



**LICENSING SUB-COMMITTEE**

To: Councillors Lowe, Northage and Popley (For attention)

All other members of the Council  
(For information)

You are requested to attend the meeting of the Licensing Sub-committee to be held in the Preston Room, Woodgate Chambers, Woodgate, Loughborough on Tuesday, 2nd April 2024 at 10.30 am for the following business.



Chief Executive

Southfields  
Loughborough

18th March 2024

**DECISION NOTICE**

3. APPLICATION FOR GRANT OF PREMISES LICENCE (LICENSING ACT 2003) 2 - 5

To consider an application for grant of a premises licence (Coopers, 14-18 Loughborough Road, Mountsorrel, Leicestershire LE12 7AT).

Papers in respect of the matter are attached for the Sub-committee's consideration.

# Agenda Item 3

## LICENSING SUB COMMITTEE

### Members Record of Decision

Application for a Premises Licence  
Coopers 14-18 Loughborough Road Mountsorrel  
Loughborough Leicestershire LE12 7AT

Hearing: 2 April 2024

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**Constitution of the Panel:**

**CHAIRMAN:** Cllr Lowe

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**Other Panel Members:** Cllrs Popley and Northage

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**Clerk:** Laura Strong

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**Licensing Manager Present:** Gareth Harvey, Rachel Cluer

**Solicitor:** Fiona Samuda

**For Premises  
Licence**

**Applicant:** Mr Anthony Gregson of Hospitality Training Solutions Limited, City Labs  
4-6 Dalton Square, Lancaster LA1 1PP for OAC Public Limited (did not  
attend).

**Objectors:** Written representations from Mr J Betts, Mr R Willmott - Mountsorrel Parish  
Council (Cllr Pirt attended), Mr S and Mrs S Syddall and Dr L Williams (attended).

*CHARNWOOD BOROUGH COUNCIL*

**Signature:**



**Chairman:** CLLR LOWE

2 April 2024

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## Decision on the Application

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To grant the application for a Premises Licence in its entirety as per the application submitted, with mandatory conditions and subject to additional conditions being that:

1. a member of staff is engaged to monitor parking at the premises and
2. extra signage is erected and displayed at the premises, so that residents are not affected, to ensure that customers can safely enter and exit the premises quietly.

In reaching its decision, the Licensing Sub-Committee has taken into consideration all relevant written and oral representations. The Licensing Sub-Committee has also had regard to the Licensing Act 2003, Charnwood Borough Council's Statement of Licensing Policy, the Amended Guidance issued under Section 182 of the Licensing Act 2003, the Licensing Act 2003 (Hearings) Regulations 2005 and the Human Rights Act 1998.

### FINDINGS OF FACT

The Licensing Sub-Committee initially considered an application for an adjournment made on behalf of the Agent for the Applicant. It was noted that the Agent informed Licensing by email timed at 7:03am that he was unwell and unable to attend the hearing; no replacement attendee had been provided to cover the hearing. It had been confirmed, by return email, to the Agent that the matter could proceed in absence. Notwithstanding this, the Applicant was also not in attendance at the hearing and no reason was given for this non-attendance. That said, all other parties were present and in attendance hence the Licensing Sub-Committee considered whether it was in the public interest to adjourn the hearing. The Licensing Sub-Committee considered the adjournment application under Regulation 20 of the Licensing Act 2003 (Hearings) Regulations 2005. The Licensing Sub Committee thereafter determined to proceed with the hearing in the party's absence and that it was not in the public interest to adjourn.

It was noted in the Licensing Report that there was no reference in the application submitted, in reference to the 'protection of children from harm' objective, to a children's soft play area, as referred to in representations. As such, the application was considered, as submitted, with no 'children's soft play area'. It was further noted that the planning application, being referred to in representations, was not a consideration for the Licensing Sub-Committee.

