

AGENDA

Regulatory Sub Committee

Date: **Thursday 20 April 2017**

Time: **2.00 pm**

Place: **Council Chamber, The Shire Hall, St Peter's Square,
Hereford, HR1 2HX**

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

Caroline Marshall, Governance Services

Tel: 01432 260249

Email: caroline.marshall3@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format, please call Caroline Marshall, Governance Services on 01432 260249 or e-mail caroline.marshall3@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Regulatory Sub Committee

Membership

Councillor PA Andrews
Councillor BA Durkin
Councillor DW Greenow

AGENDA

		Pages
1.	<p>ELECTION OF CHAIRMAN</p> <p>To elect a Chairman for the hearing.</p>	
2.	<p>APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence.</p>	
3.	<p>NAMED SUBSTITUTES (IF ANY)</p> <p>To receive any details of Members nominated to attend the meeting in place of a Member of the committee.</p>	
4.	<p>DECLARATIONS OF INTEREST</p> <p>To receive any declarations of interest by Members in respect of items on the agenda.</p>	
5.	<p>EXCLUSION OF PUBLIC AND PRESS</p> <p>In the opinion of the Proper Officer, the following item will not be, or is likely not to be, open to the public and press at the time it is considered.</p> <p>RECOMMENDATION: that under section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12(A) of the Act, as indicated below and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p> <p style="padding-left: 40px;">1 Information relating to any individual.</p> <p style="padding-left: 40px;">2 Information which is likely to reveal the identity of an individual.</p>	
6.	<p>APPLICATION TO RE-INSTATE AN EXPIRED HACKNEY CARRIAGE VEHICLE LICENCE H305 OUTSIDE STANDARD CONDITION 11.5</p> <p>To decide whether to licence a vehicle outside the standard vehicle licence conditions.</p>	11 - 24
7.	<p>TO CONSIDER AN APPLICATION FOR A NEW PREMISES LICENCE IN RESPECT OF 'THE GRAPES, EAST STREET, HEREFORD. HR1 2LW' - LICENSING ACT 2003.</p> <p>To consider an application for a new premises licence in respect of 'The Grapes, East Street, Hereford. HR1 2LW.</p>	25 - 64

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.
- **RECORDING OF THIS MEETING**
 - Please note that filming, photography and recording of this meeting is permitted provided that it does not disrupt the business of the meeting.
 - Members of the public are advised that if you do not wish to be filmed or photographed you should let the governance services team know before the meeting starts so that anyone who intends filming or photographing the meeting can be made aware.
 - The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

Public Transport Links

There are bus stops directly outside the building. Hereford train station is a 15 minute walk, Hereford country bus station and Hereford city bus station are both a 5 minute walk from the Shirehall.

HEREFORDSHIRE COUNCIL

SHIRE HALL, ST PETERS SQUARE, HEREFORD HR1 2HX.

FIRE AND EMERGENCY EVACUATION PROCEDURE

In the event of a fire or emergency the alarm bell will ring continuously.

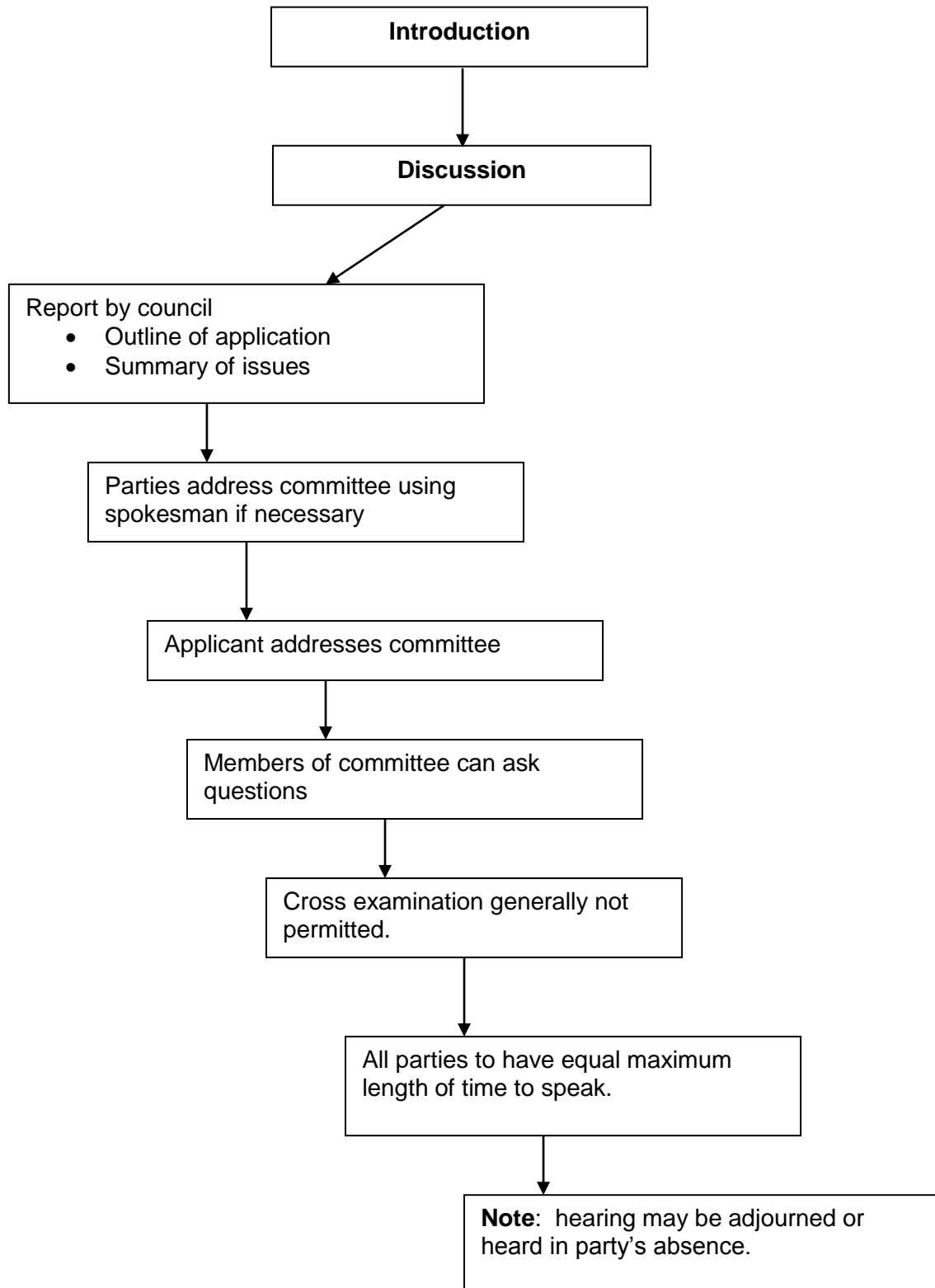
You should vacate the building in an orderly manner through the nearest available fire exit.

