

Agenda

Licensing sub-committee

Date: **Tuesday 15 August 2017**

Time: **10.00 am**

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 Licensing sub-committee

Membership Councillor DW Greenow
 Councillor KS Guthrie
 Councillor AJW Powers

Agenda

	Pages
1. APOLOGIES FOR ABSENCE To receive apologies for absence.	
2. NAMED SUBSTITUTES (IF ANY) To receive any details of Members nominated to attend the meeting in place of a Member of the committee.	
3. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the agenda.	
4. APPLICATION FOR A VARIATION OF A PREMISES LICENCE IN RESPECT OF: ST OWENS NEWS, 53A ST OWEN STREET, HEREFORD, HR1 2QW - LICENSING ACT 2003 To consider an application for a variation of a premises licence in respect of 'St Owen's News, 53a St Owen Street, Hereford, HR1 2QW'.	9 - 42
5. APPLICATION FOR A NEW PREMISES LICENCE IN RESPECT OF: 'THE TREACLE MINE, ST MARTINS STREET, HEREFORD, HR2 7RG'. - LICENSING ACT 2003 To consider an application for a new premises licence in respect of 'The Treacle Mine, St Martins Street, Hereford, HR2 7RG'.	43 - 74

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





Meeting:	Licensing sub committee
Meeting date:	15 August 2017
Title of report:	Application for a variation of a premises licence in respect of: St Owens News, 53a St Owen Street, Hereford, HR1 2QW - Licensing Act 2003
Report by:	Licensing officer

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Central Ward

Purpose

To consider an application for a variation of a premises licence in respect of 'St Owen's News, 53a St Owen Street, Hereford, HR1 2QW'.

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 (paragraphs 8.38 to 8.46 attached at appendix 1) 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) To modify the conditions of the licence;
 - b) To reject the whole or part of the application;
 - c) and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

Reasons for Recommendations

2. Ensures compliance with the Licensing Act 2003.

Key Considerations

Licence Application

3. The application (appendix 2) for a variation of the premises licence has received representation and is brought before the committee for determination.
4. The details of the application are:

Applicant	Anton Jeniwerd Nelson Jesurasan	
Agent	N/K	
Type of application: Variation	Date received: 21 June 2017	28 Days consultation ended 18 July 2017

5. Summary of Application

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

Sale of alcohol (Off premises)

Monday to Saturday 07:00 – 21:00

Sunday 08:00 – 21:00

Non Standard Timings: None

6. In addition to this the application requests to be allowed to do the following:

Sale of single can of beer

Strong Beers (Drink above 6.5 ABV)
3 Litres Cider

7. There is no application to remove any of the conditions.
8. The applicant has failed to contact the licensing section since being notified of the representation.

Current Licence

9. The current licence (appendix 3) authorises the following:

Supply/Sale of Alcohol

Monday to Sunday 09:00 – 21:00

10. In addition there are the following conditions attached to the licence:
 - The responsible person will not supply whether by sale or otherwise any container of alcoholic drink above 6.5 ABV – with the exception of craft or specialist beers that are labelled as such.
 - The responsible person will not supply whether by sale or otherwise any container of alcoholic drink in single container of less than 500 ml.
 - The responsible person will not supply whether by sale or otherwise any alcoholic drink in a container of 3 litres or more – with the exception of craft or specialist beers that are labelled as such.
11. The above conditions shown on the licence were attached following a review (appendix 4) launched by the police on 1 July 2014.
12. The review was resolved when the applicant offered the conditions shown at 10 above by way of minor variation.

Summary of Representations

13. One (1) representation has been received from the responsible authorities (police).
14. The police have objected outright to the licence being granted.
15. The police representation can be found attached (appendix 5).

Community Impact

16. Any decision is unlikely to have any significant effect of the local community.

Equality duty

17. 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.

18. 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.
19. There are not considered to be any equalities implications arising from this report.

Financial implications

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

Legal Implications

21. 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.
22. The options available to the licensing authority on considering this application under the Licensing Act 2003 are set out in section 1 of this report.
23. 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.
24. 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.
25. 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. It should be noted that hearsay evidence is admissible in the context of making decisions on licensing matters.
26. 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'.
27. In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

Right of Appeal

28. There is a right of appeal to the Magistrates Court within 21 days of being notified in writing of the decision.

Risk Management

29. 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

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

Appendices

- Appendix 1 - S182 guidance extract
- Appendix 2 - application for a variation of a premises licence
- Appendix 3 - current premises licence
- Appendix 4 - application for review
- Appendix 5 - police representation

Background Papers

The Section 182 guidance and the council's statement of licensing policy 2015-2020.

Extract from Section 182 of the Act in respect of steps to promote the licensing objectives:

Steps to promote the licensing objectives

- 8.38 In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.
- 8.39 Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:
- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
 - any risk posed to the local area by the applicants' proposed licensable activities; and
 - any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.
- 8.40 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.
- 8.41 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.
- 8.42 The majority of information which applicants will require should be available in the licensing policy statement in the area. Other publicly available sources which may be of use to applicants include:
- the Crime Mapping website;
 - Neighbourhood Statistics websites;

- websites or publications by local responsible authorities;
- websites or publications by local voluntary schemes and initiatives; and
- on-line mapping tools.

8.43 While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. Licensing authorities may wish to encourage co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.

8.44 Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.

