout the night to ensure the safety of our guests and to be vigilant at all times.

**b) The prevention of crime and disorder**

Badgers Mount Hotel have two security staff working during Wedding Receptions and Parties. Our security staff are available up until 2 am if required, to ensure that guests not staying at the Hotel leave the premises promptly and orderly.

**c) Public safety**

Our Bar staff are trained with the knowledge not to serve a guest an alcoholic drink if they consider them to be inebriated or causing nuisance. Security staff deal with any nuisance problems to resolve them before they escalate.

**d) The prevention of public nuisance**

Badgers Mount Hotel would ensure that any taxi's booked for guests not staying at the Hotel would be by 00:30 latest.

We do display a notice in prominent positions in the Hotel, reminding guests to 'please respect our neighbours and leave the premises quietly'.

**e) The protection of children from harm**

Our staff are trained to be vigilant where children are present to ensure their safety.

Our staff are trained and reviewed to follow the Challenge 21 policy, to ensure that we do not serve alcohol to underage guests.

A refused sales log is kept to highlight any patterns emerging.

Please tick yes

- I have made or enclosed payment of the fee ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I understand that I must now advertise my application ☒
- I have enclosed the premises licence or relevant part of it or explanation ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 5 – Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	24th August 2015
Capacity	Premises Licence Holder

**Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	24th August 2015
Capacity	Premises Licence Holder

**Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)**

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

# Blaby District Council

Licensing Section  
Council Offices  
Desford Road  
Narborough  
Leicester  
LE19 2EP

Tel: 0116 2750555  
Fax: 0116 2727596  
Web: www.blaby.gov.uk



## Licensing Act 2003 Premises Licence

# BLPR0082

### Part 1 - Premises Details

#### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

### Badgers Mount Hotel

6 Station Road, Elmesthorpe, Leicester, LE9 7SG.

Telephone 01455 848161

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the supply of alcohol

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Saturday	10:00am	11:00pm
	Sunday	Noon	10:30pm

#### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Unrestricted		

#### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON and OFF the premises

### Part 2

#### NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Ivor Poxon  
info@badgersmount.com  
Jill Hiron

7A Station Road, Elmesthorpe, Leicester, LE9 7SG.  
Telephone 01455 848161

6 Station Road, Elmsthorpe, Leicestershire, LE9 7SG.  
Telephone 01455 848161

#### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)



# Blaby District Council

Licensing Section  
Council Offices  
Desford Road  
Narborough  
Leicester  
LE19 2EP



Tel: 0116 2750555  
Fax: 0116 2727596  
Web: www.blaby.gov.uk

## Licensing Act 2003 Premises Licence

# BLPR0082

### NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Glen WATSON

Fresian Barn, Tamworth, Staffordshire, B79 0AA.  
Telephone 01455 848161

### PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. 15/00024/LAPERIN

Issued by Lichfield

### ANNEXES

#### ANNEX 1 - MANDATORY CONDITIONS

No supply of alcohol may be made under the premises licence -

- a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

1. (1) the responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licence objective
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or

Licensing Act 2003  
**Premises Licence**

**BLPR0082**

ANNEXES continued ...

glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person shall ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

- (a) a holographic mark, or
- (b) an ultraviolet feature

4. The responsible person must ensure that -

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
- (iii) still wine in a glass: 125ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available. (

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition set out in paragraph 1

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979 (a)

(b) "permitted price" is the price found by applying the formula

Licensing Act 2003  
**Premises Licence**

**BLPR0082**

ANNEXES continued...

$$P = D + (D \times V)$$

Where

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply under such a licence;

(d) "Relevant person" means in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994 (b)

Where the permitted price given by paragraph (b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

The restrictions in this Annex do not prohibit any sale, supply or consumption of alcohol previously permitted by the Licensing Act 1964.

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal.

