

Agenda

Licensing sub-committee

Date: **Tuesday 23 January 2018**

Time: **10.00 am**

Place: **Committee Room 1, 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

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Agenda for the Meeting of the Licensing sub-committee

Membership

Councillor DW Greenow (Chairman)
Councillor BA Baker
Councillor FM Norman

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: JACQUELINE'S NITE SPOT AND JD'S BAR, 24 BROAD STREET , ROSS ON WYE, HR9 7ED	11 - 62

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- 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.
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HEREFORDSHIRE COUNCIL

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

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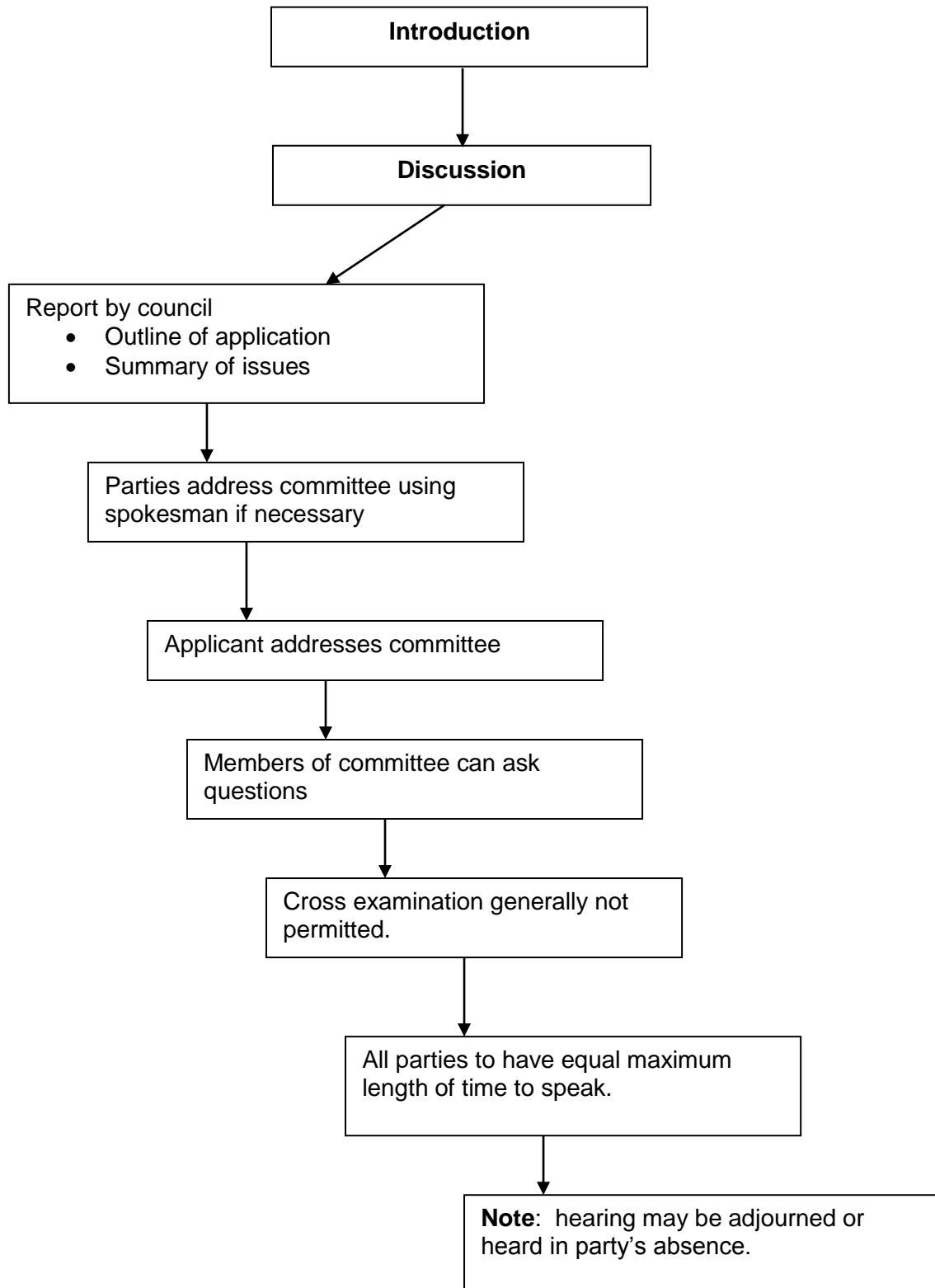
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Licensing Hearing Flowchart





Meeting:	Licensing sub committee
Meeting date:	23 January 2018
Title of report:	Application for a variation of a premises licence in respect of: Jacqueline's Nite Spot and JD's Bar, 24 Broad Street , Ross on Wye, HR9 7ED – Licensing Act 2003
Report by:	Licensing Officer

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Ross West

Purpose

To consider an application for a variation of a premises licence in respect of 'in respect of: Jacqueline's Nite Spot and JD's Bar, 24 Broad Street , Ross on Wye, HR9 7ED.

Recommendation

THAT:

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

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

Options

1. There are a number of options open to the sub-committee:
 - (a) to modify the conditions of the licence;

(b) to reject the whole or part of the application;

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 1) 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	Miss Charmaine Nicola Danter Jacqueline's Nite Spot And JD's Bar, 24 Broad Street Ross-On-Wye, HR9 7ED	
Solicitor	N/K	
Type of application: Variation	Date received: 7 December 2017	28 Days consultation ended 3 January 2018

Summary of Application

5. The application requests a variation to the premises licence as follows:

Live music, Recorded music, A performance of dance, Other regulated entertainment
(All indoors), Sale by retail of alcohol (On & Off premises)

Monday to Thursday 1100 – 0100
Friday & Saturday 1100 – 0300
Sunday 1100 – 0030

Late night refreshment
Monday to Thursday 2300 – 0100
Friday & Saturday 2300 – 0300
Sunday 2300 – 0030

Non Standard Timings:
Bank Holiday Sunday 1100 to 0200
Christmas Eve 11:00 – 02:00

New Year's Eve from the end of permitted time until the start of permitted time on New Year's Day.

In addition the applicant requests to remove all old conditions and replace them with conditions as contained within the application.

Current Licence

6. The current licence (appendix 2) authorises the following licensable activities during the hours shown:

Live music, Recorded music, A performance of dance, Other regulated entertainment (All indoors), Sale by retail of alcohol (On & Off)

Monday-Thursday: 11:00 – 01:00

Friday, Saturday: 11:00 - 02:00

Sunday and Easter Sunday until 00:30

Sale of alcohol and late night refreshment -

Jacqueline's Nitespot (ON)

Monday – Thursday: 23:00 – 01:00

Friday and Saturday: 23:00 – 02:00

Sunday: 19:00 – 00:30

JD's Bar and Jacqueline's Nitespot (Restaurant)

(1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10 am to 12midnight.

(2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm

(3) On Christmas Day: 12 noon to 11:30pm; For residential licence only from 12 noon to 10.30 with a break of four hours beginning at 3pm.

(4) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

Summary of Representations

7. Three (3) representations have been received from the responsible authorities (environmental protection - appendix 3, trading standards – appendix 4, West Mercia Police – Appendix 5, Two (2) representations been received from the public (Appendices 6 and 7).
8. The representations from the three responsible authorities have all been agreed.