You should then proceed to the Fire Assembly Point which is located in the Shire Hall Side Car Park. A check will be undertaken to ensure that those recorded as present have vacated the building following which further instructions will be given.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

Licensing Hearing Flowchart



Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted



Meeting:	Regulatory sub-committee
Meeting date:	20 April 2017
Title of report:	To consider an application for a new premises licence in respect of 'The Grapes, East Street, Hereford. HR1 2LW' – Licensing Act 2003.
Report by:	Licensing technical officer

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Central

Purpose

To consider an application for a new premises licence (Appendix A) in respect of 'The Grapes, East Street, Hereford. HR1 2LW'

Recommendation

THAT:

The sub-committee determine the application with a view to promoting the licensing objectives in the overall interests of the local community. They should give appropriate weight to:

- **The steps that are appropriate to promote the licensing objectives,**
- **The representations (including supporting information) presented by all parties,**
- **The guidance issued to local authorities under Section 182 of the Licensing Act 2003, and**
- **The Herefordshire Council statement of licensing policy 2015 - 2020.**

Options

1. There are a number of options open to the sub-committee:
 - a) Grant the licence subject to conditions that are consistent with the operating schedule accompanying the application and the mandatory conditions set out in the Licensing Act 2003,
 - b) Grant the licence subject to modified conditions to that of the operating schedule where the sub-committee considers it appropriate for the promotion of the licensing objectives and add mandatory conditions set out in the Licensing Act 2003,
 - c) To exclude from the scope of the licence any of the licensable activities to which the application relates
 - d) To refuse to specify a person in the licence as the premise supervisor, or
 - e) To reject the application.

Reasons for Recommendations

2. Ensures compliance with the Licensing Act 2003.

Key Considerations

Licence Application

3. The application for a new premises licence has received representation and is brought before the committee for determination.
4. The details of the application are:

Applicant	Caldwell Entertainments & Enterprises Limited (Sonia & Gary Caldwell)	
Agent	Nick Semper – Semper Fidelis Consultancy	
Type of application: New	Date received: 31.01.2017 Consultation re-started 23.02.2017	28 days consultation ended 28.02.2017 22.03.2017

Summary of Application

5. The application requests a new premises licence to allow the following licensable activities, during the hours shown as follows:

Plays, Indoor Sporting Events, Live Music, Recorded Music, Performance of Dance (indoors)

Monday – Sunday 10:00 – 01:00

Late Night Refreshment (indoors)

Monday – Sunday 23:00 – 01:00

Sale/Supply of Alcohol (consumption on the premises)

Monday – Sunday 08:00 – 01:00

Previous Licence

6. Not applicable.

Summary of Representations

7. Three (3) representations have been received from the responsible authorities; environmental protection (Appendix B), trading standards (Appendix C), local authority (Appendix D)
8. The local authority objected to the licence (Appendix D).
9. Trading standards and environmental protection requested a set of conditions which have been agreed by the applicant.
10. It is noted that the applicant or the applicant's agent has not engaged with the local authority with regard to the objection or since the hearing date was set – other than submitting their notice of intention

Community Impact

11. Any decision is unlikely to have any impact on the local community.

Equality duty

12. There are no equality issues in relation to the content of this report.
13. This report has human rights implications for both the premises licence holder and the residents from the local neighbourhood. Any of the steps outlined in section 1 of this report may have financial implications for a licensee's business and livelihood and/or may have impact upon the day to day lives of residents living in close proximity to the premises.
14. Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private and family life and his/her home (which includes business premises). This right may be interfered with by the council on a number of grounds including the protection of rights and freedoms of others. The First Protocol – Article 1 – also provides that every person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest and conditions provided for by law. Members must accordingly make a decision which is proportionate to the hearing and endeavour to find a balance between the rights of the applicant, residents and the community as a whole.