# Blaby District Council

Licensing Section  
Council Offices  
Desford Road  
Narborough  
Leicester  
LE19 2EP



Tel: 0116 2750555  
Fax: 0116 2727596  
Web: [www.blaby.gov.uk](http://www.blaby.gov.uk)

Licensing Act 2003

## Premises Licence

**BLPR0082**

### ANNEXES continued...

Licensable activities may continue between the end of the hours permitted by the licence on New Years Eve and the start of the hours permitted by the licence on New Years Day.

No person under fourteen shall be in the bar of the licensed premises during the hours that the premises is licensed for the sale of alcohol, except as previously permitted by the Licensing Act 1964.

#### ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

Intoxicating liquor shall not be sold or supplied on the premises otherwise than to:-

Persons residing there or their private friends bona fide entertained by them at their own expense, and for consumption by such a person or his private friend so entertained by him either on the premises or with a meal supplied at but to be consumed off the premises.

There shall be afforded in the premises, for persons provided with board and lodging for reward, adequate sitting accommodation in a room, not used or to be used for sleeping accommodation, for the service of substantial refreshment or for the supply or consumption of intoxicating liquor.

Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the premises.

#### ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

None.

Authorised Officer



# Blaby District Council

Licensing Section  
Council Offices  
Desford Road  
Narborough  
Leicester  
LE19 2EP

Tel: 0116 2750555  
Fax: 0116 2727596  
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Licensing Act 2003

## Premises Licence Summary

**BLPR0082**

### Premises Details

#### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

##### Badgers Mount Hotel

6 Station Road, Elmesthorpe, Leicester, LE9 7SG.

Telephone 01455 848161

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the supply of alcohol

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Saturday	10:00am	11:00pm
	Sunday	Noon	10:30pm

#### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Unrestricted		

#### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON and OFF the premises

#### NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Ivor Poxon

7A Station Road, Elmesthorpe, Leicester, LE9 7SG.

Jill Hirons

6 Station Road, Elmsthorpe, Leicestershire, LE9 7SG.

#### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

#### NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Glen WATSON

#### STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED



# Blaby District Council

Licensing Section  
Council Offices  
Desford Road  
Narborough  
Leicester  
LE19 2EP



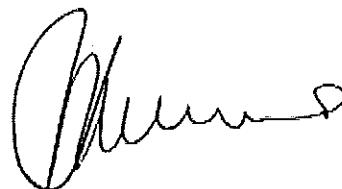
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## Premises Licence Summary

**BLPR0082**

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED continued



Authorised Officer



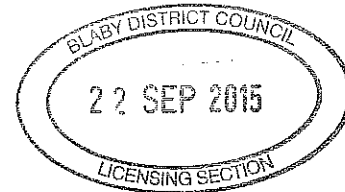
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## **ELMESTHORPE PARISH COUNCIL**

The Village Hall, Wilkinson Lane, Elmesthorpe LE9 7SP

The Licensing Department  
Blaby District Council  
Council Offices  
Desford Road  
Narborough  
Leicester  
LE19 2EP



21 September 2015

Dear Sirs

### Application for Extension of Licensable Activities to Midnight at Badgers Mount Hotel Elmesthorpe

Elmesthorpe Parish Council objects to this application for the reasons set out below:

1. Badgers Mount Hotel is located in a residential area in Elmesthorpe village. This application is to extend the Licensable Activities for the sale by retail of Alcohol and the Provision of Regulated Entertainment, both to finish at Midnight. If the extension is granted, it would permit the playing of music, both recorded and live music, on the Hotel premises including in the Hotel gardens, until midnight in a quiet residential area every night of the week.

Whilst the application is for an extension to midnight, if it is granted, once the alcohol sales, entertainment or music have finished at midnight, any customers not resident at the Hotel will leave either on foot or by car so the noise disruption to people living in nearby homes is likely to be until 12.30am. Of particular concern is the noise of car doors slamming at this time of the day when the rest of the village is quiet.

The Parish Council is very concerned about the adverse impact of the noise on the residents living nearby, and the general detriment to their quality of life.