Community Impact

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

Equality duty

10. 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.

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

Financial implications

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

Legal Implications

14. 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.
15. 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.
16. 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.
17. 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.
18. 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,
19. 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'.
20. 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

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 - Application for a variation of a premises licence
- Appendix 2 - Current premise licence
- Appendix 3 - Environmental protection representation
- Appendix 4 - Trading standards representation
- Appendix 5 - West Mercia Police representation
- Appendix 6 - Public representation
- Appendix 7 - Public representation

Background Papers

The Section 182 and the council's statement of licensing policy.



Application to vary a premises licence 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/~~we~~ CHARMAINE NICOLA DANTER

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	PR 01020
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description JACQUELINE'S NITE SPOT AND JID'S BAR 24 BROAD STREET			
Post town	ROSS-ON-WYE	Postcode	HR9 7ED

Telephone number at premises (if any)	01989 565924
Non-domestic rateable value of premises	£ 29,250

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note

2) TO VARY THE TIMES FOR THE CARRYING OUT OF LICENSABLE ACTIVITIES FOR:-
FRIDAYS AND SATURDAYS
FROM 11.00 - 02.00
TO 11.00 - 03.00
TO REMOVE ALL OLD CONDITIONS & REPLACE WITH CONDITIONS THAT ARE ENFORCEABLE
TO REMOVE CURRENT NON-STANDARD TIMINGS & REPLACE WITH THOSE SUBMITTED IN THE APPLICATION

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

--

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur								
Fri								
Sat						<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
Wed			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	11-00	01.00	Please give further details here (please read guidance note 5) AMPLIFIED AND ACCOUSTIC MUSIC		
Tue	11.00	01.00			
Wed	11.00	01.00	State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur	11.00	01.00			
Fri	11.00	03.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7) BANK HOLIDAY SUNDAYS 11.00 - 02.00 CHRISTMAS EVE 11.00 - 02.00 NEW YEARS EVE - FROM END OF PERMITTED HOURS NYE TO START OF PERMITTED HOURS NY DAY		
Sat	11.00	03.00			
Sun	11.00	00.30			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	11.00	01.00	Please give further details here (please read guidance note 5) AMPLIFIED & NON AMPLIFIED MUSIC		
Tue	11.00	01.00			
Wed	11.00	01.00	State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur	11.00	01.00			
Fri	11.00	03.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7) BANK HOLIDAY SUNDAYS 11.00 - 02.00 CHRISTMAS EVE 11.00 - 02.00 NY EVE - FROM END OF PERMITTED HOURS NYE TO START OF PERMITTED HOURS NY DAY		
Sat	11.00	03.00			
Sun	11.00	00.30			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11.00	01.00	Please give further details here (please read guidance note 5) PROFESSIONAL DANCERS	Both	<input type="checkbox"/>
Tue	11.00	01.00			
Wed	11.00	01.00	State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur	11.00	01.00			
Fri	11.00	03.00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7) BANK HOLIDAY SUNDAYS 11.00 - 02.00 CHRISTMAS EVE 11.00 - 02.00 NY EVE – FROM END OF PERMITTED HOURS FOR NYE TO START OF PERMITTED HOURS NY DAY		
Sat	11.00	03.00			
Sun	11.00	00.30			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing <p style="text-align: center;">AMPLIFIED & NON-AMPLIFIED MUSIC</p>		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Mon	11.00	01.00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	11.00	01.00	Please give further details here (please read guidance note 5)		
Wed	11.00	01.00			
Thur	11.00	01.00			
Fri	11.00	03.00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Sat	11.00	03.00	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sun	11.00	00.30			
			BANK HOLIDAY SUNDAYS 11.00 - 02.00 CHRISTMAS EVE 11.00 - 02.00 NY EVE - FROM END OF PERMITTED HOURS NYE TO START OF PERMITTED HOURS NYDAY		

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – <u>please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
Mon	11.00	01.00	Please give further details here (please read guidance note 5)	Both	<input type="checkbox"/>	
Tue	11.00	01.00				
Wed	11.00	01.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)			
Thur	11.00	01.00				
Fri	11.00	03.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)			
Sat	11.00	03.00		Bank Holiday Sunday 11.00 - 02.00		
Sun	11.00	00.30		Christmas Eve 11.00 - 02.00		
			Boxing Day Eve - from end of permitted hours. Day to start of permitted hours W/Day			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	Both <input checked="" type="checkbox"/>		
Mon	11.00	01.00	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Tue	11.00	01.00			
Wed	11.00	01.00			
Thur	11.00	01.00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	11.00	03.00	BANK HOLIDAY SUNDAYS 11.00 - 02.00		
Sat	11.00	03.00	CHRISTMAS EVE 11.00 - 02.00		
Sun	11.00	00.30	N.Y. EVE - FROM END OF PERMITTED HOURS		
			NYE TO START OF PERMITTED HOURS		
			N.Y. DAY		

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	11.00	01.30	
Tue	11.00	01.30	
Wed	11.00	01.30	
Thur	11.00	01.30	
Fri	11.00	03.30	
Sat	11.00	03.30	
Sun	11.00	01.00	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)

BANK HOLIDAY SUNDAYS 11.00-02.30
 CHRISTMAS EVE 11.00-02.30
 NY EVE - FROM END OF PERMITTED HOURS NYE TO START OF PERMITTED HOURS N.Y. DAY

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

Please tick as appropriate

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

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

MANDATORY AND OTHER EXISTING CONDITIONS TO REMAIN I.E.
ALARM SYSTEM, CCTV RECORDING 24 HOURS.
PROOF OF AGE SCHEME
TRAINED STAFF
TALLY COUNTER USED TO COUNT CUSTOMERS

b) The prevention of crime and disorder

24HR RECORDING CCTV INSIDE AND OUTSIDE. NO HAPPY HOUR
SIA SECURITY FIRM KEEPING ORDER INSIDE AND OUTSIDE,
MAKING SURE THAT PEOPLE ARE NOT IN THE ROAD.
STRICT DOOR POLICY, NOT ADMITTING INEBRIATED OR OFFENSIVE
PEOPLE. SMART DRESS CODE (NO JOGGERS)

c) Public safety

FIRST AID FACILITIES
FIRE SAFETY EQUIPMENT ANNUALLY INSPECTED
LIABILITY INSURANCE
FREE AND UNRESTRICTED ACCESS TO DRINKING WATER
EVACUATION MANAGEMENT PLAN IN PLACE

d) The prevention of public nuisance

SIA SECURITY STEWARDS
CLEAR SIGNAGE ASKING CUSTOMERS TO LEAVE
QUIETLY. NO GLASSES ARE ALLOWED OUTSIDE, ONLY
PLASTIC BOTTLES OF WATER. MUSIC AND DISCO LIGHTS ARE
TURNED OFF AT CLOSING TIME. MAIN LIGHTS ARE
TURNED UP FOR CUSTOMERS TO DRINK UP, TALK AND CHILL

e) The protection of children from harm

PROOF OF AGE SCHEME. ANYONE WHO LOOKS UNDER
THE AGE OF 21 IS ASKED FOR PHOTO ID, WHICH IS
INSPECTED BY THE PERSON ON THE DOOR AND A SECURITY
STEWARDS

ACCOMPANYING LETTER ATTACHED

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**



Date	1 - 12 - 2017
Capacity	LICENCE HOLDER

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Post town		Post code	
Telephone number (if any)			

Jacqueline's Nite Spot & J D's Bar, 24 Broad Street, Ross-on-Wye, HR9 7ED

To Whom It May Concern

Application to vary a premises licence.....attachment letter

Over the last five years we have been granted at least 50 Temporary Events Notices enabling us to open until 3.00am. We have not been informed of any disturbance, vandalism or noise nuisance caused by our customers from the Police or any other person in the vicinity.

