



**Charnwood**

LICENSING SUB COMMITTEE

**Members Record of Decision**

ROFL Comedy Club, Asha House, 63 Woodgate,  
Loughborough, LE11 2TZ

Hearing: 17 November 2021

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**Constitution of the Panel:**

**CHAIRMAN:** CLLR LOWE

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**Other Panel Members:** Councillors, Forrest and Gerrard

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**Clerk:** LAURA STRONG

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**Licensing Manager Present:** GRACE DOWSON

Rachel Cluer (Licensing Officer)


**Solicitor:** KERRY WOLLETT

**For Premises**

**Licence Holder:** Lee Jones

**Objectors:** Cllr Ted Parton on behalf of Cllr Paul Mercer

*CHARNWOOD BOROUGH COUNCIL*

<b>Signature:</b>	
<b>Chairman:</b>	CLLR LOWE
	17 November 2021

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## **Decision on the Application**

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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 ROFL Comedy Club, Asha House, 63 Woodgate, Loughborough, LE11 2TZ was submitted by Lee Jones on 22 September 2021. The application was for:

- Supply of alcohol (On the premises) Monday to Sunday 09.00 to 00.00
- Live Music (Indoors) Monday to Sunday 18.00 to 00.00
- Recorded Music (Indoors) Monday to Sunday 09.00 to 00.00
- Late Night Refreshment (Indoors) Monday to Sunday 23.00 to 00.00

The premises will be open to the public Monday to Sunday 09.00 to 00.00.

No representations were received from any of the Responsible Authorities.

The Police agreed additional conditions with the applicant.

One representation was received from Cllr Mercer. This related to the prevention of public nuisance licensing objective. Cllr Mercer did not attend the hearing, instead Cllr Parton attended as his representative.

### **DECISION AND REASONS**

The applicant explained that the premises is located on a street that has a number of similar licenced premises. He also informed the sub-committee that he has had extensive conversations with the Wellbeing Centre about noise from the premises and his understanding from the manager was that there were no issues. The applicant has tried to speak with the objector about his objections, though the objector was unavailable and did not reply to phone calls, messages or emails. Lastly the applicant explained that the premises would not be a nightclub, it would be a venue for comedy and music. He also said he was under the impression from the landlord that the premises already had planning permission, though as this was not the case, the planning application has now been submitted.

Cllr Parton, on behalf of the objector, expanded on the written objection. He told the sub-Committee that the objections were in relation to:

1. Live and recorded music from 5pm to 11pm on a Monday and Friday as this was when the Wellbeing Centre operated as a crisis centre;
2. Queuing in the alley way, as this is where the entrance to the Wellbeing Centre is;
3. Alcohol being served from 9am as this was not necessary;
4. Sound proofing the wall which adjoins the Wellbeing Centre to reduce noise nuisance; and
5. Security to police any queues.

The applicant responded as follows:

1. In relation to noise from music, the applicant explained that he had carried out sound tests with the Wellbeing Centre in which he has installed a sound system and played music far louder than he intends to at any of the events, and whilst it was audible from within the Wellbeing Centre, it wasn't to a level that would cause nuisance. In fact, it was no louder than the noise from the cinema and it would easily be drowned out if a small radio was put on for background noise.
2. In relation to queues, the applicant confirmed that there wouldn't be any queues as the events will be ticketed events and tickets will not be sold at the door.
3. In relation to the sale of alcohol from 9am he said this was applied for to give flexibility, though he did not anticipate the premises opening before midday, at least not on a regular basis.
4. In terms of sound proofing, in addition to what he said about the sound tests, he also said that the room which would be used for events was the room furthest away from the Wellbeing Centre and that he understood from the Wellbeing Centre that they also intended to use a room which was furthest away from his premises, once a leak had been fixed. When in this room in the Wellbeing Centre music from his premises could not be heard.
5. In relation to security, the licensing manager reminded the sub-committee of the additional conditions which had been agreed with the police in particular the condition which states "Liaison with the local Constabulary, Fire Brigade and Local Authorities Councils including notification of events to allow for effective management of patrons." The applicant confirmed that this liaison would occur when ever there was a band playing that people would actually come to see, rather than when the band was playing simply for background music.


The sub-committee was mindful that the Wellbeing Centre itself had not submitted an objection. With that in mind the sub-committee was satisfied that the responses provided by the applicant were sufficient to address the objections raised and therefore was satisfied that if the licence was granted the licensing objectives would not be undermined.

The Sub-Committee therefore decided to grant the licence as per the application, that is, subject to the mandatory conditions, the conditions set out in the operating schedule and those agreed with the police and set out in appendix 5.

The Sub Committee would remind all parties that should there be issues which undermine any of the licensing objections in the future, then it was open to the local residents and any of the Responsible Authorities to seek a review of 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*

<b>Signature:</b>	
<b>Chairman:</b>	CLLR LOWE
<b>Date of Decision:</b>	17 November 2021

**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.**