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Agenda Item 5

DECISION: GRANT

**Application for Premises Licence
The Stage Service Station
282 Leicester Road Wigston Leicester LE18 1 HQ**


OADBY AND WIGSTON BOROUGH COUNCIL

**LICENSING ACT 2003
LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005**


LICENSING SUB-COMMITTEE

DECISION NOTICE / RECORD OF PROCEEDINGS


1.	Date of Hearing:	16 October 2019
2.	Sub-Committee Members Present: Members/Officers Observing:	Clr Lynda Eaton JP (Chair) Clr Rosemarie Adams Clr Robert Eaton Tracey Aldwinckle Samuel Ball Clr Helen Loydall Clr Kevin Loydall JP
3.	Legal Advisor:	David Gill
4.	Declarations of Interests by Members or Officers:	None.
5.	Applicant:	HGS (Leicester) Ltd.
6.	Application Premises:	The Stage Service Station, 282 Leicester Road, Wigston, Leicestershire, LE18 1HQ
7.	Nature of Application(s):	Premises Licence (New)
8.	Parties/Representatives and Witnesses Present:	Continued overleaf.

Signature:	
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	<p><u>For the Applicant:</u></p> <p>Witnesses given permission to speak:</p> <p><u>Interested Parties:</u></p> <p>Witnesses given permission to speak:</p>	<p>Corrigan Lockett (Lockett & Co) Rob Spooner Joe Hucknall</p> <p>All of the above</p> <p>John Pugh Maimuna Kazi Julie Hunt Mary Martin Trevor Mildred</p> <p>All of the above</p>
9.	Applications and Decisions on Ancillary Issues (e.g. requests for adjournments; determinations whether to proceed in absence; directions, etc.):	None.
10.	Written Representations and Supplementary Material taken into Consideration:	As set out in the agenda report pack, a summary of the applicant's representations and enlarged copy of premises plan.
11.	Agreed Facts:	First application for a new premises licence for a building under construction.
12.	Facts/Issues:	The issues for the interested parties were concerns about the opening hours, the need for the provision of the facilities (food and alcohol) in an area already well served by similar premises, the potential for future noise nuisance and ant-social behaviour.
13.	Findings of Fact: (i.e. the relevant facts accepted from the evidence available)	

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	The property already has planning permission with 24 hour opening for the purpose of a service station with associated kiosk/store operation.
14.	<p>Full Text of Decision on the Application:</p> <p>At the beginning of the hearing, the Chair explained to the parties the procedure which it proposed to follow.</p> <p>The Licensing Act 2003 (Hearings) Regulations 2005 (“the 2005 Regulations”) stated that the Sub-Committee must allow parties an equal period of time in which to present their evidence. It was agreed that all parties appearing at the hearing would have not longer than 10 minutes to make their representations.</p> <p>The Sub-Committee gave consideration to the report and appendices (as set out at pages 1-40 of the agenda report pack) which asked it determine whether a Premises Licence was to be granted or refused in respect of the application relating to the Stage Service Station, 282 Leicester Road, Wigston.</p> <p>With the consent of all the other parties, the Sub-Committee took into account other documentary information produced by the applicant in support of their application at the hearing, namely a summary of the applicant’s representations and an enlarged copy of the plan of the proposed premises.</p> <p>The applicant and each interested party were given the opportunity to address the Sub-Committee in support of their application and representation(s) and, with the permission of the Authority, to ask questions of any other party appearing at the hearing.</p> <p>Members of the Sub-Committee were also given the opportunity to ask any questions of any party or other person appearing at the hearing.</p> <p>The Sub-Committee adjourned to consider its decision at 10:58 am.</p> <p>The Sub-Committee reconvened at 11:31 am.</p> <p>DECIDED THAT:</p> <p>The application for the premises licence be GRANTED.</p>

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15.	<p>Decision:</p> <p>In reaching its decision, the Sub-Committee has had regard to the evidence and representations of the applicant and interested parties, the Statement of Licensing Policy and the Guidance issued under Section 182 of the Licensing Act 2003</p> <p>Having considered all these factors the Sub-committee has decided to:</p> <p>GRANT THE APPLICATION.</p> <p>The Sub-Committee did not consider that the representations and evidence received from the interested parties could justify the refusal of the application on the grounds that the grant of the application would undermine the promotion of the Licensing Objectives.</p> <p>Based on evidence submitted prior to and during the hearing, the Sub-Committee made the following point for the benefit of the interested parties.</p> <p>Having regard to concerns raised by the interested parties, the Chair made reference to the power of review as outlined in Part 11 of the Guidance issued under Section 182 of the Licensing Act 2003.</p>
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