To prevent Noise Nuisance, the bass on the amplifiers has been suppressed so that the volume is not travelling at a high frequency, therefore less sound is heard outside the building. The soundproofing has been upgraded, including the fire doors.

We have a very strict door policy and do not admit anyone who has had too much to drink or has an offensive attitude. We also have a smart dress code (no jogging bottoms). Any trouble makers are banned for 3 months, 6 months or 12 months. We keep photographs of banned people in our security and incident book. All bags and rucksacks are checked before entering the premises and then checked into the cloakroom.

We have security stewards keeping order inside and outside, making sure that people are not in the road. We have signage in place asking customers to have consideration for local residents and keep the noise down when leaving.

The music and disco lights are turned off at closing time. The main lights are turned up and customers have 20 minutes to drink up, talk to friends and chill in a calm atmosphere before leaving. The outside of the building is well lit and these lights are not turned off until everyone has vacated the area.

We have never allowed glasses or glass bottles to be taken outside, only plastic bottles of water.

We do not have a Happy Hour.

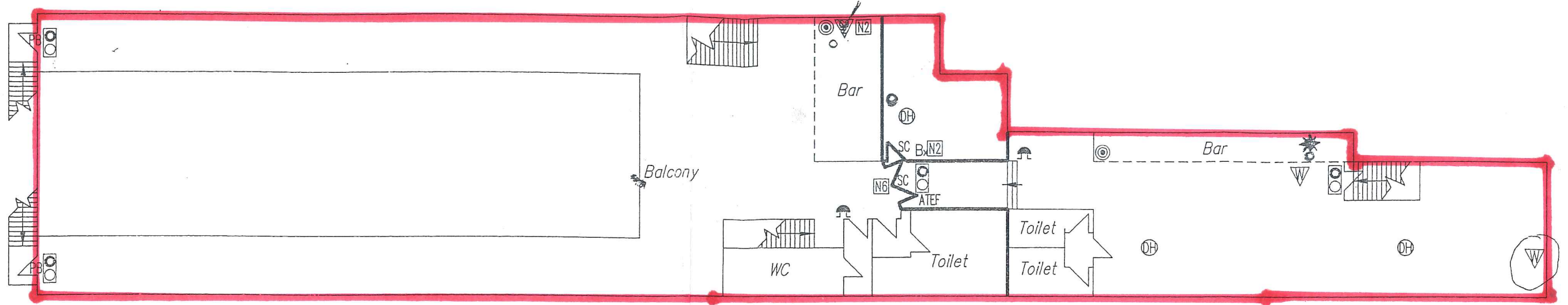
Anyone who looks under the age of 21 is asked for Photograph Id, ie passport or driving licence, which is checked by security.

This is a small venue operating since the 1950's. Admittance is limited to 300 customers and 80% of the customers are local and known to the proprietors and security firm.

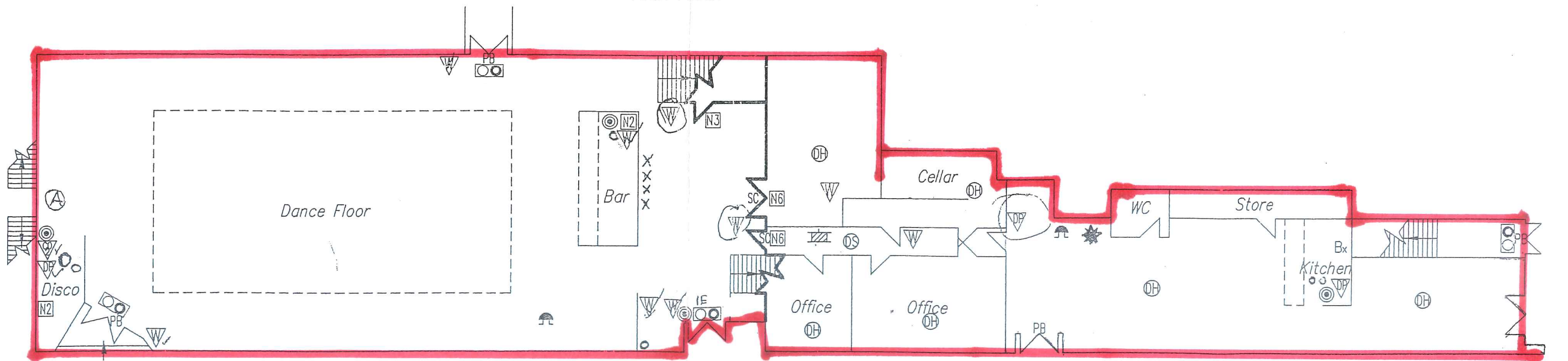
We are asking for an extension of one hour of opening on a Friday and Saturday night, so that we can compete with other venues in other towns.

Charmaine Danter

LOCATION OF MACHINES MARKED X FOR VANCE'S MUSIC LICENCE.



FIRST FLOOR



GROUND FLOOR

DISCO BOX AT POINT A
EXTRA 110db SOUNDER + NON MAINTAINED,
EMERGENCY LIGHT FITTED 8-9-00.

- CO2 fire extinguisher
- * Foam fire extinguisher
- Powder fire extinguisher

- Licensable area/consumption area

KEY

⊙ FIRE ALARM CALL POINT

⊠ ILLUMINATED EXIT

○ EMERGENCY LIGHTING

DH Automatic HEAT Detection

DS Automatic SMOKE " "

X 4 MACHINES

THERE IS NO LONGER
AN AMUSEMENT CENTRE
AT JD'S CAFE



HEREFORD AND
WORCESTER
FIRE BRIGADE

JACQUELINES NITE SPOT
BROAD STREET
ROSS-ON-WYE

Date : MAR 1993 Ref No : 44-71
Drawn by : DJO
Approx Scale : 1:100 Rev : NOV 1993

LICENSING ACT 2003
Part A - Premises Licence

Premises licence number PR01020

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description JACQUELINE'S NITE SPOT AND JD'S BAR 24 BROAD STREET	
Post town ROSS-ON-WYE	Postcode HR9 7ED
Telephone number 01989 565924	

Where the licence is time limited the dates Not applicable
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Licensable activities authorised by the licence Provision of regulated entertainment <ol style="list-style-type: none"> 1. A performance of live music (Indoors) 2. Any playing of recorded music (Indoors) 3. A performance of dance (Indoors) 4. Other regulated entertainment (Indoors) Provision of entertainment facilities <ol style="list-style-type: none"> 5. Making music (Indoors) 6. Dancing (Indoors) Provision of refreshment or alcohol <ol style="list-style-type: none"> 7. Late night refreshment 8. Sale by retail of alcohol (For consumption both on and off the premises)
--