8.45 All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached to premises licences with the minimum of fuss.

8.46 For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.



Herefordshire
Application to vary a premises licence
Licensing Act 2003

EH & TS / LICENSING SECTION
RECEIVED

20 JUN 2017

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

TO:

* required information

Section 1 of 17

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

Not Currently In Use

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

Your reference

vary a premises licence

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

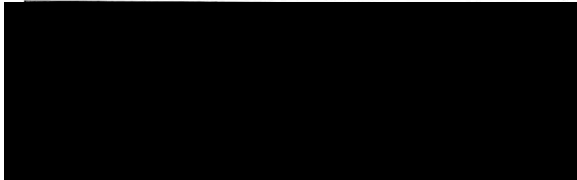
* First name

Anton Jeniwerd Nelson

* Family name

Jesurasan

* E-mail



Main telephone number

Include country code.

Other telephone number

- 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

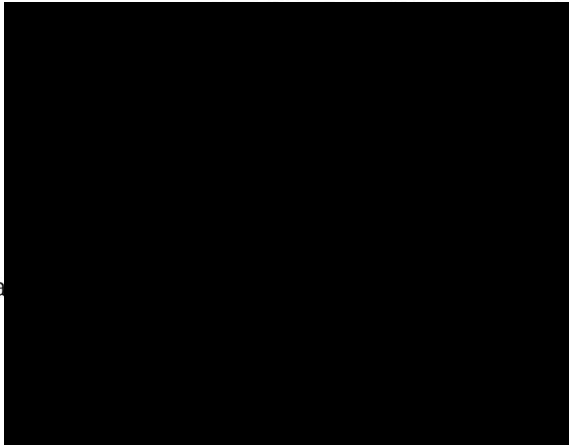
A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name
* Street
District
* City or town
County or administrative area
* Postcode
* Country



Section 2 of 17

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

Premises Contact Details

Telephone number
Non-domestic rateable value of premises (£)

Section 3 of 17

VARIATION

Continued from previous page...

Do you want the proposed variation to have effect as soon as possible?

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

4

Describe Briefly The Nature Of The Proposed Variation

Describe 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.

CONVENIENCE STORES

I would like to sale single can of beers, strong beers (drink above 6.5 ABV), 3 liters cider, also we open shop from 7am Monday to Sunday there for i would like to serve alcohol from 7am please.

Section 4 of 17

PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 17

PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 17

PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

Continued from previous page...

Section 7 of 17

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

Section 8 of 17

PROVISION OF LIVE MUSIC

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

Section 9 of 17

PROVISION OF RECORDED MUSIC

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

Section 10 of 17

PROVISION OF PERFORMANCES OF DANCE

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

Section 11 of 17

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

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

Section 12 of 17

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

Section 13 of 17

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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 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.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, 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 14 of 17

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.

Provide 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.

Section 15 of 17

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

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 above, list below.

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

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 17

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.

Continued from previous page...

BEHAVE A RESPONSIBLE RETAILER

b) The prevention of crime and disorder

KEEP A CCTV RECORDER
KEEP REFUSAL LOG

c) Public safety

MAINTANCE CHALLENGE 25
PS1 All staff shall wear clothing which identifies them as members of staff of the premises.

d) The prevention of public nuisance

PN1 All windows will be kept shut after 2300 hours.
PN2 Noise or vibration shall not emanate from the premises so as to cause a nuisance.

e) The protection of children from harm

no alcohol sale for under age

Section 17 of 17

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.

Variation 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 premises then your are required to pay a higher fee

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

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
--------------------	-----------

Continued from previous page...

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 (£)

100.00

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?"

* Full name

ANTON JENIWERD NELSON JESURASAN

* Capacity

SHOP KEEPER

* Date

14 / 06 / 2017
dd mm yyyy

Full name

ANTON JENIWERD NELSON JESURASAN

Capacity

SHOP KEEPER

* Date

14 / 06 / 2017
dd mm yyyy

Remove this signatory

Full name

MARY PATHMA JEYANAND

Capacity

DESIGNATED PREMISES SUPERVISOR

* Date

14 / 06 / 2017
dd mm yyyy

Remove this signatory

Add another signatory

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/change-1> to upload this file and continue with your application.

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

Continued from previous page...

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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="vary a premises license"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) Next >

**LICENSING ACT 2003
Part A - Premises Licence**

Premises licence number - PR01565 (App for Minor Variation & Vary Premise DPS)

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

**St Owen News
53a St Owen Street
Hereford
Herefordshire
HR1 2JQ**

Telephone number:

Where the licence is time limited the dates:

Not applicable

Licensable activities authorised by the licence

SALE/SUPPLY OF ALCOHOL (for consumption off the premises)

The times the licence authorises the carrying out of licensable activities

Supply/Sale of Alcohol

Monday to Sunday 09:00 – 21:00

The opening hours of the premises

Monday to Sunday – 06:00 – 23:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

Alcohol-for consumption off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Anton Jeniwerd Nelson Jesurasan

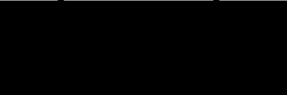


Registered number of holder, for example company number, charity number (where applicable)

Registered Number: / Not applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mary Pathma Jeyanand



Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence Number – PLxxx
Issuing Authority – Herefordshire Council

Annex 1 - Mandatory conditions

Mandatory conditions where licence authorises supply of alcohol

Additional mandatory conditions:

The responsible person [as defined by Section 153(4) Licensing Act 2003] shall: -

- take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises
 - ensure that no alcohol is dispensed directly by one person into the mouth of another
- ensure that free tap water is provided on request to customers where it is reasonably available

Sale of alcohol below permitted price

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

Age verification

- The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Annex 2 - Conditions consistent with the operating Schedule

Licensing conditions

General

Prevention of Crime and Disorder

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 **0300 333 3000** immediately.