2. A number of the trees and bushes around the Hotel which previously helped to reduce the impact of noise from the Hotel have recently been reduced or removed. The green area along the front perimeter of the Hotel have been cut back reducing the "acoustic baffle", and some of the trees and bushes on the car park's central island in front of the Hotel have been removed, thereby removing the screening which had previously reduced the impact of the noise from the Hotel on the people living in the homes opposite the Hotel.

3. There is also an issue with the lighting on the front of the Hotel which, since the reduction and removal of the trees, shines directly into the bedrooms of the homes opposite the Hotel. The lighting is on during evening opening hours and until customers leave at the end of the evening, so with the

The Bookings Clerk, Elmesthorpe Parish Council

Tel. [REDACTED]

Email : clerk.elmesthorpe@hotmail.com

current licensable activities ending at 11pm, the nearby residents can expect the lighting to be at a reduced level by 11.30pm. However licensable activities are extended to midnight, then the lighting is unlikely to be at a reduced level until 12.30am which the Parish Council considers is wholly unreasonable.

In view of the above matters set out above, the Parish Council would ask that the application for an extension to midnight is refused.

Yours faithfully

Julie Gent  
Parish Clerk

The Bookings Clerk. Elmesthorpe Parish Council  
Tel. [REDACTED]  
Email : clerk.elmesthorpe@hotmail.com

**From:** David Freer [REDACTED]  
**Sent:** 22 September 2015 10:56  
**To:** Mandy Geary  
**Cc:** Elmesthorpe Parish Council; Linda Lockwood  
**Subject:** Badgers mount.

APPENDIX D

Dear Mandy,

It has been brought to my attention from residents of Elmesthorpe that the Badgers Mount hotel on Station road, Elmesthorpe have applied for the extension of hours and days currently permitted to their alcohol & music licence. Badgers Mount is centrally positioned within the village and in close proximity to a number of properties, also in recent times the owners have removed a number of trees that helped screen activities held there.

Although we all support local business I fear that the extra time and days proposed will create a public nuisance of noise and light pollution to nearby residents late at night.

After speaking with residents they accept the fact that business is important in this location and are happy to compromise to a 11.30pm finish from Thursday to Saturday.

As the local district councillor for the area I would urge that your committee would consider local resident views when deciding the outcome of this application.

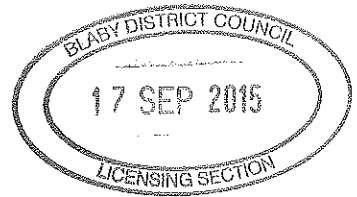
Also I would be most grateful to be given the opportunity to address the committee at the time of consideration.

Kind regards Councillor David L Freer.



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From: Linda Lockwood [REDACTED]  
 Sent: 17 September 2015 10:17  
 To: [REDACTED]  
 Cc: 'licensing@blaby.gov.yk'  
 Subject: Badgers Mount Hotel - application to extend hours;  
 Importance: High



Hello

I live at Uppingham; Station Road in Elmeathorpe which is almost opposite Badgers Mount Hotel.

My husband and I are extremely concerned by an application by the new owners of the hotel to extend both the sale of alcohol and regulated entertainment until midnight on every night of the week.

This presumably means that cars will be departing until at least 1230 and quite possibly much later; and this could become a nightly occurrence which we consider to be totally unacceptable in a predominantly residential area.

It is also likely to be extremely noisy until very late if the entertainment is being held outside – with music being allowed to play until midnight.

To summarise we strongly oppose the application; we consider 1130pm on Friday and Saturday to be more reasonable; this would ensure that cars depart hopefully by midnight or not much after; it would also protect residents from disturbance during the working week – when 1030pm seems more than adequate.