The times the licence authorises the carrying out of licensable activities For all regulated entertainment and entertainment facilities listed above - Monday-Thursday: 11:00 – 01:00 Friday, Saturday: 11:00 - 02:00 Sunday and Easter Sunday until 00:30 Bank Holiday Sunday until 02:00 Christmas Eve 11:00 – 01:00 Christmas Day For sale of alcohol and late night refreshment - Jacqueline's Nitespot (ON) Monday – Thursday: 23:00 – 01:00 Friday and Saturday: 23:00 – 02:00 Sunday: 19:00 – 00:30 JD's Bar and Jacqueline's Nitespot (Rest) <ol style="list-style-type: none"> (1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10 am to 12midnight. (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm (3) On Christmas Day: 12 noon to 11:30pm; For residential licence only from 12 noon to 10.30 with a break of four hours beginning at 3pm. (4) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
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The opening hours of the premises

Jacquelines Nitespot

Monday-Thursday: 11:00 – 01:30

Friday, Saturday: 11:00 - 02:30

Sunday: 10:00 - 01:00

JD's Bar

Plus 30 minutes to the end of the hours shown above for the sale of alcohol.

Non standard timings:

Jacquelines Nitespot

Bank Holiday Sunday until 02:30

Christmas Eve 11:00 – 01:30 Christmas Day

Jacquelines Nitespot & JD's Bar

Start of permitted hours New Year's Eve – end permitted hours New Year's Day

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

For consumption both on and off the premises

Part 2

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

**Miss Charmaine Nicola Danter
JACQUELINE'S NITE SPOT AND JD'S BAR
24 BROAD STREET
ROSS-ON-WYE
HR9 7ED**

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

Not applicable

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

**Miss Charmaine Nicola Danter
JACQUELINE'S NITE SPOT AND JD'S BAR
24 BROAD STREET
ROSS-ON-WYE
HR9 7ED**

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: XXX
Issuing Authority: XXXX**

Annex 1 - Mandatory conditions

Mandatory conditions where licence authorises supply of alcohol

No supply of alcohol may be made under the premises licence-

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory condition: door supervision

Each individual required to carry out a security activity must be licensed by the Security Industry Authority

Annex 2 - Conditions consistent with the operating Schedule

Licensing conditions / objectives

Converted ON Licence Conditions – Jacqueline's Nitespot

No intoxicating liquor shall be sold or supplied otherwise than:

- (a) to members of the public on nights when dances and sporting or other functions shall be organised on the premises.
- (b) To members of the Bingo Club known as Jacquelines Club.
- (c) To persons taking table meals in the Restaurant and café for consumption by such persons as an ancillary to his meal.

Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption at all times when intoxicants are on sale on the premises.

Converted Restaurant Licence Conditions – Jacquelines Nitespot (Rest) and JD's Bar

Alcohol may be sold or supplied during permitted hours shown above.

The above restrictions do not prohibit:

- a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- b) consumption of the alcohol on the premises by, or, the taking, sale or supply of alcohol to any person residing in the licensed premises;
- c) the ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered;
- d) the sale of alcohol to a trader or club for the purposes of the trade or club;
- e) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- f) the taking of alcohol from the premises by a person residing there; or
- g) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- h) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises;
- i) the consumption of the alcohol on the premises by persons taking meals there during the first thirty minutes after the above hours, if the alcohol was supplied for consumption ancillary to those meals;

Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.

Suitable beverages other than intoxicating liquor (including water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the premises.

Converted Public Entertainments Licence Conditions

The maximum number of persons admitted to the premises shall be **600 in the Ballroom and associated areas; 80 in JD's Bar.**

The minimum number of visually identifiable stewards shall be **5 in the Ballroom and associated areas; 2 in JD's Bar.**

The premises are subject to additional special conditions detailed below

General

1.1 In undertaking any or all of the conditions, the licensee(s) shall comply with all reasonable requests of the Police, the Fire Authority and the Licensing Authority's Officers.

1.2 The licensee(s) shall take all reasonable precautions to ensure the safety of the public, the performers and employees on the premises.

1.3 The licensee(s), or some responsible person nominated by him/her/them in writing for the purpose (who must not be a person under the age of 18) shall be present at the premises during the whole time that they are open to the public.

1.4 Such written nomination shall be available for inspection by the Licensing Authority's Officers at all times .

1.5 The licensee(s), or some responsible person nominated by him/her/them in writing for the purpose, shall not be engaged on any duties that will prevent him/her from exercising general supervision.

Stewards and Door Supervisors

2.1 The minimum number of visually identifiable stewards or door supervisors shall be as shown above.

2.2 The licensee(s), or some responsible person nominated by him/her/them in writing for the purpose, must ensure that the required number of stewards or door supervisors is present on the premises for the duration of the event and that they are clearly identifiable.

2.3 Where the Licensee(s) determines that the number of persons attending the premises for a particular event is less than the permitted maximum number, he/she/they may reduce the number of stewards or door supervisors that must be in attendance. When considering such reductions they shall calculate the number of stewards/door supervisors by using the following method: For every 250 persons attending the event (or part of 250) there must be one steward/door supervisor.

In addition, where there are less than 100 persons on a floor or tier, one steward/door supervisor per floor.

Where the number exceeds 100, two stewards/door supervisor per floor .

2.4 The licensee(s), or some responsible person nominated by him/her/them in writing for the purpose, shall maintain a register of stewards or door supervisors kept on the premises showing the names and addresses of the stewards/door supervisors, and shall be signed by the stewards/door supervisors before the event commences.

2.5 The register is to be made available for inspection by Officers of the Fire Authority, Police or Licensing Authority.

2.6 The Licensee(s) shall inform the Licensing Authority if it is to use stewards as door supervisors (i.e. to decide upon the suitability of customers to be allowed onto those premises, and/or to maintain order, in addition to safety related functions). The Licensing Act 2003 requires that door supervisors must be licensed by the Security Industry Authority. For further details

contact the Licensing Officer.

Dates and hours of opening

3.1 Premises licensed shall only be opened and used for any of the said purposes on such days or dates and during such hours as the premises licence permits.

Numbers of persons

4.1 The maximum number of persons admitted to the premises shall be as shown above.

4.2 The licensee(s) must ensure that the number of patrons attending on the premises does not exceed the permitted maximum number of persons as specified in the premise licence.

4.3 The premises shall not be used for a closely seated audience except in accordance with plans submitted by the Licensee(s) and approved by the Licensing Authority.

Powers of entry

5.1 Representatives of the Fire Authority and Police and authorised officers of the Licensing Authority shall be allowed at all times to enter the Licensed premises in order for them to execute their duties and in particular ensuring compliance with the these and any other relevant conditions.

Right to Modify

6.1 The Licensing Authority reserves the rights, from time to time, to exclude, modify, vary, or add to any of these conditions.

Special Conditions

7.1 The Licensing Authority may impose such special conditions, as it thinks fit, on the grant, renewal or variation of any Licence. Such special conditions will, if imposed, be contained within an annex attached to the licence.

Hypnotism

8.1 The Licensed premises shall not be used for any exhibition, demonstration or performance of hypnotism without the express written consent of the Licensing Authority and in accordance with any conditions attached to such consent. The special conditions relating to the regulation of exhibitions, demonstrations or performances of hypnotism are available on request.