Financial implications

17. There are unlikely to be any financial implications for the authority at this time.

Legal Implications

- 18 The licensing authority must have regard to the promotion of the four licensing objectives namely; the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm in exercising its functions under the Licensing Act 2003. Further regard should be had to the statutory guidance under Section 182 of the Act and the council's own statement of licensing policy. Further applications should be determined in accordance with the provisions of Section 18 of this report. The options available to the licensing authority are set out in section 1 of this report.
- 19 The sub-committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the licensing authority.
- 20 The case of Daniel Thwaites Plc v Wirral Borough Magistrates' Court (Case No: CO/5533/2006) at the High Court of Justice Queen's Bench Division Administrative Court on 6 May 2008, [2008] EWHC 838 (Admin), 2008 WL 1968943, Before the Honourable Mrs Justice Black.
- 21 In this case it was summed up that: -
- A licensing authority must have regard to guidance issued by the Secretary of State under section 182. Licensing authorities may depart from it if they have reason to do so but will need to give full reasons for their actions.
- 22 Furthermore the Thwaites case established that only conditions should be attached to a licence with a view to promoting the licensing objectives and that 'real evidence' must be presented to support the reason for imposing these conditions.
- 23 This judgement is further supported in the case of The Queen on the Application of Bristol Council v Bristol Magistrates' Court, CO/6920/2008 High Court of Justice Queen's Bench Division The Administrative Court, 24 February 2009, [2009] EWHC 625 (Admin) 2009 WL 648859 in which it was said:
- 'Licensing authorities should only impose conditions which are necessary and proportionate for the promotion for licensing objectives'.
- 24 In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

Right of Appeal

- 25 Schedule 5 gives a right of appeal which states:
- Decision to grant premises licence or impose conditions etc.*
- 2 (1) This paragraph applies where a licensing authority grants a premises licence under section 18.
- (2) The holder of the licence may appeal against any decision—
- (a) to impose conditions on the licence under subsection (2)(a) or (3)(b) of that section, or
- (b) to take any step mentioned in subsection (4)(b) or (c) of that section

Further information on the subject of this report is available from
Emma Bowell – Licensing Technical Officer, Tel no. 01432 261761

(exclusion of licensable activity or refusal to specify person as premises supervisor).

- (3) Where a person who made relevant representations in relation to the application desires to contend—
- (a) that the licence ought not to have been granted, or
 - (b) that, on granting the licence, the licensing authority ought to have imposed different or additional conditions, or to have taken a step mentioned in subsection (4)(b) or (c) of that section, he may appeal against the decision.
- (4) In sub-paragraph (3) “relevant representations” has the meaning given in section 18(6).

26 Appeals should be made to the Magistrates Court and must be made within 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against

Risk Management

27 There is little risk associated with the decision at this time as the legislation allows a right of appeal to the Magistrates Court within a period of 21 days of being notified of the decision in writing.

Consultees

28 All responsible authorities and members of the public living within Herefordshire.

Appendices

Appendix A – application form
Appendix B – environmental protection representation
Appendix C – trading standards representation
Appendix D – local authority objection

Background Papers

None.

PRO1752
01-02-17
28-02-17



**Herefordshire
Application for a premises licence
Licensing Act 2003**

For help contact
licensing@herefordshire.gov.uk
Telephone: 01432 261761

* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

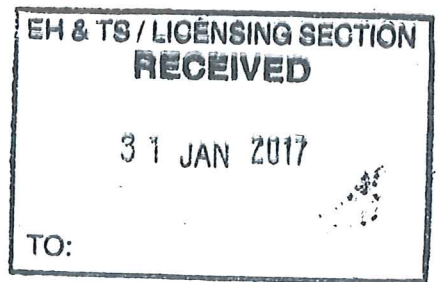
* First name

* Family name

* E-mail

Main telephone number

Other telephone number



include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

VAT number

Legal status

If your business is registered, use its registered name.
Put "none" if you are not registered for VAT.

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 19

NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Caldwell Entertainments & Enterprises Ltd.

Details

Registered number (where applicable)

10568973

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

pub and restaurant in hereford city centre serving fine ales, good food and real guiness, based over 2 floors, the grapes has a cellar bar and function room for small parties, alcohol will be served strictly in internal bar areas, outside areas will be strictly prohibited from the serving or drinking of any alcohol

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Continued from previous page...

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of a play take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not
exclusively) whether or not music will be amplified or unamplified.

hoping to have local playwrights unveil plays
murder mystery nights
historical plays

Continued from previous page...

