

**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 Hiron.

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 – Elmesthorpe 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**

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