Noise from Entertainment

9.1 The Licensee(s) shall have regard to the effects of sound levels from any amplified sound systems used in connection with an event(s) and shall take all reasonable steps to minimise the chances of complaints arising .

Conduct at Premises

10.1 Public order shall be maintained on the premises during the entertainment and the behaviour of any patrons attending functions must not be permitted to present a danger or threat to order.

10.2 The licensee(s) must, as far as is reasonably possible, ensure that patrons leaving the premises do so in an orderly manner and that they do not cause annoyance/disturbance to occupiers of premises in the vicinity which is likely to give rise to complaint.

10.3 No disorderly conduct shall be permitted at the Licensed premises, or any exhibition, recitation, acting, singing or dancing which is of an obscene character or is offensive.

10.4 No unlawful lottery or game shall be permitted at the licensed premises.

Maintenance, Repair and Cleanliness

11.1 All parts of the premises and all fixtures and fittings therein including seating, door fastenings, notices, floors, carpets and furniture shall be kept clean and maintained in good order.

11.2 A suitable number of waste bins with close fitting lids shall be provided for housing any

waste generated at the premises.

11.3 No rubbish or waste paper shall be stored or allowed to accumulate in any part of the premises.

11.4 The licensee(s) must be able to demonstrate at all times compliance with the appropriate safety standards and shall at the request of the Licensing Authority produce for inspection, certificates issued by a suitably qualified person for matters that might include stage safety, lifts, balconies, projection equipment, ceilings, heating and ventilation.

Alterations

12.1 Any alterations or additions to the premises whether permanent or temporary, shall be notified to the Licensing Authority prior to the premises being used. Depending upon the circumstances, it may be necessary to make an application for a variation of Premises Licence or a Temporary Events Notice where, for example, a marquee is to be erected or an increase in the number of patrons is sought for a one-off event.

12.2 In the event of emergency repairs being carried out, the Licensing Authority shall be notified immediately. This includes any work on heating, lighting or cooking equipment.

Washing and Sanitary Facilities

13.1 Adequate and separate washing and sanitary conveniences shall be provided and maintained for persons of each sex to the satisfaction of the Licensing Authority and shall comply with BS6565:1994 or such other standards as the Licensing Authority may determine in writing .

Electrical Installations

14.1 All electric fittings, wiring, and appliances shall be constructed and maintained in a safe condition and to the satisfaction of the Licensing Authority. Any temporary wiring or telecommunications must be safely installed and securely fixed and not present a tripping hazard.

14.2 Unless a determination has been made by an approved electrical contractor and agreed by the Licensing Authority, to the contrary, a periodic inspection of the electrical systems serving the premises shall be carried out by an approved electrical contractor (with reference to and undertaken in accordance with British Standard 7671:1992, and its amendments), at least annually.

14.3 The results and extent of a Periodic Inspection and Testing on an installation, or any part thereof, in accordance with Chapter 73 of BS7671:1992, shall be recorded on a report by the person carrying out the inspection, and the report shall be provided to the Licensing Authority using the form prescribed by them (reference PEL/PIR1).

14.4 Any matters regarded as requiring action in order to satisfy British Standard 7671:1992, shall be carried out within a timescale given in writing by the contractor.

Residual Circuit Devices

15.1 All portable electrical equipment shall be powered through a sensitive earth leakage protection system (residual current device) having a rated residual operating current not exceeding 30 milliamps and a maximum operating limit of 30 milliseconds.

15.2 The residual circuit device shall be tested on a regular basis in accordance with the manufacturers instructions.

Lighting

16.1 Lighting levels inside and, where appropriate, outside the premises, shall be adequately lit during the whole time the premises are being used for any of the said purposes, so as to enable the public to access, egress and move about the premises safely. Subdued levels of lighting shall be permitted only where safety is not compromised and only whilst the entertainment is in progress.

16.2 All parts of the premises especially all passages, courts, corridors and stairways to which

the public have access and which lead to the outside of the premises must, in the absence of adequate daylight, be illuminated by the general lighting when the public are present. The general lighting shall be provided by electricity.

16.3 If there is a failure of the general lighting and is not restored within thirty minutes, so that the public cannot access, egress and move about the premises safely, the event shall be terminated and the public evacuated from the premises at the end of that period.

First Aid

17.1 Suitable first aid equipment shall be provided and maintained in an accessible position on the premises.

Accidents

18.1 Any injury to any person whilst at the licensed premises, which results in hospital treatment becoming necessary, shall be reported to the Licensing Authority within 24 hours of the injury occurring with details confirmed in writing within a further seven days .

Compliance with the Fire Authoritys Requirements and Recommendations

19.1 The licensee(s) is responsible at all times for ensuring the safety of public in attendance in the event of fire or other such emergency.

19.2 The licensee(s) shall, unless agreed otherwise in writing with the Licensing Authority, implement in full the requirements and recommendations (if any) of the Fire Authority as detailed in its inspection report before any public entertainment is held within the premises to which the licence relates and shall thereafter promptly implement any further recommendations of the Fire Authority from time to time.

19.3 The Licensee(s) shall comply with any reasonable fire prevention and safety measures that may be required of him/her/them by the Fire Authority or Licensing Authority.

Means of Escape

20.1 Adequate means of escape shall be provided and maintained to the satisfaction of the Licensing Authority and Fire Authority.

Reporting of Fires

21.1 A written fire and emergency evacuation procedure shall be established and maintained to the satisfaction of the Licensing Authority and Fire Authority.

21.2 Any outbreaks of fire, however slight, whilst the premises are open for public entertainment, must be reported immediately to the Fire Service by dialling 999.

21.3 A notice giving instructions on how to call the Fire Service and indicating the nearest available public telephones shall be prominently displayed in the premises.

Fire Procedure

22.1 The Licensee(s) (or nominated representative) shall supervise the escape of persons in the event of fire or other such emergency.

22.2 The Licensee(s) (or nominated representative) will arrange for the fire procedure to be practised by all staff and other attendants at least twice each calendar year and upon employment of new staff.

Log Book

23.1 The licensee(s) shall keep a Log Book, and produce for inspection at the request of an authorised officer of the Police, Licensing Authority, or Fire Authority.

23.2 The Log Book shall record the date, time and result of each of the following tests or inspections and be signed by the person responsible:-

- a. inspections by authorised officers of the Licensing Authority, the Fire Authority and the Police;
- b. Fire equipment tests;
- c. Emergency lighting tests;
- d. Fire alarm tests;
- e. Staff fire prevention and emergency procedure training;
- f. Dates and times of practices of the fire procedures and details of the persons taking part.

Access for Fire Appliances

24.1 The licensee(s) (or nominated person) should be able to satisfy the Licensing Authority and Fire Authority, when required, that external access can be effectively provided for Fire Authority appliances. The licensee(s) (or nominated person) must ensure that vehicles do not obstruct such access.

Fire fighting equipment

25.1 Suitable and sufficient fire fighting equipment shall be maintained to the satisfaction of the Licensing Authority, shall be provided in the premises, located in suitable positions, available for instant use and have been serviced within the last twelve months.

Exit Routes and Exit Route Notices

26.1 All exits and exit routes shall be clearly indicated by graphic symbols complying with British Standard 5499:1990 Part I. All such notices and routes shall be subject to the approval of the Licensing Authority and Fire Authority and shall be adequately illuminated and linked to an emergency lighting system.