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 2003) or the Police, which must record the following:

- (a) all crimes reported to the venue
- (b) any complaints received
- (c) any incidents of disorder
- (d) any refusal of sale of alcohol
- (e) any visit by a relevant authority or emergency service

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 other training recognised and agreed with Herefordshire Council Trading Standards within one month of the date that this condition appears on this licence. (Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence). Retraining every 6 months. 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.

**Licensing Section, Herefordshire Council
PO Box 233, Blue School House, Hereford, HR1 2ZB**

The responsible person will not supply whether by sale or otherwise any container of alcoholic drink above 6.5 ABV – with the exception of craft or specialist beers that are labelled as such.

The responsible person will not supply whether by sale or otherwise any container of alcoholic drink in single container of less than 500 ml

The responsible person will not supply whether by sale or otherwise any alcoholic drink in a container of 3 litres or more – with the exception of craft or specialist beers that are labelled as such.

In the above conditions, responsible person means:

- (i) the holder of the premises licence
- (ii) the designated premises supervisor, or
- (iii) any individual aged 18 or over who is authorised to sell alcohol at the premises

and container shall mean:

any object whether sealed or open capable of carrying liquid

Public Safety

Prevention of Public Nuisance

Protection of Children

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 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police 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 bar advertising the scheme operated.

A written 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 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

Annex 3 - Conditions attached after a hearing by the licensing authority
Not applicable

Annex 4 - Plans
As attached

**LICENSING ACT 2003
Part B - Premises licence summary**

Premises licence number - PR01565 (App for Minor Variation & Vary Premise DPS)

Premises details

Postal address of premises, or if none, ordnance survey map reference or description

**St Owen News
53a St Owen Street
Hereford
Herefordshire
HR1 2JQ**

Telephone number:

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

SALE/SUPPLY OF ALCOHOL – For consumption off the premises

The times the licence authorises the carrying out of licensable activities

Supply/Sale of Alcohol

Monday to Sunday – 09:00 – 21:00

The opening hours of the premises

Monday to Sunday - 06:00 – 23:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol- For consumption off the premises

Name, (registered) address of holder of premises licence

Mr Anton Jeniwerd Nelson Jesurasan

Registered number of holder, for example company number, charity number (where applicable)

Registered Number: / Not applicable

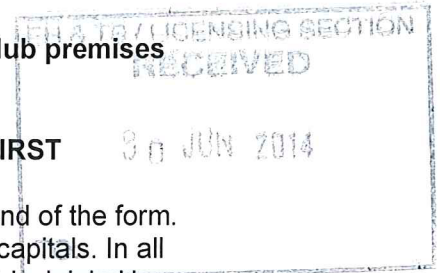
Name of designated premises supervisor where the premises licence authorises the supply of alcohol

Mary Pathma Jeyanand

State whether access to the premises by children is restricted or prohibited

The Premise shall operate a Challenge 25 Policy

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Police Inspector 0795 Nick SEMPER

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
St Owens News 53A St Owen Street	
Post town HEREFORD	Post code (if known) HR1 2JQ

Name of premises licence holder or club holding club premises certificate (if known)
Anton Jeniward Nelson JESURASAN

Number of premises licence or club premises certificate (if known)
PRO1565

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises

- d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Police Inspector 0795 Nick SEMPER Hereford Police Station Bath Street HEREFORD HR1 2HT
Telephone number (if any) 01432 347102
E-mail address (optional) licensing.herefordshire@westmercia.pnn.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

For a number of months the city centre of Hereford has been plagued by an unacceptable level of alcohol related anti social behaviour and nuisance. Police enquiries established that a number of licensed venues were supplying alcohol to persons who were known to be involved in this behaviour.

This venue was identified as such a venue and was further established to be the main supplier of high strength canned alcohol (over 6.5AV) and large 3 litre bottles of alcohol to known 'street drinkers' who were making their purchase and then consuming the alcohol in public places causing crime and disorder issues.

Contact was made with the PLH for the venue and the situation was fully explained to him. This was followed up in writing with an expectation that he would promote the licensing objectives and support the police in dealing with these issues.

The PLH undertook a voluntary code not to sell alcohol prior to 0900hrs, not to sell single cans of alcohol and not to serve persons who were under the influence of alcohol.

The premises licence holder has failed to promote the licensing objective of the prevention of crime and disorder on the 09 June 2014 by knowingly supplying alcohol to a male that was drunk.

Please provide as much information as possible to support the application
(please read guidance note 2)

For a number of months the Hereford city centre and in particular public open spaces near to the Castle Pool – commonly known as the 'Duck Pond' – Cantilupe Street and the Castle Green Hereford, have been subject to a high level of alcohol related crime, disorder and nuisance.

A number of calls have been received from the public about the behaviour of males and females who have and were drinking in these areas and acting in a manner which was causing them alarm and distress.

These areas are subject to council order which prohibits the consumption of alcohol in public.

Since the beginning of 2014 in the region of 35 calls have been received from the public with regards to alcohol related disorder and nuisance in the area of the 'Duck Pond' and nearby streets. Some of these calls have been as early as 0700hrs – however the majority that were made between March and May were made between the hours of 0900hrs and 1300hrs.

