

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

**Date of Meeting** 1 October 2019  
**Title of Report** **Application to Vary a Premises Licence – Foxlands Farm, Croft Road Cosby LE9 1SG**  
**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 BLPR0184, relating to Foxlands Farm, Croft Road, Cosby Leicestershire LE9 1SG

**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, members must consider whether to:
- Grant the licence without modification
  - Grant the licence subject to conditions
  - Exclude from the licence any of the licensable activities
  - Refuse to accept the proposed premises supervisor
  - Reject the application
- Members must give full reasons for each decision made.

**3. Reason for Decision Recommended**

- 3.1 The Licensing Act 2003 requires that the Licensing Sub-Committee determine a variation of a premises licence where relevant representations are received.

**4. Matters to consider**

- 4.1 The Licensing Authority received a complete application for a variation to a premises licence on 6 August 2019. The application was submitted in accordance with the requirements of the Licensing Act by Stephen Pepper and requested the following variations to the activities authorised by the current premises licence.
- To increase the area for licensable activities in accordance with the submitted plan and highlighted in red.
  - To increase the hours for the sale of alcohol on Sundays between 11:00hrs and 18:00
  - To change the consumption from on the premises only to consumption

- on and off
  - To remove all the conditions attached to the licence in Annex 2
  - To permit Live Music and Recorded Music
    - Friday and Saturday 08:30 to 01:30
    - Sunday 08:30 to 00:00
- Music will be played over the public address system during the Victory Show only. This will cease at 18.30. Music in the Marquee will be until 01:30 or 00:00

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

In arriving at its decision with regards to this variation application the Licensing Authority's primary consideration must be the promotion of the 4 licensing objectives.

A copy of the full application and plan is attached at Appendix A.

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

**Other Persons** – A Letter of representation was received from 1 resident. The letter of representation is in relation to the prevention of public nuisance.

A Copy of the letter of representation is attached at Appendix B.

- 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. All of the above requirements were met.

- 4.4 **Significant Issues**

Human Rights have been considered but there are no overarching matters for concern in relation to this report. There are no specific legal or Human Resources implications. There is no requirement for an EINA or DPIA.

## 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 for a variation to a premises licence and Plan of the premises

6.2 Appendix B – A copy of the letter of representation made by other persons

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

7.1 The Licensing Sub-Committee shall refer to the current Statement of Licensing Policy, in particular sections:

7.0 Promotion of the Licensing Objectives,  
8.0 Prevention of Public Nuisance,  
13 Planning & Building Control

The current Guidance, issued under Section 182 of the Licensing Act 2003(April 2018), by the Home Office should also be taken into consideration. In particular:

Section

1.2 – 1.5 Licensing objectives and aims  
1.15 – 1.17 General Principles – each application on its own merits  
2.15 – 2.21 Public Nuisance  
8.41 – 8.49 Steps to promote the licensing objectives  
9.31 – 9.41 Hearings  
9.42 – 9.44 Determining actions that are appropriate for the promotion of the  
Licensing objectives  
10.1 – 10.3 Conditions - general  
10.8 – 10.9 Imposed conditions  
14.51 – 14.52 Licensing Hours

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

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