Exit Doors

27.1 The number, size and position of exit doors, gangways and passageways shall be to the satisfaction of the Licensing Authority and the Fire Authority.

27.2 All exit doors and all passageways, gangways, steps and stairways affording access thereto shall be properly maintained and shall be kept entirely free from obstruction and combustible storage at all times in order to allow safe egress from the building.

27.3 Before the public are admitted to any entertainment, the licensee(s) (or nominated person) shall ensure that all exits are unlocked, available for use and that:-

27.4 All exit doors that do not open in the direction of exit e.g. sliding doors, gates and shutters, must be secured in the open position where necessary and suitably signed;

27.5 All removable fastenings, if any, have been removed from other exit doors, gates and shutters and placed in a secure place;

27.6 All panic bolts, if any, have been tested and are in good working order;

27.7 Automatic bolts shall be of such a pattern that horizontal pressure on the cross-bars will open the doors. The cross-bars shall, where practicable, be placed at a height one metre from the bottom of the door. Doors fitted with automatic bolts shall have the words 'PUSH BAR TO OPEN' painted upon them in block letters at least 100mm high.

Furniture and Fittings

28.1 Fire resisting doors, walls and associated self-closing devices, ceilings and floors shall be kept in a satisfactory state of repair.

28.2 The licensee(s) shall comply with any reasonable requirement of the Fire Authority with regard to the provision and maintenance of surface finishings on walls, ceilings and partitions, floor coverings and upholstered furniture within the premises and shall allow the Fire Authority to test any furniture, equipment, fittings and similar items, if requested.

28.3 Curtains covering exit doors or across gangways shall be made to part in the centre and shall not obstruct exit signs, emergency lights and manual call points. They shall hang so as to

be readily drawn aside and should be at least 100mm above floor level.

28.4 Curtains, safety curtains, hangings, decorations and fabrics shall be inherently flame retardant and comply the relevant British Standards. Those not inherently retardant must be suitably treated to achieve the same standard.

Mats and Floor Coverings

29.1 Matting and other floor coverings must be secured in such a manner as not to constitute a danger.

Smoking

30.1 There shall be no smoking in any stage/backstage area except so far as may be necessary on stage in connection with a live performance.

Explosive and Flammable Substances

31.1 Lamps burning paraffin or other mineral oils shall not be used.

31.2 Any naked light shall be protected by means of an efficient glass or wire globe.

31.3 Gas cylinders, whether natural or liquefied, shall not be used unless the installation is housed externally and fixed pipework is used. Any gas taps shall be secured so far as possible against unauthorised access and flexible piping shall not be used.

31.4 No explosive or highly flammable substance shall be brought into or used on the premises other than an approved supply of mains gas or controlled LPG fuel.

Ventilation/Heating

32.1 The premises shall be kept properly and sufficiently ventilated and heated to the satisfaction of the Licensing Authority. All equipment shall be maintained in a proper working condition and any fuel stored in a safe manner.

32.2 Stoves, open fires and heating appliances shall be effectively fixed and guarded.

33.3 Cylinders or containers of gas under pressure, other than Cellar Gases, shall not be used on the premises except with the prior consent of the Licensing Authority.

33.4 The use of portable cooking or heating appliances shall be subject to the prior consent of the Licensing Authority.

Special Effects

34.1 The installation and use of laser beams, pyrotechnics or real flames, explosive or highly flammable or smoke producing agent, for any purpose shall not be permitted without specific written consent of the Licensing Authority. Application for consent, together with a detailed description of the method of use, should be made to the Licensing Authority not less than 14 days prior to the day on which the laser equipment is to be used.

34.2 Strobe lights shall be operated on a fixed rate of not more than four flashes per second. Where more than one strobe light is used, the flashes shall be synchronised. In any case, such lights shall not be installed without the prior written approval of the Licensing Authority.

34.3 Any lighting or approved special effects shall be installed and maintained by a competent person.

34.4 The use of foam shall not be permitted unless with the prior written approval of the Licensing Authority.

Outbreak of Fire

35.1 Notices shall be displayed detailing the action to be taken in case of fire, in the position of the nearest telephone and the method of calling the Fire Authority.

Emergency Lighting

36.1 In addition to general lighting, adequate emergency lighting must be provided to enable members of the public to see their way out of the premises without assistance from the general lighting. Such emergency lighting must be kept lit in the hall, passages and stairways during the time while the premises are open to the public, or be designed so as to illuminate these area automatically and immediately in the event of the failure of the general lighting system. The lighting to EXIT or WAY OUT signs shall not in any circumstances be extinguished or dimmed while the public is on the premises. The emergency lighting must comply with British Standard BS 5266:1988, Part 1.

36.2 Emergency lighting and all hand lamps shall be maintained in efficient working order and shall be checked weekly. All batteries shall be maintained or changed in accordance with the manufacturers recommendations.

36.3 All switches controlling the emergency lighting shall have marked immediately below them 'Emergency Lighting Only' and be situated in a position inaccessible to unauthorised persons or protected against unauthorised operation.

36.4 No entertainment shall take place until the emergency lighting has been tested and found to be fully operative.

36.5 The licensee(s) (or nominated person) shall ensure that in the event of the failure of an emergency lighting system, members of the public are instructed to leave the premises immediately and not readmitted until the system is operable.

People with disabilities

37.1 On those occasions when people with disabilities are present on the premises the licensee(s) shall make an assessment so as to enable all people to leave the premises safely in the event of an emergency. Advice can be sought from the Fire Authority.

Gas Meter and Electrical Intake Enclosures

38.1 Any gas meter or electricity meter enclosure provided shall be used exclusively for the accommodation of the meter and its connections and the area around the equipment, whether enclosed or not, shall be kept clear and unobstructed.

Gas Appliances

39.1 Any and all gas appliances used in the premises must be regularly and properly maintained by a competent person in accordance with the manufacturers instruction and recommendations at least annually and a record of any such maintenance be kept at the premises and be available for inspection by the Licensing Authority.

Special Conditions

S 1.0 Means of counting the number of patrons present

S 1.1 The Licensee(s) shall have a means of regulating the number of persons present, in the premises at any time when used for public entertainment, which is to the satisfaction of the Licensing Authority.

S 1.2 The Licensee(s) shall use the means for regulating numbers of persons whilst the premises is being used for public entertainment.

S 1.3 The licensee(s) shall, on the request of an authorised officer, demonstrate to that officer the means of regulating numbers and shall give to that officer the number of persons he/she/they believe to be in the premises and that the maximum occupancy level is not exceeded.

S 2.0 Means of controlling noise levels

S 2.1 The Licensee(s) shall ensure that any sound attenuating devices, noise limitation

devices, etc. installed on the premises and/or affixed to sound equipment is operating correctly and in accordance with settings, levels, etc. designed to prevent noise nuisance occurring and agreed with the Licensing Authority.

S 3.0 Video Surveillance Equipment

- S 3.1 The Licensee(s) shall install (OR keep installed) and operate video surveillance cameras and recording equipment at the licensed premises to the satisfaction of the Licensing Authority. Such equipment shall record the conduct of persons entering and leaving the licensed premises and their conduct in the immediate vicinity of such premises.
- S 3.2 The Licensee(s) shall retain the tapes containing the recordings made in pursuance of the above condition, for a minimum of 14 days from the time of the recording being made.
- S 3.3 The video surveillance equipment shall make a continual and contemporaneous record of the date and time on each recording made in pursuance of the above conditions.