In response to these issues, all these and other areas have been subject to a police patrol plan with the intention of deterring this conduct and dealing with offending behaviour in a positive manner.

Additionally a survey of the area near to the 'Duck Pond' showed a high level of empty canned super strength alcohol cans and large 3 litre flagons of alcohol (lager and cider) were left in the area. These items were traced back to two nearby venues – one being St Owens News in nearby St Owen Street.

A number of visits were made to St Owens News in order to assess what was being sold, who to and to give advice and support to the licence holder in order that he could promote the licensing objectives and support the police in addressing the issues that were caused by the sale of alcohol from the premises.

On the 25 April 2014, a visit was made to the venue and the issues were discussed with the licence holder. It was fully explained to him that the police believed that the sale of alcohol from his premises – and in particular the sale single cans of super strength alcohol and large bottles of alcohol - was contributing to crime, disorder and nuisance near to the store.

A discussion took place with regards to what the licence holder could do to further promote the licensing objectives and what he could do to assist the police in reducing the opportunity for further similar incidents occurring near to his venue.

At the time this conversation took place a member of the public was in the shop, he remained in the shop as the officers left, a short time later he came out and told the officers that he had spoken briefly to the licence holder as the officers left and that the licence holder had said that he would not be doing anything that was requested. This was immediately challenged by the officers who re-entered the premises, and the prior conversation with the customer was denied by the licence holder.

On the 02 May 2014, a letter was hand delivered concerning the premises requesting that they undertook a voluntary agreement not to stock and serve cans of alcohol over 6.5AV – commonly known as 'super strength', not to stock and supply large 3 litre bottles of alcohol and to not to replace such stock as it was replaced.

To a certain extent this letter was supported by the licence holder as during a further

police visit on 06 May 2014, staff stated that they were no longer selling alcohol prior to 0900hrs and not selling single cans of alcohol.

However the incidents being reported by the public concerning the 'Duck Pond' continued to be made and policed by officers.

At about 1100hrs on Monday 09 June 2014, an incident of alcohol related disorder took place in the grounds of Hereford Cathedral – this is a 5 minute walk from St Owen's News. A number of known 'street drinkers' had got into an altercation and were causing alarm and distress to the public. Officers dealt with this matter. However one male who, in the opinion of the officers was clearly drunk, was seen to walk away from the location in the direction of St Owen Street.

The officer followed him and he was seen to enter St Owen's News. As the officer followed him in, he observed the male attempting to pay for 4 cans of alcohol and a large 3 litre bottle of alcohol.

This was challenged by the officer as in his opinion the male was clearly drunk and this would have been obvious to the shop assistant.

As a consequence the male who was being served became aggressive and threatening to the officer, causing him to call for further police assistance. The male was arrested.

It is the view of the police that the premises licence holder has not effectively promoted the licensing objectives and that his conduct and that of his staff has contributed to the issues near to the shop

In order to promote the licensing objectives West Mercia Police request that you grant this review by putting in the following steps to promote the licensing objectives

1. Removal of Anton Jeniward Nelson JERURASAN as the designated premises supervisor
2. Reduce the operating hours for the supply of alcohol to 0900hrs to 1800hrs daily

Add additional licensing conditions

3. The premises licence holder is not to supply through sale any canned alcoholic drink above 6.5AV
4. The premises licence holder is not to supply through sale any alcoholic drink in bottle size of 3 litres
5. The premises licence holder is not to supply through sale any canned alcoholic drink in single units – i.e. either the sale of single cans, or the sale of anything less than four cans in a single sale.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--	--

If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

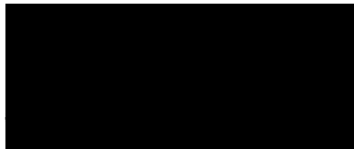
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate X
- I understand that if I do not comply with the above requirements my application will be rejected X

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

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature



Date 25 June 2014

Capacity Police Inspector 0795

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

From: [Mooney.James](#)
To: [Licensing](#)
Cc: [Spriggs.Fred](#); [Reynolds.Duncan](#); [Paskin.Carl](#)
Subject: St Owens News, St Owen Street, Hereford - premises licence variation
Date: 28 June 2017 12:05:47

NOT PROTECTIVELY MARKED

West Mercia Police are in receipt of an application to vary the premises licence for a premises called **St Owens News, St Owens Street, Hereford**.

The application is vary the operating hours for the sale/supply of alcohol. In addition whilst there is no clear indication on the application, it appears the applicant wants to remove existing conditions with regards to the sale of single cans, bottled cider of 3l size and 'strong beers' over 6.5abv.

West Mercia Police **object to the application in its entirety** as the applicant has failed to put forward any relevant steps to promote the licensing objectives in place of those he wishes to remove. In fact some of the steps he has put forward are mandatory conditions and are already attached to his premises licence as a matter of course.

The existing conditions placed were placed on the premises licence in 2014, this came about as a result of a number of issues of crime and disorder near to the premises that were attributed to the sale of strong beers/ciders and large bottles of cider/beer. At the time these matters occurred West Mercia Police sought the co operation of a number of licensed shops to restricted the sale of such items so to prevent or reduce the crime and disorder problems. At the time this applicant failed to recognise the seriousness of the issues and West Mercia Police launched a licensing review. This review was withdrawn when the premises licence holder submitted an application to vary the premises licence.

