



Charnwood

Albert House, 1 Albert Street, Loughborough
LE11 2DW

LICENSING SUB COMMITTEE

Members Record of Decision

Hearing: 20 December 2023

Constitution of the Panel:

CHAIRMAN: CLLR WORRALL

Other Panel Members: Councillors, C.Forrest and O'Neill

Clerk: LAURA STRONG

Licensing Manager Present: GRACE DOWSON

Rachel Cluer (Licensing Officer)

Solicitor: Nicola Ford

For Premises

Licence Holder: Anthony Gregson of Hospitality Training Solutions Limited – Agent for the applicant

Objectors: Miss Debra Bentley

CHARNWOOD BOROUGH COUNCIL

Signature:

Chairman: CLLR WORRALL

20 December 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 for a premises licence in respect of Albert House, 1 Albert Street, Loughborough, LE11 2DW was submitted by Hospitality Training Solutions Ltd on behalf of Mrs Sonya Russo dated 19 October 2023. The application was for:

(a) Supply of Alcohol (On and Off the premises)

- Sunday to Thursday 09:00 to 23:00
- Friday and Saturday 09:00 to 01:00

(b) Live Music (Indoors only)

- Friday and Saturday 23:00 to 01:00

(c) Recorded Music (Indoors only)

- Friday and Saturday 23:00 to 01:00

(d) Late Night Refreshment (Indoors)

- Friday and Saturday 23:00 to 01:00

The premises will be open to the public:

- Sunday to Thursday 09:00 to 23:30
- Friday and Saturday 09:00 to 01:30

No representations were received from any of the Responsible Authorities.

Two representations were initially received, from Mr Hemal Patel and from Miss Debra Bentley. Mr Patel withdrew his representation on 14 December 2023 following discussions with the Applicant's agent and an agreement being reached to install soundproofing works. One representation from Miss Bentley remained for consideration by the sub-committee. This representation relates to the prevention of crime and disorder and the prevention of public nuisance licensing objectives.

DECISION AND REASONS

The applicant explained the benefits to the area if the application were to be granted and that the licensing policy is taken into account as part of the application process. The applicant is willing to engage in a discussion about any suitable arrangements which can be put into place to further the licensing objectives. The applicant explained that discussions had been had with Mr Patel who previously objected and an agreement reached as to soundproofing works to be carried out at the property which led to Mr Patel withdrawing his objection. The applicant also confirmed they anticipate between 100 – 150 people would be expected at events at the premises.

The Applicant described that the premises is a multi use building with a function room events space available for private hire as a primary function as well as being a coffee house and a workspace and also likened the premises to a wine bar. Alcohol would be available during the hours set out within the application. The focus of the business is as an events space. The

applicant did initially state that the premises would not be open to the public and would be for private events only, but did also state it would be open to the public.

The applicant noted the concerns as to noise nuisance in the locality of the premises but that the premises is located within close proximity to other licensed premises. The applicant confirmed a sound report had been produced and an agreement reached to install sound installation at the premises which will stop any noise above 55 decibels emanating from the property. The main focus for soundproofing is in the adjoining wall to number 3 and the ceiling space. Speakers will be located away from the adjoining wall.

Miss Bentley explained the main concern of the residents is the music. The noise levels from Albert House to date have been unacceptable. The most recent being 14 December 2023 when a DJ event took place. There are concerns about the structure of the building contributing to noise nuisance. Events including alcohol conflicts with the residential nature of the location. Residents are concerned about the change of use and have objected to the separate planning application. The lights on at night time seem to attract attention to the building. Miss Bentley produced a recording of the evening of 14 December 2023 which has been circulated to all present in the hearing.

The applicant summed up by saying a lot of thought was put into whether the licensing objectives can be met, and no objections have been made by any responsible authorities. The applicant said the application was advertised legally and in accordance with requirements and pointed out that the planning application is completely separate. The Applicant does want to work with the local community and residents. The Applicant suggested limiting the licensing hours to 11pm and removing all other activities so that the only activity would be the sale of alcohol until 11pm 7 days per week.

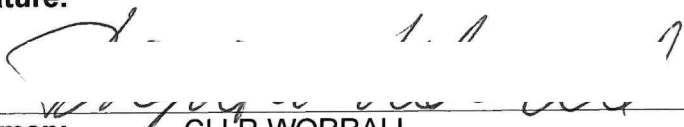
The sub-committee was concerned that they were not clear as to the proposed usage of the building despite questions to clarify. The applicant, when asked to clarify, explained that the premises would be primarily used as a private event space and would likely be closed on evenings it isn't hired out, but also stated it would be used as a coffee house and workspace and a wine bar on occasion when not hired out. The sub-committee therefore felt that the nature of the premises, and therefore the purposes for which the licence is sought, were contradictory and unclear.

The sub-committee was concerned that the usage of the premises as described by the applicant, with licensable activities taking place, would likely lead to noise nuisance to the nearby residents and the local area and therefore were concerned that if a licence were to be granted, this would not be consistent with the licensing objective of the prevention of public nuisance. This was particularly so given the location of the premises.

With that in mind the sub-committee therefore refuse the application for a premises 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 WORRALL
Date of Decision: 20 December 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.