Regards

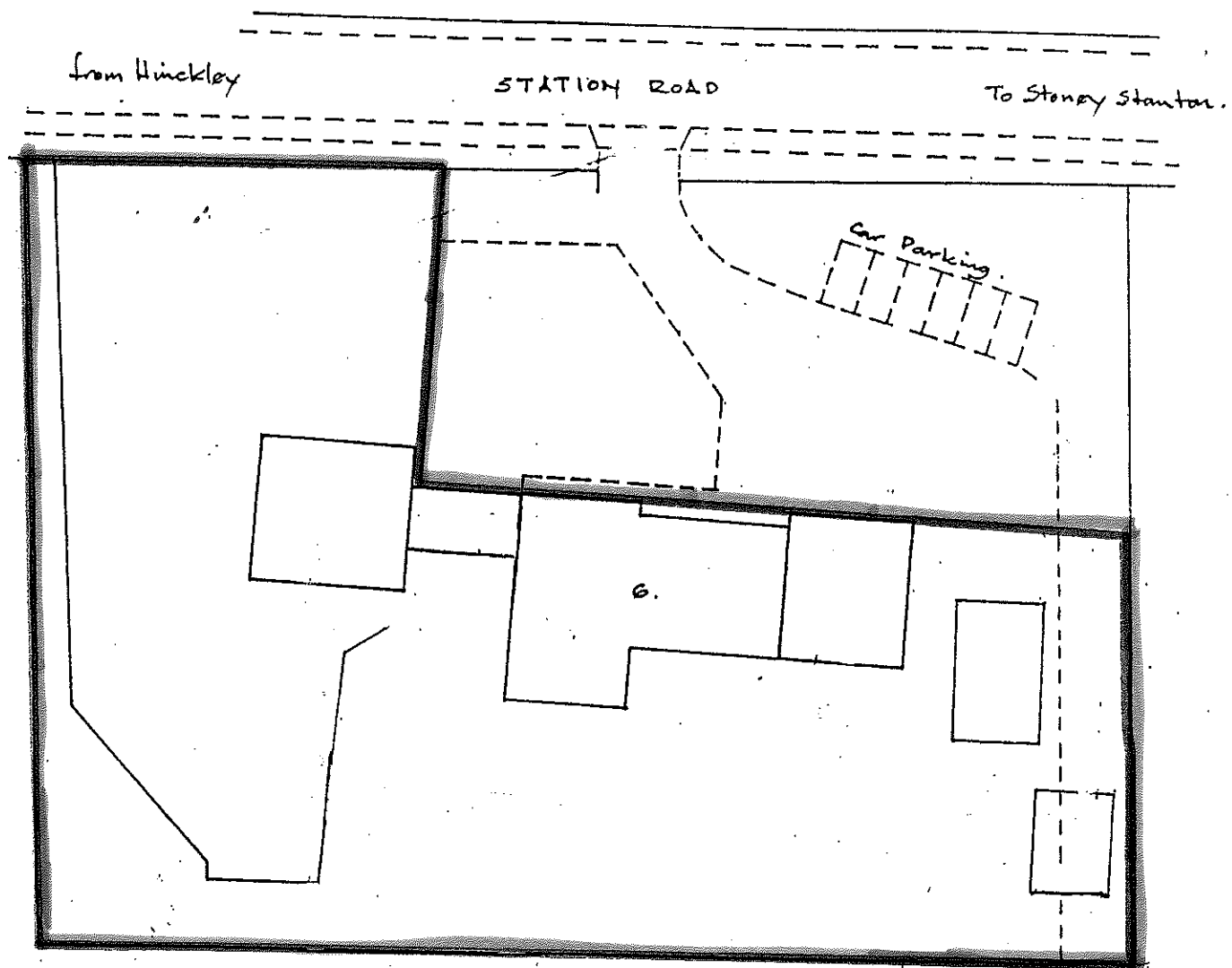
Linda Lockwood

Linda Lockwood <[REDACTED]>  
 17 September 2015 13:14  
 Mandy Geary  
 Re: Badgers Mount Hotel - application to extend hours;