The fact that this shop since late 2014 has co operated with the police and has fully complied with the current licensing conditions has actually effectively promoted the licensing objectives and therefore the number of alcohol related incidents near to the premises has significantly reduced. The concern of West Mercia Police is that if this application is granted as requested it will undermine the licensing objectives.

Regards.

Jim Mooney (on behalf of Insp Carl Paskin)
Harm Reduction/Community Safety Dept.,
Licensing & Harm Reduction Coordinator,
Policing Unit - Herefordshire,
West Mercia Police.
DDI 01432 347102
Switchboard '101' x 4702
james.mooney@westmercia.pnn.police.uk

[In Herefordshire we protect people from harm](#)
[#destinationHereford](#)

The information contained is shared under the provisions of the Crime and Disorder Act. It is shared between appropriate



Meeting:	Licensing sub committee
Meeting date:	15 August 2017
Title of report:	Application for a new premises licence in respect of: 'The Treacle Mine, St Martins Street, Hereford, HR2 7RG'. - Licensing Act 2003
Report by:	Licensing officer

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Hinton and Hunderton.

Purpose

To consider an application for a new premises licence in respect of 'The Treacle Mine, St Martins Street, Hereford, HR2 7RG'.

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 (paragraphs 8.38 to 8.46 attached at appendix 1)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 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 or
 - d) To reject the application.

Reasons for Recommendations

2. Ensures compliance with the Licensing Act 2003.

Key considerations

Licence application

3. The application (appendix 2) for a new premises licence has received representation and is brought before the committee for determination.
4. The details of the application are:

Applicant	JJR Associates	
Agent	Rob Booth	
Type of application: New	Date received: 22 June 2017	28 Days consultation ended 19 July 2017

Summary of application

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

Provision of Late Night Refreshment (Indoors)

All days 23:00 – 05:00

Non Standard Timings: None

Further information on the subject of this report is available from
Fred Spriggs – Licensing Officer 01432 383542

Summary of Representations

6. Two (2) representations have been received from the responsible authorities (police and environmental trading standards).
7. Both the police and trading standards have objected outright to the licence being granted.
8. The police representation can be found attached at appendix 3 and the trading standards representation is attached at appendix 4.
9. Two (2) representations have been received from members of the public. (appendices 5 and 6).

Community Impact

10. Any decision is unlikely to have any significant effect of the local community.

Equality duty

11. 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.
12. 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.
13. There are not considered to be any equalities implications arising from this report.

Financial implications

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

Legal Implications

15. 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.
16. The options available to the licensing authority on considering this application under the Licensing Act 2003 are set out in section 1 of this report.

17. 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.
18. 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.
19. 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. It should be noted that hearsay evidence is admissible in the context of making decisions on licensing matters.
20. 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'.
21. In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

Right of Appeal

21. There is a right of appeal to the Magistrates Court within 21 days of being notified in writing of the decision in relation to both the decision in relation to the review under Section 53C and in relation to review of the interim steps under Section 53D

Risk Management

22. 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

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

Appendices

- Appendix 1 - S182 guidance extract
- Appendix 2 - Application for a new premises licence
- Appendix 3 - Police representation
- Appendix 4 - Trading standards representation
- Appendix 5 - Public representation (1)
- Appendix 6 - Public representation (2)

Background Papers

The Section 182 guidance and the council's statement of licensing policy 2015-2020.

Section 182 of the Act in respect of steps to promote the licensing objectives:

Steps to promote the licensing objectives

- 8.38 In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.
- 8.39 Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:
- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
 - any risk posed to the local area by the applicants' proposed licensable activities; and
 - any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.
- 8.40 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.
- 8.41 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.
- 8.42 The majority of information which applicants will require should be available in the licensing policy statement in the area. Other publicly available sources which may be of use to applicants include:
- the Crime Mapping website;
 - Neighbourhood Statistics websites;
 - websites or publications by local responsible authorities;

- websites or publications by local voluntary schemes and initiatives; and
 - on-line mapping tools.
- 8.43 While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. Licensing authorities may wish to encourage co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.
- 8.44 Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.
- 8.45 All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached to premises licences with the minimum of fuss.
- 8.46 For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.

* required information

Section 1 of 21

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

Include country code.

Other telephone number

 Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- 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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's 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

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent 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

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent 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 21

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 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- 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

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 21

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

Details

Registered number (where applicable)

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

Continued from previous page...

Ltd Company

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

* Date of birth
dd mm yyyy

* Nationality [Documents that demonstrate entitlement to work in the UK](#)

Section 5 of 21

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.

Pizza delivery and collection unit

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Continued from previous page...

Section 13 of 21

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

[See guidance on regulated entertainment](#)

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

- Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start
Start

End
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
Start

End
End

WEDNESDAY

Start
Start

End
End

THURSDAY

Start
Start

End
End

FRIDAY

Start
Start

End
End

SATURDAY

Start
Start

End
End

SUNDAY

Start
Start

End
End

Continued from previous page...

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.

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.

Provision of late night food refreshments

State any seasonal variations

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

None

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.

None

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

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)

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

Section 16 of 21

ADULT ENTERTAINMENT

Continued from previous page...

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.

None

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

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

State any seasonal variations

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

Continued from previous page...

None

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.

None

Section 18 of 21

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.