....contd./

- S 3.4 The Licensee(s) is/are responsible for the security of any video recording made and retained in accordance with the preceding conditions. Such recording shall be made available to an officer of the Licensing Authority or a police officer on request. Failure to provide the video recording, in its original form, may result in revocation of the licence and/or prosecution.

S 5.0 Drinking Water

- S 5.1 Free and unrestricted access to cold drinking water shall be provided at all times and without charge.

S 6.0 Steps and Stairways

- S 6.1 The edges of the treads of steps and stairways shall be conspicuous. All gangways, exit ways and the treads of steps and stairways shall be maintained with a non-slip surface.
- S 6.2 Edges of steps shall be conspicuously marked.

S 7.0 Additional Notices to be displayed

- S 7.1 Where a licence stipulates that particular parts of the premises are licensed for a particular maximum number, then notices stating the maximum number of persons (including staff) permitted to be in each relevant part of the Licensed Premises, shall be conspicuously sited in each relevant part of the Licensed Premises. Such notices shall be in letters not less than 20 millimetres high bearing the words "Maximum Occupancy" and stating the relevant maximum number.

Prevention of Crime and Disorder:

CCTV
Door supervision.

Public Safety:

None

Prevention of Public Nuisance:

Closure of all doors and windows after 23.30 hours.
Secondary window glazing. (no windows in premises)

Protection of Children from Harm:

Children not admitted on premises.

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 PR01020

Premises details

Postal address of premises, or if none, ordnance survey map reference or description JACQUELINE'S NITE SPOT AND JD'S BAR 24 BROAD STREET	
Post town ROSS-ON-WYE	Post code HR9 7ED
Telephone number 01989 565924	

Where the licence is time limited the dates Not applicable
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Licensable activities authorised by the licence Provision of regulated entertainment 1. A performance of live music (Indoors) 2. Any playing of recorded music (Indoors) 3. A performance of dance (Indoors) 4. Other regulated entertainment (Indoors) Provision of entertainment facilities 5. Making music (Indoors) 6. Dancing (Indoors) Provision of refreshment or alcohol 7. Late night refreshment 8. Sale by retail of alcohol (For consumption both on and off the premises)
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The times the licence authorises the carrying out of licensable activities For all regulated entertainment and entertainment facilities listed above - Monday-Thursday: 11:00 – 01:00 Friday, Saturday: 11:00 - 02:00 Sunday and Easter Sunday until 00:30 Bank Holiday Sunday until 02:00 Christmas Eve 11:00 – 01:00 Christmas Day For sale of alcohol and late night refreshment - Jacqueline's Nitespot (ON) Monday – Thursday: 23:00 – 01:00 Friday and Saturday: 23:00 – 02:00 Sunday: 19:00 – 00:30 JD's Bar and Jacqueline's Nitespot (Rest) (1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10 am to 12midnight. (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30pm (3) On Christmas Day: 12 noon to 11:30pm; For residential licence only from 12 noon to 10.30 with a break of four hours beginning at 3pm. (4) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
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The opening hours of the premises

Jacquelines Nitespot

Monday-Thursday: 11:00 – 01:30

Friday, Saturday: 11:00 - 02:30

Sunday: 10:00 - 01:00

JD's Bar

Plus 30 minutes to the end of the hours shown above for the sale of alcohol.

Non standard timings:

Jacquelines Nitespot

Bank Holiday Sunday until 02:30

Christmas Eve 11:00 – 01:30 Christmas Day

Jacquelines Nitespot & JD's Bar

Start of permitted hours New Year's Eve – end permitted hours New Year's Day

Name, (registered) address of holder of premises licence

Miss Charmaine Nicola Danter

JACQUELINE'S NITE SPOT AND JD'S BAR

24 BROAD STREET

ROSS-ON-WYE

HR9 7ED

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

For consumption both on and off the premises

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

Not applicable

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

Miss Charmaine Nicola Danter

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

Restricted

Licensing Condition/Objectives:

Children not admitted on premises.

MEMORANDUM

To : LICENSING OFFICER
 From : Arran Semple
 Tel : 01432 261753 My Ref : ASE/246113/LUB/PR01020
 Date : 8 December 2017 Your Ref :

LICENSING ACT 2003
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE
JACQUELINE'S NITE SPOT AND JD'S BAR, 24 BROAD STREET, ROSS ON WYE,
HEREFORDSHIRE, HR9 7EA

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

Representation	Industry Guidance
PREVENTION OF CRIME & DISORDER	
PUBLIC SAFETY	
PREVENTION OF PUBLIC NUISANCE Noise or vibration shall not emanate from the premises so as to cause a nuisance. The Premises Licence Holder or DPS must immediately comply with any request to adjust noise levels/ frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police. All windows and external doors at the premises shall be kept closed after 23:00, except during immediate access and egress. All windows and external doors at the premises shall be kept closed during a performance of live music, except during immediate access and egress. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.	
PROTECTION OF CHILDREN FROM HARM	

REFERENCES

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

ARRAN SEMPLE
SENIOR TECHNICAL OFFICER
HEREFORDSHIRE COUNCIL

From: Wilson, Leah
Sent: 18 December 2017 11:41
To: 'danterjds
Cc: Licensing <licensing@herefordshire.gov.uk>
Subject: Premises Licence Variation Application

Dear Charmaine Nicola Danter

As an authorised body under the Licensing Act 2003, Herefordshire Council Environmental Health and Trading Standards have received details of your application for a premises licence variation for Jacqueline's Nite Spot and JD's Bar, 24 Broad Street, Ross on Wye, HR9 7ED.

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

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

1. All staff engaged in the sale of alcohol to be trained in responsible alcohol retailing to the minimum standard of BIIAB level 1 or any equivalent training course within 1 month of commencing employment at the premises. Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence. No person shall be authorised to sell or supply alcohol until this training is completed. Refresher training will be conducted at 6 monthly intervals. Training records shall be kept on the premises and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.
2. A written or electronic register of refusals will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months. It will be collected and reviewed on a weekly basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.
3. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any sale area advertising the scheme operated.

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

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

Yours sincerely

Leah Wilson

Herefordshire.gov.uk

Leah Wilson
Trading Standards Officer
Environmental Health and Trading Standards
Economy, Communities and Corporate
Directorate
Hereford Council
01432 260163
lwilson@herefordshire.gov.uk
lwilson@herefordshire.gcsx.gov.uk

8 St Owens Street
Hereford
HR12PJ

From: [Mooney.James](#)
To: [Licensing](#)
Cc: [Reynolds.Duncan](#); [Green.Nicholas](#); [Ashton.James](#)
Subject: Jacqueline's Nite Spot and JD's Bar, Broad Street, Ross on Wye - variation application.
Date: 13 December 2017 10:52:49

NOT PROTECTIVELY MARKED

West Mercia Police are in receipt of an application to vary the premises licence for a premises called **Jacqueline's Nite Spot and JD's Bar, Broad Street, Ross on Wye.**

The application is to remove existing conditions and replace with new conditions and to extend the licensable hours.