State any seasonal variations for performing plays

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the performance of a play at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

Yes No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

FRIDAY

Start End
Start End

SATURDAY

Start End
Start End

SUNDAY

Start End
Start End

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

pool table will be used on a daily basis hoping to start a pool team
dart board will be used on a daily basis again hoping to start a darts team

State any seasonal variations for indoor sporting events

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for indoor sporting events at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

live bands on weekends and bank holidays
open mic nights
music dependant will be amplified

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

new years eve 10.00 am till new years day 01.00

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

djs for partys
specialist music nights eg jazz, blues, traditional irish music
music will be amplified

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

10.00 am new years eve till 01.00 new years day

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the performance of dance take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

irish dancing
jiving classes
dancing to live music/dj etc
will be amplified music

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

new years eve 10.00 am to new years day 01.00

Section 13 of 19

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Continued from previous page...

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

Continued from previous page...

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

late night food serving for partys etc
providing food and refreshments for staff on late shifts

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

new years eve 10.00am till new years day 01.00

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

new years eve 08.00am till new years day 01.00

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Continued from previous page...

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Personal Licence number
(if known)

2070

Issuing licensing authority
(if known)

herefordshire

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

the grapes dps

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

there will be no adult entertainment of any nature on this premise as we would like to earn the reputation as a friendly family safe environment

as this is also our home, our children live here and it has to be a protected safe environment for our children and any other children that will be on site
this will be STRICTLY enforced

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

new years eve 08.00 till new years day 01.00

Continued from previous page...

Section 18 of 19

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

we will fully promote the licencing objectives through staff training and membership of the HAND pub watch, i have taken into account the requirement of the licencing act 2003 herefordshire council licencing authority and the model pool of conditions contained in that policy

b) The prevention of crime and disorder

see attached doc

c) Public safety

see attached doc

d) The prevention of public nuisance

see attached doc

e) The protection of children from harm

see attached doc

Section 19 of 19

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises Licence Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the

Continued from previous page...

premises then you are required to pay a higher fee.

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time.

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Continued from previous page...

* Full name

* Capacity

Date (dd/mm/yyyy)

* Full name

* Capacity

Date (dd/mm/yyyy)

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/herefordshire/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION



HEREFORDSHIRE
COUNCIL

**Form of consent given by the person whom the applicant wishes to be the
premises supervisor**

I, ELEANOR JOSEPHINE TEAGUE.....[insert first names and surname of prospective
premises supervisor] hereby consents to being named as the premises supervisor in a

new licence granted under paragraph 4 of Schedule 8 to the Licensing Act 2003 to

Caldwell Entertainments + Enterprises Ltd [insert full name of applicant] where the

holder of the licence has consented to the application being made by the applicant [delete

as applicable] for The Grapes Tavern East Street

Hereford HR12LW.....[Insert name and address

of the proposed licensed premises] if that application is successful.



Dated 27.1.2017

Prevention of Crime and Disorder

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises, fire exits, outside areas, and all areas where the sale/ supply of alcohol occurs. Equipment MUST be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand. The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format EITHER DISC or VHS to the Police/Local Authority on demand. The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded. In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Police on contact number **101** immediately.

2. The Premises Licence Holder or DPS or a person nominated by them in writing for the purpose will employ SIA doorstaff on a risk assessed basis. The risk assessment shall be in writing and shall be made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.

3. The Premises Licence Holder or DPS or a person nominated by them in writing for the purpose, shall maintain a register of door supervisors which shall be kept on the premises showing the names and addresses of the door supervisors, their badge numbers and shall be signed by the door supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), or the Police or an authorised officer of the SIA.

4. An incident log must be kept at the premises, and made immediately available on request to an authorised person (as defined by Section 13 of the Licensing Act 2002) or the Police, which must record the following:

all crimes reported to the venue

all ejections of patrons

any incidents of disorder

seizures of drugs or offensive weapons

any visit by a relevant authority or emergency service

5. Upon initial entry to the premises, no customers shall be admitted carrying open containers containing alcohol.

6. No open containers containing alcohol shall be removed from the premises.

7. The premises shall be an active member of the locally operated pub watch scheme while such a scheme or similar exists.

8. A Hereford City centre 'Pub Watch Radio' shall be held at the premises. The Premises Licence Holder or DPS or a person nominated by them in writing for the purpose shall log on at the control centre at the commencement of licensable activities and shall monitor the radio throughout the period which the premises are open for licensable activities. Any information likely to have an impact on any of the licensing objectives shall be transmitted on the radio immediately.

9. All staff engaged in the sale of alcohol to be trained in Responsible alcohol retailing to the recognised and agreed level of Herefordshire Council Trading Standards within one month of commencing employment at the premises. (Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence). Staff shall be re-trained every 6 months thereafter. Training records shall be kept on the premises and shall be produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

10. All Staff shall be trained to ensure no open containers are taken off the premises.

Public Safety

11. All staff to clearly identifiable as employees

12. First aid - A HSE Compliant Industrial High Response First Aid Kit for 21-50 people shall be kept fully stocked at the premises and kept behind the bar. Such kit shall contain:

1 x Guidance Leaflet

60 x Washproof Plasters
6 x Eye Pads with Bandage
8 x Triangular Bandages
12 x Safety Pins
16 x Assorted Sterile Dressings
20 Moist Wipes
3 Pairs Disposable Gloves

13. An accredited First aid trained person must be on duty at all times when the premises operate for licensable activities. [An accredited First Aid trained Person is defined as a person who holds a current certificate in first aid at work (FAW) issued by a training organisation approved by the Health & Safety Executive (HSE) or a current certificate in emergency first aid at work (EFAW) issued by a training organisation approved by the HSE or by a recognised awarding body of Ofqual or the Scottish Qualifications Authority or any other equivalent qualifications accepted by the Licensing Authority]

14. The maximum permitted numbers of persons in the premises including staff shall not exceed the numbers set within the fire risk assessment for the premises.

