

Blaby District Council
Licensing Sub-Committee

Date of Meeting 23 March 2020
Title of Report **Application to Vary a Premises Licence – Tithe Barn Café,
Main Street, Cosby Leicestershire LE9 1UW**
Report Author Licensing Team Leader

1. What is this report about?

- 1.1 The Licensing Sub-Committee is required to determine an application to Vary a Premises Licence BLPR0259, relating to Tithe Barn Cafe, Main Street, Cosby, Leicestershire, LE9 1UW.

2. Recommendation

- 2.1 That the Licensing Sub-Committee determines the application in accordance with the Licensing Act 2003.
Having considered the application and representations, members must consider whether to:
- Grant the licence variation without modification
 - Grant the licence variation subject to conditions
 - 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 Background

The Licensing Authority received a complete application for a variation to a premises licence on 27 January 2020. The application was submitted in accordance with the requirements of the Licensing Act by Tithe Barn Café Ltd and requested the following variations to the activities authorised by the current premises licence:

- To increase the hours for the sale of alcohol every day by 2 hours from 20:30 to 22:30

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 Relevant Representations

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

Other Persons - Letters of representation were received from 10 residents. The letters of representation are in relation to the prevention of public nuisance and public safety.

A copy of the letters of representation are 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 complied with.

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 the variation of the premises licence.

6.2 Appendix B – A copy of the letters 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:

6.0 Licensing Hours
7.0 Promotion of the Licensing Objectives
8.0 Prevention of Public Nuisance
10 Public Safety
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
2.7 – 2.14 Public Safety
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

8. Report author's contact details

Mandy Geary	Licensing Team Leader
licensing@blaby.gov.uk	0116 272 7782