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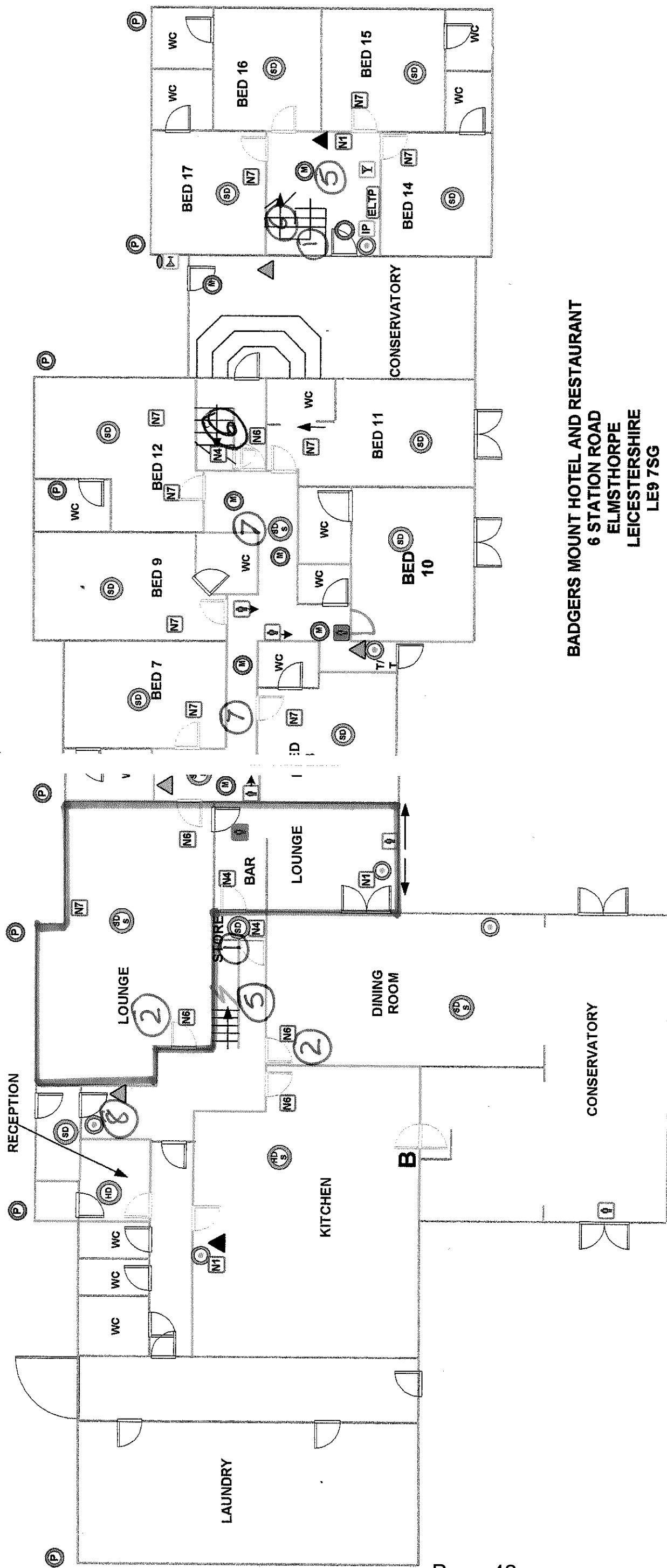
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SITE PLAN - 6 STATION ROAD