15. The reasonable requirements of the Building Control officer will be complied with.

16. All electrical wiring and distribution systems shall be tested at least once a year and signed off by a competent person whose name is shown within the Local Authority Building Control Part P Competent Persons Register (<http://www.competentperson.co.uk/search.asp>). The sign off certificate shall be produced to an authorised person (as defined by Section 13 of the Licensing Act 2002) or Police on demand.

17. Lighting

In the absence of adequate daylight, the lighting in any area accessible to the public, members or guests shall be sufficient (107 lux or more) to enable people to move about safely.

Prevention of Public Nuisance

18. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

19. 'Noise' from the premises should not be 'audible or discernable' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. 'In this condition; 'Noise' -is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. Audible or discernable' -is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed site'.

20. The Premises Licence Holder or DPS must immediately comply with any request to adjust noise levels/ frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.

21. NO regulated entertainment will take place in any external areas of the premises AFTER 2230hrs.

22. All external doors to the court yard must be kept closed except for entrance and exit at all times from 2200hrs. Windows shall be closed at 23:00 hours and adequate ventilation provided.

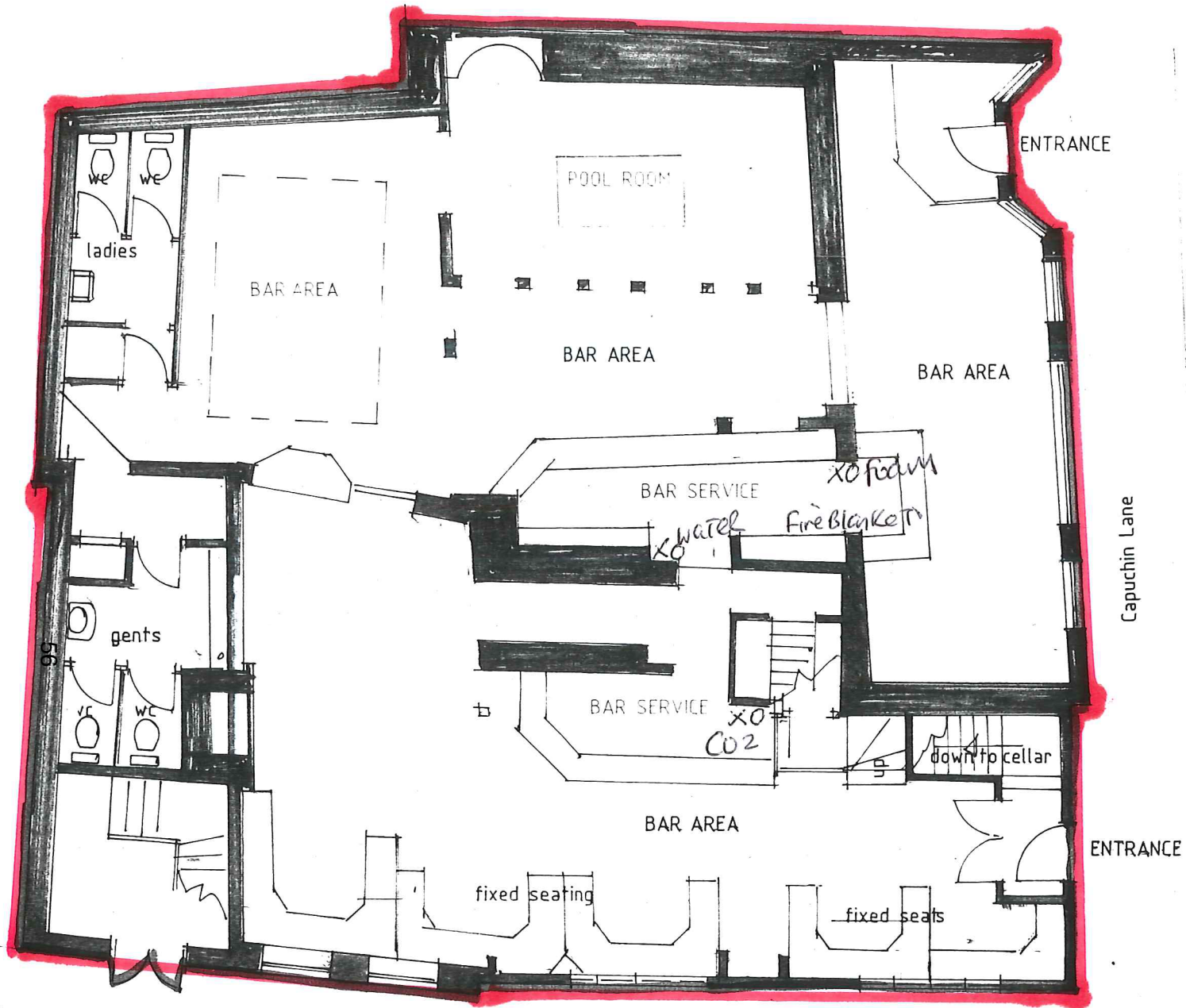
Protection of Children from Harm

23. Persons under the age of 18 years will not be permitted on the premises after 2100hrs unless accompanied by a person over the age of 18 years.

24. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of an authorized person' (as defined by Section 13 of the Licensing Act 2003) or the police or an authorized Trading Standards Officer of Herefordshire Council. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.

25. A written or electronic register of refusals will be kept including a description of the people who have been unable to provide required Identification to prove their age. Such records shall be kept for a period of 12 months and will be collected on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorized person' (as defined by Section 13 of the Licensing Act 2003) or an authorized Trading Standards Officer of Herefordshire Council on demand.

26. No adult entertainment or services or activities must take place at the premises (Adult Entertainment includes, but is not restricted to, such entertainment or services which would generally include topless bar staff, striptease, lap-table, or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language).

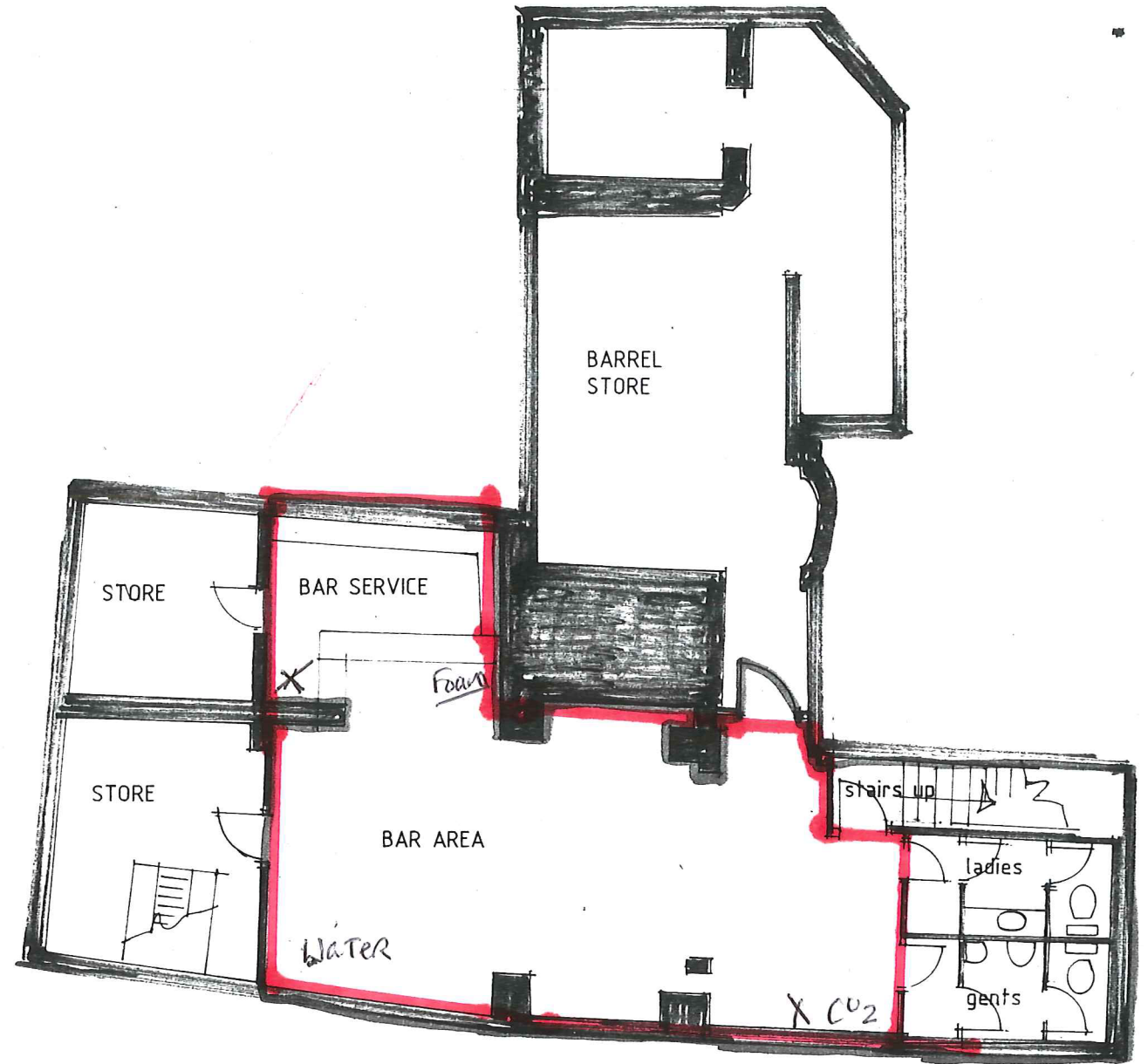


East Street

GROUND FLOOR PLAN

scale 1/100

— area for all licensable activity and for consumption of alcohol.