West Mercia Police do not object to this application.

The applicant has put forward replacement steps to promote the licensing objectives, however very few are written in a manner that makes them enforceable. West Mercia Police have the following representations, based on knowledge of the venue and its location, the submissions made by the applicant and need to ensure that any steps put forward are proportionate, achievable and enforceable.

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition.

Cameras shall encompass all ingress and egress to the premises, fire exits, outside areas, and all areas where the sale/ supply of alcohol occurs.

Equipment MUST be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand.

The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in recordable media format, an authorised

Herefordshire Trading Standards Officer or the Local Authority on demand.

The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log report must be

maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Police on contact number '101' immediately

2. The Premises Licence Holder or DPS or a person nominated by them in writing for the purpose will employ a minimum of 2 (two) Security Industry Authority (SIA) door supervisors from 2200hrs on Fridays, Saturdays, all Bank Holidays (except Christmas Day) and New Years Eve. Where the premises is open later than 0130hrs, a minimum of 1 (one) additionally SIA registered door supervisor will be employed - making a minimum total of 3 (three) - at all times when the premises is open later than 0130hrs.

At all times when employed, the SIA registered door supervisors will remain on duty until the end of licensable activities.

At all other times SIA door staff will be employed on a risk assessed basis. The risk assessment shall be in writing and shall be made immediately available on request to

an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police. The role of the SIA registered door supervisor will be independent to any other role or employment at the premises.

3. All existing staff shall be trained within one month of the date this condition appears on this licence. All new staff shall be trained within one month of taking up employment. All existing staff to be trained within three months of this condition appearing on this licence. All staff shall be re-trained twelve monthly thereafter. The training shall included:

- Drugs Awareness
- Conflict resolution
- Selling to under age person
- Selling to drunks

Training records shall be kept on the premises which shall show the area of training covered, the date of the training, the name of the person and shall be signed by the trainer and trainee. This shall be produced to the police, an authorised Herefordshire Trading Standards Officer or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) on demand.

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

5. An incident log must be kept at the premises. Incident log records will be retained for a period of 12 months from the date it occurred. It will made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), an authorised Herefordshire Trading Standards Officer or the Police, which must record the following:

- (a) all crimes (relevant to the licensing objectives) reported to the venue
- (b) all ejections of patrons
- (c) any complaints (relevant to the licensing objectives) received
- (d) any incidents of disorder
- (e) seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment (if fitted)
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service

6. The premises shall have a last entry time for patrons of 0130hrs. No entry or re-entry will be allowed after this time.

7. No open containers containing alcohol will be removed from the premises.

8. The premises licence holder shall be active member of any locally based 'pub watch' scheme for the duration of its existence

9. Noise or vibration shall not emanate from the premises so as to cause a nuisance.

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

11. No person under the age of 18 years shall be permitted to be on the premises after 2100hours other than a member of staff employed at the premises or a child of the premises licence holder or DPS

12. The premises shall operate a Challenge 21 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), an authorised Herefordshire Trading Standards Officer or the police. 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.

Proof of the attainment of 21 years of age will be required through production of a PASS card, full or provisional photo card driving licence, or by a photo passport prior to any alcohol sale taking place

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

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@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 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.

Putting Victims First

Warwickshire Police and West Mercia Police are committed to providing the best possible service to our communities and putting victims at the heart of

Putting Victims First



everything we do.

For information on services and support given to our victims by us and our criminal justice partners visit our websites:

Warwickshire Police:

www.warwickshire.police.uk/puttingvictimsfirst

West Mercia Police: www.westmercia.police.uk/puttingvictimsfirst

HEREFORDSHIRE COUNCIL

HEREFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM – INTERESTED
PARTIES

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**

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.

HOSS-ON-WYE OFFICE

Your Name: [REDACTED]	Contact Telephone: [REDACTED]
Address: [REDACTED]	E-mail address: [REDACTED]
Please state your interest in the premises you are making a representation about: eg local resident/local business LOCAL RESIDENT	
Name & Address of premises you are making a representation about: JAQUELINES NIGHT CLUB + JD'S BAR,	

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 CUSTOMERS GATHER OUTSIDE THE PREMISES DURING THE OPERATIONAL HOURS! THIS IS WORSE IN FINE WEATHER WHEN THEY CONGREGATE OUTSIDE DOOR STAFF BARELY STOP THEM FROM SHOUTING + CAUSING NUISANCE
Public Safety CUSTOMERS OUTSIDE STAND IN THE STREET, OFTEN DRUNK + LOUD. I HAVE HAD TO GO OUT + ASK THEM TO DESIST. DOOR STAFF SEEM INEFFECTIVE. PEOPLE MILLING ABOUT IN ROAD OBSTRUCT CARS TOO.
To Prevent Public Nuisance DISTURBANCE FROM AMPLIFIED MUSIC INCREASES WHEN DOORS ARE LEFT OPEN, WINDOWS OFTEN OPEN IN FINE WEATHER, VOLUME HAS BEEN SO BAD AT TIMES IT CAN BE HEARD IN THE HOUSE DESPITE DOUBLE GLAZING.
To Protect Children from Harm [REDACTED]

Date: 2nd Jan 2018

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

RECEIVED - 2 JAN 2018



HEREFORDSHIRE COUNCIL
HOSS-ON-WYE OFFICE

Representation Form – Interested Parties
Suggested Conditions

Premise: JACQUELINE'S NIGHT CLUB Your name: [REDACTED]

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.

<p>To Prevent Crime and Disorder ENSURE DOOR STAFF EFFECTIVELY DEAL WITH CUSTOMERS GATHERING OUTSIDE, ESPECIALLY WHEN DRUNK, NOISY AND STANDING IN THE ROAD. <small>REDUCE HOURS TO MIDNIGHT MON-THURS + 2AM FR/SAT</small></p>
<p>Public Safety AS ABOVE: DOOR STAFF AND MANAGEMENT TO ENSURE GROUPS MILLING ABOUT waiting or smoking, do so quietly, AND NOT IN THE ROAD</p>
<p>Prevent Public Nuisance ENSURE DOORS + WINDOWS ARE CLOSED DURING OPERATING HOURS, VOLUME RESTRICTERS ON EQUIPMENT, AND HOURS REDUCED MON-THURS TO 12 MIDNIGHT AND 2AM WEEKENDS,</p>
<p>Protect Children from Harm</p>

Signed:
Date: SEE OVER

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

Public rep 2

I am submitting my objections to the request for extending the licencing hours of the above premises. For the reasons mentioned in the attached forms.

Basically

1. Serving alcohol until 3am in the morning is ridiculous. It leads to crime and public nuisance. We have been on the receiving end of criminal damage and public urinations on our premises directly caused by late night drinking. I simply do not understand how the Licensing Authority continues to permit this to various premises in the town. **It is no wonder our police force is stretched the whole time.**
2. I am aware of a number of people in the vicinity who DO object to the late night noise. Perhaps they do not complain formally and it certainly doesn't help putting up notices such as this over the Christmas period – that reduces the democratic process of raising concerns
3. Clearly this premises does not appear to be covered by current Data Protection legislation – or at least I can't see it. This means that taking and keeping of the photos mentioned *could* be breaching the law that the rest of us abide by