The management and staff shall ensure that the premises and the area immediately surrounding the exterior of the premises are cleaned on a regular basis and remain free from debris and litter
Customers will not be permitted in the kitchen area
Notices advising that CCTV is in operation shall be prominently displayed at the premises.
Emergency exits will remain unlocked and free from obstruction, both inside and outside the premises at all times.
An adequate, sufficient and appropriate supply of first aid equipment and materials is to be made available on the premises at all times.
The premises licence holder shall ensure that any person within the premises who appears to be intoxicated, or who is involved in disorderly conduct in the premises shall not be served at the premises.
The licence holder will liaise with officers from the Responsible Authorities and Building Control Officers to ensure public safety within the premises and will act on any recommendation promptly when necessary
Staff must ensure that customers do not congregate outside the premises so as to avoid a noise disturbance to nearby residents.
Staff will ensure that the area outside the premises is free from litter at all times.
The store will have a hard drive recording CCTV system which will record for a minimum of 28 days and will include entrance and exit locations including face capture for customer area this will be downloadable and able to be provide to the responsible authorities as required.
The store will have a red care monitored alarm system which will also include panic buttons on the front counter as well as within the managers office.
Staff will be trained to not serve people who show signs of being intoxicated.
All fixtures and fittings will be manufactured using standard products which are BS rated and have suitable levels of fire and safety standards such as slip resistance.
The store management will work with the responsible authorities and will proactively engage with them and other local retailers to promote best practice working and also to assist in crime reduction by preventative measures.
No music or TV will be played within the customer area.
Any music played in the kitchen area will be confide to the staff area only
Commercial waste Bins to rear will have locks fitted
Children of a school age will not be served during school hours.
Staff will be trained to challenge un supervised children

b) The prevention of crime and disorder

Continued from previous page...

Notices advising that CCTV is in operation shall be prominently displayed at the premises.
The premises licence holder shall ensure that any person within the premises who appears to be intoxicated, or who is involved in disorderly conduct in the premises shall not be served at the premises.
The store will have a hard drive recording CCTV system which will record for a minimum of 28 days and will include entrance and exit locations including face capture for customer area this will be downloadable and able to be provide to the responsible authorities as required.
The store will have a red care monitored alarm system which will also include panic buttons on the front counter as well as within the manager's office.
Staff will be trained to not serve people who show signs of being intoxicated.
The store management will work with the responsible authorities and will proactively engage with them and other local retailers to promote best practice working and also to assist in crime reduction by preventative measures.

c) Public safety

Customers will not be permitted in the kitchen area
Emergency exits will remain unlocked and free from obstruction, both inside and outside the premises at all times.
An adequate, sufficient and appropriate supply of first aid equipment and materials is to be made available on the premises at all times.
The licence holder will liaise with officers from the Responsible Authorities and Building Control Officers to ensure public safety within the premises and will act on any recommendation promptly when necessary
All fixtures and fittings will be manufactured using standard products which are BS rated and have suitable levels of fire and safety standards such as slip resistance.

d) The prevention of public nuisance

The management and staff shall ensure that the premises and the area immediately surrounding the exterior of the premises are cleaned on a regular basis and remain free from debris and litter
Staff must ensure that customers do not congregate outside the premises so as to avoid a noise disturbance to nearby residents.
Staff will ensure that the area outside the premises is free from litter at all times.
No music or TV will be played within the customer area.
Any music played in the kitchen area will be confide to the staff area only
Commercial waste Bins to rear will have locks fitted

e) The protection of children from harm

Children of a school age will not be served during school hours.
Staff will be trained to challenge un supervised children
All fixtures and fittings will be manufactured using standard products which are BS rated and have suitable levels of fire and safety standards such as slip resistance.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

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 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 (£)

190.00

DECLARATION

Continued from previous page...

* 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.

Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

* The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

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?"

* 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.

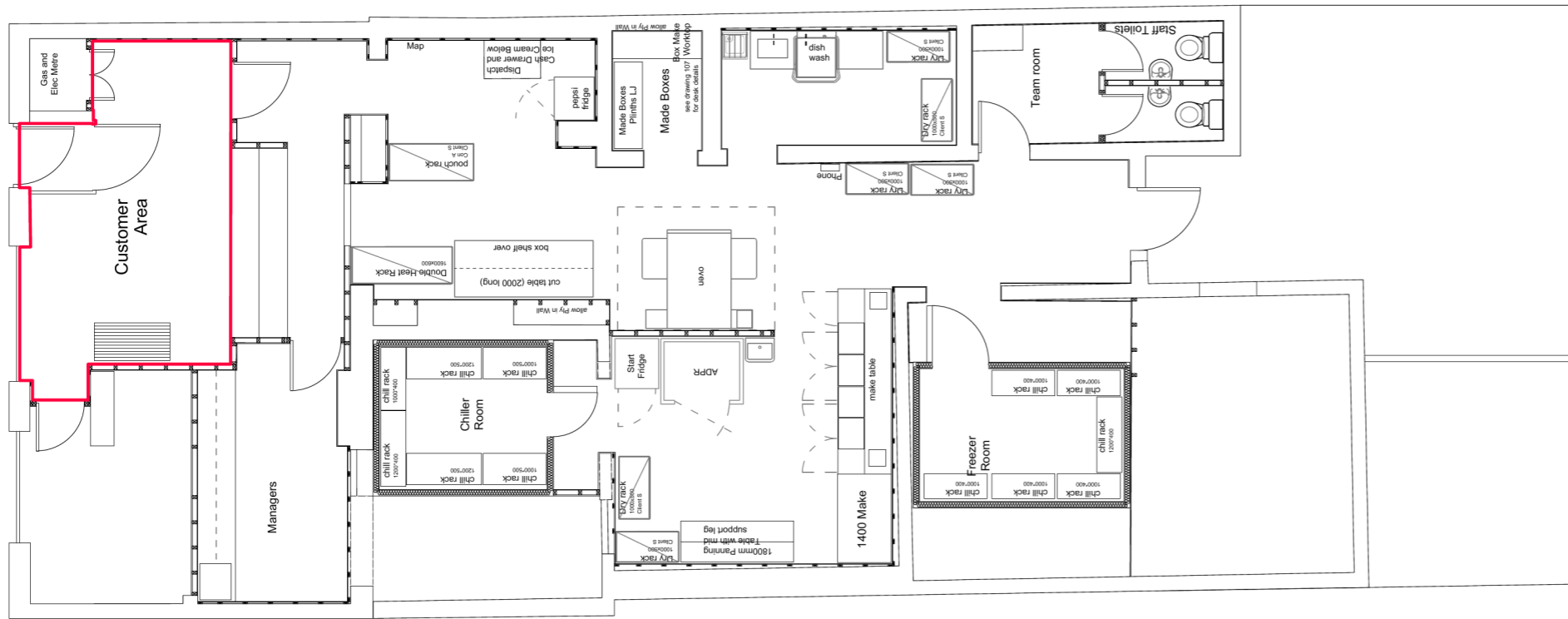
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

