



LICENSING SUB-COMMITTEE

To: Councillors Lowe, C. Forrest, Jackson and Worrall* (For attention)
**Councillor Worrall is the Reserve Member*

All other members of the Council
(For information)

You are requested to attend the meeting of the Licensing Sub-committee to be held in Committee Room 1, at the Council Offices, Southfields, Loughborough on Monday, 31st July 2023 at 10.00 am for the following business.

Chief Executive

Southfields
Loughborough

12th July 2023

DECISION NOTICE

3. APPLICATION FOR FULL VARIATION TO PREMISES LICENCE
(LICENSING ACT 2003)

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LICENSING SUB COMMITTEE

Members Record of Decision

Central England Co-operative, 929 – 931
Loughborough Road, Rothley, Leicestershire
LE7 7NH

Hearing: 31 July 2023

Constitution of the Panel:

CHAIRMAN: CLLR LOWE

Other Panel Members: Councillors, C. Forrest and Jackson

Clerk: LAURA STRONG

Licensing Manager Present: Grace Dowson

Rachel Cluer (Licensing Officer)

Legal Advisor: Nicola Ford

For Premises


Licence Holder:

Kirsty Hughes, Shoosmiths Solicitors
Rhianne McClean Senior Operations Manager for Co-
operative England
Paul Stilling Store Manager for Co-operative England

Objectors:

Gary and Carol Bolingbroke – written representations
Timothy Taylor – in person

CHARNWOOD BOROUGH COUNCIL

Signature:	
Chairman:	CLLR LOWE
	31 July 2023

Decision on the Application

In reaching its decision, the Sub-Committee has taken into consideration all relevant written and oral representations and submissions made. The Sub-Committee has had regard to the Statement of Charnwood Council's Licensing Policy, and the Amended Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State.

FINDINGS OF FACT

An application to vary the Premises Licence for Central England Co-operative in respect of its store located at 929 – 931 Loughborough Road, Rothley, Leicestershire LE7 7NH was submitted by Knights Solicitors on behalf of Central England Co-operative on 7 March 2023. Central England Co-operative hold a Premises Licence in respect of that location which permits the supply of alcohol off sales between 07:00 – 22:00 seven days per week. The application seeks to vary those hours to permit the supply of alcohol off sales between 06:30 – 22:00 seven days per week.

No representations were received from any of the Responsible Authorities.

Two representations were received from Gary and Carol Bolingbroke and Timothy Taylor who live in the locality of the store. Those representations referred to licensing objectives public safety, the prevention of public nuisance and the protection of children from harm.

DECISION AND REASONS

The applicant explained this is an application to extend the licensing hours by half an hour in the morning seven days per week. The intention is for the store to open for an additional half an hour in the morning once planning permission is granted. The planning application has been recommended for approval but as yet is not determined. The applicant addressed Mr Taylor's main concern being that of traffic and delivery lorries entering the store car park. Deliveries are currently made from 7am onwards and there is no intention to change that. There is a sign on the car park entrance asking visitors and delivery drivers to respect neighbours and a suggestion has been made today to add an additional sign to remind delivery drivers of this. Staff arrive at the store at 6am already and that wont change. There is also a cash point with a metal shutter which does create noise. The store manager has met with Mr Taylor and agreed the shutter will be opened quietly. The applicant will also work with any requirements imposed by planning or highways departments.

The objector Mr Taylor explained vehicles begin arriving at 6:45am currently and his concern is vehicles will begin arriving earlier than this if the application is granted. Lorries reverse into the store car park and there is concern a child may be knocked over in the car park. Mr Taylor is also disturbed by the noise made by lorries making their deliveries from before 7am. Mr Taylor's drive is often blocked due to customers parking across his drive, and he has also received abuse from customers. Mr Taylor feels the store has become too large for it's village location, in particular due to a large housing development being built in the locality which will likely increase the number of customers. Mr Taylor has spoken with Highways who advised him to speak to the Co-op as the issues relate to their land. Mr Taylor has also observed people drinking alcohol whilst sat on the wall outside the store.

The applicant summed up by saying they are concerned of the impact of operations on Mr Taylor on other neighbours and regardless of the outcome today will continue to work with Mr Taylor to address those issues. The main driver for this application is to allow customers


straight into the store to prevent them from waiting in the car park. The government guidance and Charnwood policy is that store opening hours and alcohol licensing hours should match. The store doesn't anticipate selling a great amount of alcohol between 6.30am – 7.00am but require the licensing hours and store hours to match for staff ease. Mr Taylor's representations do not address the licensing objectives. The issues raised by Mr Taylor will be raised at head office and additional signage will be installed. No representations have been made by the occupants of the property next to the loading bay.

The sub-committee was concerned as to the impact of the store operation on Mr Taylor but did feel the store representatives appear sympathetic to the issues and willing to address those concerns. The sub-committee took into account all of the representations made by Mr Taylor, however, did not feel that those representations directly relate to any of the licensing objectives for the purposes of this application. The sub-committee was also mindful that if planning permission is granted and the store opening hours are extended, the position with the store's premises alcohol licence would not have any impact on any of the traffic and delivery related issues being experienced by Mr Taylor.

The Sub-Committee therefore decided to grant the application and also determined not to impose any additional conditions on the licence.

There is a right to appeal to the Magistrates' Court within 21 days from the date on which the party is notified of the determination of the decision of the Sub-Committee.

CHARNWOOD BOROUGH COUNCIL

Signature:	
Chairman:	CLLR LOWE
Date of Decision:	31 July 2023

Rider:

Failure to comply with any of the conditions of the premises licence is a criminal offence, which can result in a sentence of up to 6 months imprisonment and/or an unlimited fine.