Legend

CELLAR PLAN

- Area to be licensed and for consumption.
- X - Break Glass
- O - Fire Extinguisher

THE GRAPES EAST STREET LAYOUT OF GROUND FLOOR

MEMORANDUM

To : LICENSING OFFICER

From : Arran Semple

Tel : 01432 261753 My Ref : ASE/224994/EB/PR01752

Date : 1 February 2017 Your Ref :

**LICENSING ACT 2003
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE
THE GRAPES TAVERN GRAPES TAVERN, CHURCH STREET, HEREFORD, HR1 2LW**

Having assessed the above application, I would like to make the following representation:

Representation	Industry Guidance
PREVENTION OF CRIME & DISORDER	
PUBLIC SAFETY	
<p>PREVENTION OF PUBLIC NUISANCE</p> <p><u>Remove the following conditions put forward by the applicant -</u></p> <p>'Noise' from the premises must not be 'audible or discernable' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. 'In this conditions; 'Noise' -is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. Audible or discernable' -is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed premises'.</p> <p>All external doors to the Court yard must be kept closed except for entrance and exit at all times from 22:00 hrs. Windows shall be closed at 23:00 hours and adequate ventilation provided.</p> <p><u>Add the following conditions -</u></p> <p>Noise or vibration shall not emanate from the premises so as to cause a nuisance.</p>	

<p>All windows to the premises will be kept closed during any performance. At all other times they will be kept closed after 23:00.</p> <p>All doors leading to external areas will be kept closed, except for immediate access and egress, during any performance. At all other times they will be kept closed, except for immediate access or egress, after 23:00.</p> <p>Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to any beer garden, patio area, smoking area or similar, requesting customers to respect the needs of local residents and to be quiet.</p>	
<p>PROTECTION OF CHILDREN FROM HARM</p>	

REFERENCES

Please Reference the industry guidance from which your representation has been sourced.

**ARRAN SEMPLE
SENIOR TECHNICAL OFFICER
HEREFORDSHIRE COUNCIL**

MEMORANDUM

To : LICENSING OFFICER

From : Arran Semple

Tel : 01432 261753

My Ref : ASE/226767/EB/PR01752

Date : 28 February 2017

Your Ref :

LICENSING ACT 2003
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE
THE GRAPES TAVERN GRAPES TAVERN, CHURCH STREET, HEREFORD,
HEREFORDSHIRE, HR1 2LW

Having assessed the above application, I would like to make the following representation:

Representation	Industry Guidance
PREVENTION OF CRIME & DISORDER	
PUBLIC SAFETY	
PREVENTION OF PUBLIC NUISANCE My comments, which were accepted by the applicant, are the same as they were on the initial application.	
PROTECTION OF CHILDREN FROM HARM	

REFERENCES

Please Reference the industry guidance from which your representation has been sourced.

ARRAN SEMPLE
SENIOR TECHNICAL OFFICER
HEREFORDSHIRE COUNCIL

From: [Wilson, Leah](#)
To: [REDACTED]
Cc: [Licensing](#)
Subject: Premises Application - The Grapes
Date: 14 March 2017 16:50:37

Dear Mr & Mrs Caldwell

As an authorised body under the Licensing Act 2003, Herefordshire Council Environmental Health and Trading Standards have received details of your application for a premises licence for The Grapes, East Street, Hereford, Herefordshire, HR12LW.

Trading Standards have the responsibility for enforcing the Licensing Act 2003 in respect of sales of alcohol to anyone under the age of eighteen.

After looking at your application under the section protection of children from harm we would seek to include the following conditions on the premises licence:

1. All staff engaged in the sale of alcohol to be trained in responsible alcohol retailing to the minimum standard of BIIAB level 1 or any equivalent training course within 1 month of commencing employment at the premises. Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence. Refresher training will be conducted at 6 monthly intervals. Training records shall be kept on the premises and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.
2. A written or electronic register of refusals will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months. It will be collected and reviewed on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.
3. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any sale area advertising the scheme operated.
4. A Personal Licence Holder to be on the premises at all times.
5. All children under the age of eighteen to vacate the premises by 2100Hrs.

If you agree to these conditions could you email me stating you agree and copy the email to licensing@herefordshire.gov.uk; or

If you wish to discuss this matter further please do not hesitate to contact me on 01432 260163, wilson@herefordshire.gov.uk

Kind regards

Miss Leah Wilson | BSc DTS MTSI | Trading Standards Officer | Trading Standards & Animal Health | Economy, Communities & Corporate Directorate | Herefordshire Council | 8 St Owen's Street, Hereford HR1 2PJ
Tel: 01432 260163 | Fax: 01432 261982 | Email:
lwilson@herefordshire.gov.uk<mailto:lwilson@herefordshire.gov.uk> | GCSX:
lwilson@herefordshire.gcsx.gov.uk<mailto:lwilson@herefordshire.gcsx.gov.uk>

Council's Homepage www.herefordshire.gov.uk

This e-mail and any files transmitted with it are confidential and intended solely for the use of the addressee. This communication may contain material protected by law from being passed on. If you are not the intended recipient and have received this e-mail in error, you are advised that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If an attachment is included we cannot accept any liability for any loss or damage sustained as a result of software viruses. It is your responsibility to carry out such virus checking as is necessary before opening any attachment.