Applicant reference number	<input type="text" value="2381"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[< Previous](#) [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)



Layout
1:100

Please Note

- do not scale from this drawing - use figured dimensions only
- read in conjunction with all other consultants/specialists drawings. report any discrepancies before affected work commences
- all setting out dimensions to be checked on site by contractor before work commences
- this drawing remains copyright of whitebox architecture. copy/distribute only with consent of author

Revision Notes:

A - 20.06.17 - Licensing issue



Cheshire House Mews
8 Church Hill
Knutsford
Cheshire
WA16 6DH

T 01565 754 500
F 01565 754 600
E studio@whiteboxarchitecture.com
www.whiteboxarchitecture.com

Project
85 St Martins Street
Hereford
HR2 7RG



Drawing
GA Plan

Project No. 2381
DWG No 112
Status *Approval*
Date Feb 2017
Scale 1:100 @ A3

Revision

A

From: [Mooney, James](#)
To: [Licensing](#)
Cc: [Paskin, Carl](#); [Reynolds, Duncan](#)
Subject: Pizza Hut, St Martins Street, Hereford - new premises licence application.
Date: 29 June 2017 12:17:31

NOT PROTECTIVELY MARKED

West Mercia Police are in receipt of an application for a new premises licence for a location known as **Pizza Hut, St Martins Street, Hereford**. The application is for the licensable activity of late night refreshment. The application seeks to undertake this activity from 1100hrs until 0500hrs each day (obviously licensed late night refreshment is between the hours of 2300hrs and 0500hrs only).

West Mercia Police, whilst supporting the premises to be licensed for late night refreshment, object to the hours requested as to grant them will impact on the local community and therefore undermine the licensing objectives.

The premises is located in a residential area with a number of blocks of flats nearby and planning permission for further residential dwellings nearby. There is no parking outside the premises - there is however a slip road parking area a short distance away for the benefit of nearby business (which include a pre school nursery). This location has been subject to anti social behaviour caused by 'car gatherings'. The police have been instrumental in stopping this through proactive intervention. The real concern is that with the hours requested, there is a likelihood of anti social behaviour taking place that will impact on the local community and therefore undermining the licensing objectives.

At this stage West Mercia Police OBJECT to this application.

Regards

Jim Mooney (on behalf of Ps 3456 Reynolds)
Harm Reduction/Community Safety Dept.,
Licensing & Harm Reduction Coordinator,
Policing Unit - Herefordshire,
West Mercia Police.
DDI 01432 347102
Switchboard '101' x 4702
james.mooney@westmerciam.pnn.police.uk
[In Herefordshire we protect people from harm](#)
[#destinationHereford](#)

The information contained is shared under the provisions of the Crime and Disorder Act. It is shared between appropriate agencies for the purpose of reducing and dealing with criminal and anti-social behaviour. Once in the hands of a new agency it is the responsibility of that agency to protect the information under its own Data Protection Provisions.

View our new Warwickshire Police and West Mercia Police websites at:

www.warwickshire.police.uk and www.westmerciam.police.uk

From: [Spriggs, Fred](#)
To: [Bond, Lucy \(Gypsy Traveller and Licensing Assistant\)](#)
Subject: FW: The Treacle Mine (Pizza Hut) application
Date: 19 July 2017 17:48:52

Sent from my Windows Phone

From: [McNally, Vince](#)
Sent: 19/07/2017 17:33
To: [Spriggs, Fred](#)
Subject: The Treacle Mine (Pizza Hut) application

Hi Fred,

Further to the application received regarding the above, I would like to object to this application on public health grounds, I am concerned regarding noise issues in nearby premises.

I am more than happy to work with the applicant and the new business, and look forward to receiving changes or conditions to the application that would protect the affected residential properties. And negate to need to take this to full committee.

Please do not hesitate to contact me should you wish to discuss any of the above.

