

TITLE OF REPORT: **Application for variation of a Premises Licence**
Central England Co-operative, 929 – 931 Loughborough
Road, Rothley, Leicestershire, LE7 7NH

REPORT OF: **Licensing Manager – Regulatory Services**

1. PURPOSE OF THE REPORT

This report provides information for Members about a variation application made for Central England Co-operative, 929 – 931 Loughborough Road, Rothley, Leicestershire, LE7 7NH under the Licensing Act 2003. The report is to assist Members in determining the outcome of the variation application. It summarises the representations received, highlights the licensing objectives, the relevant parts of the guidance and regulations and the relevant sections of Charnwood Borough Council's Licensing Policy.

2. BACKGROUND

Central England Co-operative Limited has held a Premises Licence at 929 – 931 Loughborough Road, Rothley, Leicestershire, LE7 7NH since November 2011. The current Premises Licence (PREM12015) is attached at **Appendix 1**.

3. CURRENT APPLICATION

The application to vary the Premises Licence was submitted by Knights Solicitors for the applicant on 13 May 2022.

The proposed variation seeks to change the licensable activity hours for the sale of alcohol (off sales).

A copy of the variation application is attached at **Appendix 2**.

The variation application was advertised in accordance with the provisions of the Licensing Act Regulations 2005. A copy of the required blue notice and newspaper advertisement is attached at **Appendix 3**.

This application for the variation of the Premises Licence was made under s34 of the Licensing Act 2003 for the following:

Supply of alcohol (Off the premises)

- Monday to Sunday 06.30 to 22.00

Mandatory (compulsory) Conditions are issued by the Secretary of State and are applied (where relevant) to all Premises Licenses selling alcohol. A full list of all Mandatory Conditions is attached at **Appendix 4**.

Representations

Two representations have been received from local residents.

The representations have been made on the grounds of the following licensing objectives:

- Public Safety
- The Prevention of Public Nuisance
- Protection of Children from Harm

Full details of the representation are attached at **Appendix 5**.

Additional Information

No representations have been received from any of the Responsible Authorities.

Planning have contacted Licensing to advise that they do not wish to object to the variation application, but they have drawn our attention to a restriction regarding the hours of use:

'The Premises Licence seeks to extend the hours of opening beyond the opening hours permitted by the approval granted under planning application reference P/11/2054/2.

'No retail sales at the premises shall be carried out other than between 0700 hours and 2230 hours on any day of the week.

REASON: The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.'

Parties

The Parties to the hearing will be:

- a) The Applicant, Knights for the Applicant (Central England Co-Operative)
- b) Interested Parties, Residents

4. FOR CONSIDERATION

The areas for consideration by the Sub-Committee are:

- The application for a variation of the Premises Licence
- The representations received from local residents
- Whether or not the application should be varied and
- The conditions to be attached to the varied Club Premises Certificate (if granted).

5. POLICY & GUIDANCE

When carrying out its functions the Sub-Committee must have regard to:

- (a) the Statement of Charnwood Council's Licensing Policy, and
- (b) the Amended Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State.

Charnwood Borough Council's Licensing Policy is attached at **Appendix 6**.

Relevant parts of the Amended 182 Guidance are attached at **Appendix 7**.

The parties may refer to the Policy and Guidance during the hearing.

6. FOR DECISION

Having considered the variation application and representation, Members must consider whether to;

- Vary the Premises Licence without modification.
- Vary the Premises Licence to include additional conditions.
- Reject the variation application.

The Licensing Authority may attach conditions to any Premises Licence which are necessary for the promotion of the Licensing Objectives. A copy of the Model Pool of Conditions from Charnwood Borough Councils Statement of Licensing Policy is attached at **Appendix 8**.

Appendix 9 shows:

- Current plan held on file
- Area plan