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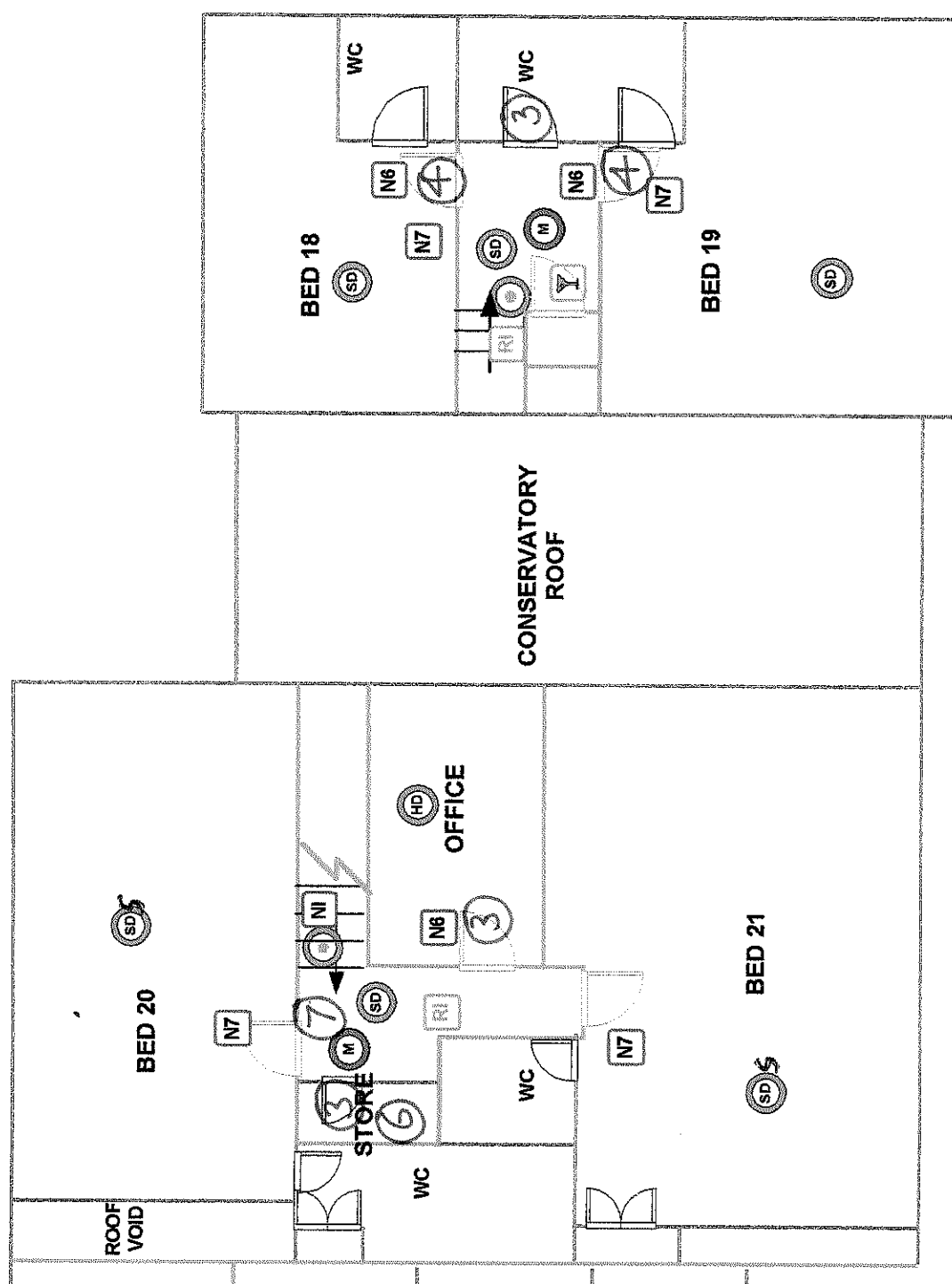
BADGERS MOUNT HOTEL AND RESTAURANT  
 6 STATION ROAD  
 ELMSTHORPE  
 LEICESTERSHIRE  
 LE9 7SG

GROUND FLOOR NOT TO SCALE DRAWN 01/2007/GM

This plan forms part of the risk assessment for the  
 Regulatory Reform (Fire Safety) Order 2005

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up stairs



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