The Applicant application was for the:

1. Supply of Alcohol (on premises)  
Monday – Sunday 08:00 to 23:00
2. Opening hours to the public  
Monday – Sunday 08:00 to 23:30

The Licensing Sub-Committee considered that the Applicant had addressed how it was going to promote the four licensing objectives in the application submitted. The oral representations of Mountsorrel Parish Council and that of Dr Lyn Williams were considered on the day. It was noted that representations needed to be evidenced-based and relate to the Premises. The representations made related to what 'might' happen as opposed to what had happen. These representations consisted of; poor parking provisions, the

opening hours being too long for a community building, the premises being situated right on an island, near to residents, potential crime and disorder, potential drink drivers and limited transport in the evening with no taxi rank nearby. It was noted that aside from parking, all these representations were not evidenced-based as relating specifically to the Premises, or alternatively, relied on what might happen at the Premises.

Dr Williams, however, confirmed that the Applicant had held a pop-up coffee event as recent as the previous week. This event was described as 'absolute mayhem' and further as causing a public nuisance due to the Premises not having adequate parking provisions in place. It was confirmed that no one for the Applicant was monitoring the parking problems or customers entering and leaving the premises, disrupting residents and the area. Due to the parking issues on the day, the traffic was problematic, and wheelchair users could not pass due to the traffic chaos. Dr Williams further had endeavoured to contact the Applicant to try to discuss the parking issues, without joy, that arose in connection with this pop-up coffee event.

In addition, the application and written relevant representations of Mr J Betts and Mr S and Mrs S Syddall were considered by the Licensing Sub-Committee as part of its decision-making process, in the absence of these parties, attending the hearing.

No other relevant representations were received, nor any representations from responsible authorities.

## DECISION AND REASONS

The Licensing Sub-Committee noted that:

- The Applicant was not present at the hearing, so the Licensing Sub-Committee's consideration was based on the application papers.
- The application made focused on the supply of alcohol with no request for any other regulated entertainment or licensable activities.
- No consideration was given to any children's soft play area as this was not included in the paper application.
- No responsible authority had objected to the application.
- Attempts had been made by Dr Williams to engage with the Applicant regarding the pop-up event issues, prior to the hearing.
- The Applicant was a responsible person, with an Agent appointed, with a clear understanding of the licensing regime.
- The Applicant had sufficiently promoted the four licensing objectives and addressed any potential concerns, aside from the issues surrounding the pop-up event.
- The representations made were not evidenced-based, aside from the parking issues identified by Dr Williams, at the pop-up event, as they relied purely on what 'might' happen at the premises as opposed to what 'had' happened at the premises.
- The premises were currently closed hence it was accepted by the parties that the representations could not evidenced based.
- The area where the premises are located did not fall within the cumulative impact area for Loughborough town centre so the premises could not be considered under this.

It was noted by the Licensing Sub-Committee that the Applicant was not in attendance to ask further questions of, that this was a new application for a Premises Licence and further the Licensing Sub-Committee was satisfied that the Applicant had complied with the requirements imposed to promote the four licensing objectives. The Licensing Sub-Committee agreed with the points made, as presented by Dr Williams, in relation to the

parking issues at the premises, at the pop-up coffee event. This constituted a public nuisance and as such, the Licensing Sub-Committee considered that measures needed to be put in place to address these concerns to satisfy the public nuisance licensing objective.


The Licensing Sub-Committee, therefore, determined to grant the application for a Premises Licence, in its entirety, as submitted under application of 2 February 2024, with mandatory conditions, pursuant to section 18 of the Licensing Act 2003. The Licensing Sub-Committee further resolved to add additional conditions to the Premises Licence to address the parking issues affecting residents and the locality and the disruption caused to residents that arose from the pop-up event from customers entering and exiting the premises. These conditions are necessary to promote the licensing objective of public nuisance.

### RIGHT OF APPEAL

There is a right to appeal of the decision of the Licensing Sub-Committee.

This appeal lies to the local Magistrates' Court and should be lodged with the Court, with reasons, within 21 days from the date on which the parties receive notification of the Licensing Sub-Committee's decision in writing.

### CHARNWOOD BOROUGH COUNCIL

Signature:	
Chairman:	CLLR LOWE
Date of Decision:	2 April 2024

### 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.