Kind Regards

Vince

HEREFORDSHIRE COUNCIL

Licensing Act 2003

Please return this form, and any additional information within the statutory period to:
The Licensing Section,
Herefordshire Council,
8 St Owen Street,
Hereford,
HR1 2PJ
 licensing@herefordshire.gov.uk

EH & TS / LICENSING SECTION

RECEIVED

REPRESENTATION FORM – INTERESTED PARTIES

14 JUL 2017

TO: On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

When completing this form please print clearly and legibly.

Your Name: ANDREW CATLEY	Contact Telephone No. [REDACTED]
Address: [REDACTED]	[REDACTED]
Please state your interest in the premises you are making a representation about: NEIGHBOUR TO PREMISES	
Name & Address of premises you are making a representation about: TREACLE MINE (PIZZAHUT) ST. MARTINS STREET HR2 7RG	

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

To Prevent Crime & Disorder	There is no issue with the premises closing at 11pm. However the proposed extension of hours will have a huge impact on the surrounding area with intoxicated customers in and around the premises. At present intoxicated revellers have no reason to stop in this area
Public Safety	The premises sits on a very busy highway and encouraging people under the influence of drink to congregate after 11pm in this area can only be a heightened safety risk.
To Prevent Public Nuisance	The main impact on myself and my neighbours will be the continuing strong smell of cooking food after 11pm. The moped delivery drivers keeping us awake driving in and out of the premises which are only 5m from our bedroom window.
To Protect Children from Harm	Customers coming into our parking area to urinate while waiting for their food

Signed:
Date:

If you have any queries about this form or are unsure of when the statutory period ends please contact the



HEREFORDSHIRE
COUNCIL

Representation Form – Interested Parties Suggested Conditions

Premise: PIZZA HUT Your name: ANDREW CATLEY

REF: 2381

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

To Prevent Crime and Disorder CONTINUE TO OPERATE WITH A TERMINAL HOUR OF 11pm
Public Safety AS ABOVE
Prevent Public Nuisance AS ABOVE
Protect Children from Harm AS ABOVE

Signed: 

Date: 10/7/17

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105

From: [Spriggs, Fred](#)
To: [Spriggs, Fred](#)
Subject: FW: Treacle Mine/Pizza Hut Application
Date: 03 August 2017 15:13:55
Importance: High

From:
Sent: 05 July 2017 18:04
To: Chappell, Chris (Cllr) >
Subject: Treacle Mine/Pizza Hut Application

Dear Chris

Thank you very much for bringing this application to our attention. We had not seen/heard anything about this and would have been extremely annoyed if we had not had the opportunity of commenting. We obviously objected to it being turned into a Pizza Hut and all the concerns we had have come to fruition.

We itemise our issues/concerns as follows:-

1. Parking and road safety is still a big issue. The original application was for mainly delivery, but they openly promote collection at a much reduced rate. There are always delivery drivers cars in the public parking area and customers cars are frequently all over the place, including on pavements and in the permit spaces during the restricted hours. There have been occasions when there have been so many cars that they have been parked on the pavement outside our house (number [REDACTED] - [REDACTED]). My daughter has been verbally abused on two occasions by customers and was also nearly run over by a pizza delivery driver who was too impatient to wait in the queue of traffic and drove all four wheels of his car on the pavement past our house. My daughter stepped out of the gateway and was nearly knocked over. We did go into Pizza Hut to complain and also to raise issues over the parking situation. The manager was very nice and promised to speak to the driver and also to look into putting notices by the permit spaces to stop customers parking in them after the permitted hours. Nothing has been done about this and I have not heard anything further from him. The traffic wardens do patrol fairly regularly in the evenings now, but no sooner have they left and people are back in the permit spaces. They do, however, not seem to enforce the restrictions very well during the day and cars are frequently parked there for hours without receiving a ticket. Delivery drivers are back and forth all the time even though there is a no return within 2 hours restriction in place which is not enforced.
2. Noise and disturbance is an issue. If Pizza Hut open till 5am every day this will mean we have customer vehicles, delivery cars and delivery mopeds around all through the night. The moped noise is particularly annoying. We may live very close to the Asda roundabout, but traffic noise is very minimal in the night. If this goes ahead we will have noise outside our windows all night. This proposal will also encourage people leaving late night clubs to linger in this area rather than just walking through. Our wall will probably become a makeshift table and our garden a bin for the rubbish. There is very often Pizza Hut rubbish in the parking area as customers sit in their cars eating and then just throw the empty containers out of their cars.
3. Unnecessary opening hours. We cannot see any valid reason why opening until 5am every day is needed. It isn't needed on Friday's and Saturdays, which are the main late night club days, as there are plenty of outlets in the main city centre to get food. To want to open to 5am every day is just ridiculous and unnecessary. It will just encourage anti-social behaviour, noise and mess.

We would say that these points would come under prevention of public nuisance, but also could fit in to the prevention of crime and disorder and public safety. If it has been a child coming out of our gateway they would almost certainly have been run over. Also bearing in mind there is a nursery within a couple of yards of Pizza Hut there are children around during the day. With the amount of

vehicles around and the way they park, it is only a matter of time before there is some form of accident.

We hope these comments are of use and you feel able to incorporate what we have said in your representations. We understand from your letter that we do not need to write to the Council ourselves. Can you please confirm that this is indeed the case.

We await to hear from you,

Kind regards.

Jane Smith & Steve Hicks

██████████