If you have received this e-mail in error, please notify the IT Service Helpdesk at the Herefordshire Council, telephone 01432 260160.

“Any opinion expressed in this e-mail or any attached files are those of the individual and not necessarily those of Herefordshire Council, Herefordshire Clinical Commissioning Group (HCCG), Wye Valley NHS Trust or 2gether NHS Foundation Trust. You should be aware that Herefordshire Council, Herefordshire Clinical Commissioning Group (HCCG), Wye Valley NHS Trust & 2gether NHS Foundation Trust monitors its email service. This e-mail and any attached files are confidential and intended solely for the use of the addressee. This communication may contain material protected by law from being passed on. If you are not the intended recipient and have received this e-mail in error, you are advised that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error please contact the sender immediately and destroy all copies of it.”

Representation made by the Local Authority 20 March 2017

I am an officer authorised under the Licensing Act 2003 and I make this representation on behalf of the Local Authority

I refer to the grant application made on 31st January 2017 for a new premises licence in respect of the 'The Grapes Tavern, East Street, Hereford, HR1 2LW'.

The applicant is shown as Caldwell Entertainment & Enterprises Ltd, The Grapes Tavern, East Street, Hereford, HR1 2LW. The persons named on the application are, Sonia Mary Caldwell and Gary Dermott Caldwell.

The detail on records held by Companies House, identifies that the Company Registration Number listed is: 10568973, and that Sonia Mary Holden and Gary Dermott Caldwell hold the position of directors.

Section 158 of the Licensing Act 2003 makes it an offence to knowingly or recklessly make a false statement in or in connection with an application for a premises licence or a temporary event notice. Therefore, the authority requires clarification in regard to the correct name of the applicant as there appears to be two different names being used by one of the applicants. The authority is not satisfied that all statements made in the application are correct and that a false statement has been made to Companies House or the Licensing Authority concerning one of the named directors.

Since the application was made, and during the 28 day consultation period a complaint was received at the offices of the authority, that on the evening of Saturday 4th March 2017 the premises were open to the public and was selling alcohol and providing regulated entertainment. This was confirmed by officers of the authority, who upon investigation found video footage of the event which had been placed on Facebook by the Grapes Tavern. In this recording it could be seen that 3 males were playing guitars and one was playing the drums. People could also be seen drinking in the premises what appeared to be alcohol. The beverages were in pint glasses and looked like lager/beer. As a result the authority wrote a warning letter to both Sonia and Gary Caldwell on 8th March 2017. There had been several communications with the applicants and the licensing authority are satisfied that both applicants were aware that there was no licence or temporary event notice in place to cover licensable activities at the premises. They were warned regarding carrying on unlicensed activities in the future.

Following receipt of this warning letter, Sonya Caldwell emailed the authority on 10th March to apologise.

The Guidance issued under Section 182 of the Act at paragraph 4.18 states that the Designated Premises Supervisor (DPS) 'will normally be the person who has been given day to day responsibility for running the premises by the premises licence holder'. The DPS within the application is shown as Eleanor Teague. The authority has further concerns in respect of the management and running of the premises as the named DPS does not appear to have the required responsibility for running the premises.

Between the 20th January 2017 and 17th February the Licensing authority received notification of 6 temporary event notices (TENs) in respect of the premises. Two (2) each

from Gary and Sonia Caldwell, one (1) from a Matt Smith and One (1) from Eleanor Teague. In addition to this a further two (2) TENs were received from a Joshua Baxter. The final notification was refused due to the statutory number being used up for the premises. The authority has had numerous contacts with the applicants throughout the application process, and there are inconsistencies regarding who will have day to day control of the premises. It would appear that it will in fact be Sonia and Gary Caldwell who will have control of the premises and this raises concerns for the Local Authority.

Sonya Caldwell states that she has been a licensee in Ireland and has run a number of premises. She has stated that she has no knowledge of English Licensing Law.

The authority therefore has serious reservations over her ability to be able to run a city centre pub when she has little or no knowledge of the licensing laws. There are concerns that the DPS will play little or no part in the day to day running of the premises. The applicants have already demonstrated their disregard or lack of understanding of the requirements of the Licensing legislation, by operating without a licence. The proposed premises licence holders have demonstrated a willingness to disregard the licensing objectives, and the authority believes this could have an adverse effect on the licensing objectives.

Summary of representation

1. One of the applicants is using different names and the Authority is not satisfied that the application does not contain a false declaration. Therefore, there may be an offence under S158 of the Act.
2. The applicants have operated the premises without a licence. (This representation does not fetter the Authorities ability to take further action, if it is deemed to be in the public interest).
3. The DPS does not appear to be the person who will be in charge of the premises; this has raised concerns due to the lack of understanding and/or compliance with the relevant UK Law.

The Licensing Authority therefore at this time **objects** to the licence being granted.



Fred Spriggs
Licensing Officer