

The Licensing Authority object to the application in full.

Whilst we are aware that the police have not objected to the application, nevertheless the authority must object to it as it is within the heart of the area of the City covered by the Special Policy (Cumulative Impact Policy). It is unable to see any reason why the authority should divert from this policy.

The special policy at paragraph A8 states:

The Licensing Authority are of the opinion based on the evidence that the number of licensed premises in the above areas adversely affect the promotion of the licensing objectives of:

- *Prevention of Crime and Disorder*
- *Public Safety*
- *Prevention of Public Nuisance*
- *Protection of Children from Harm*

The Licensing Authority believe that the granting of the licence would have an adverse effect on the Licensing Objectives of the Prevention of Crime and Disorder and the Prevention of public nuisance, in that the granting of the licence is likely to mean that additional people will congregate in an area which is already overcrowded due to the concentration of hot food outlets and alcohol premises.

I will draw your attention to the plan which is within your background papers where you will see that within the block to the NE of the church there are only licensed premises. The application premises sit right within the centre of these.

Therefore the adding of an additional hot food outlet will only further add to the blockage of the footway which occurs on a regular basis due to queues of people waiting to go into Yates's.

This is likely to result in crime and disorder caused by a large number of people within such a small area. There will be additional litter and noise to residents who live over some of these premises.

The policy at paragraph A10 states '*The effect of the Cumulative Impact Policy is that it creates a rebuttable presumption that application within the cumulative impact area will normally be refused: -*

The policy goes on to say at paragraph A11 '*However, this Policy will not prevent applications in the above areas. Each case will be decided on its own merits, but applicants will have to comprehensively demonstrate in their application that it will not add to existing problems in the area. However, this Policy will not prevent applications in the above areas. Each case will be decided on its own merits, but applicants will have to comprehensively demonstrate in their application that it will not add to existing problems in the area.*

It is the submission of the licensing authority that evidence has been supplied by the applicant that it will not add to existing problems in the area.

The Guidance under Section 182 at paragraph 8.36 states '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.'

I am sure that following a number of stated cases that the committee must follow this guidance unless there is good reason not to do so.

Should the committee wish to override their current policy then the Licensing Authority recommend that the following conditions should be attached to the licence

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. 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 (provided that the police will allow reasonable time for the recording to be obtained in the event that the request for recordings is made at a time when the premises are closed. The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. 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.**
2. **The premises licence holder shall employ SIA registered Door Supervisors on a Friday and Saturday night and on a Sunday night preceding a Bank Holiday from midnight until the terminal hour shown on the licence or until the premises close which ever is the earlier.**
3. **The Premises Licence Holder shall maintain a register of Door Supervisors which will be kept on the premises showing the names and addresses of the Door Supervisors, their badge numbers and shall be signed by the Door Supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police or an authority Officer of the SIA.**
4. **An incident log must be kept at the premises, and made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), an authorised Herefordshire Trading Standards Officer or the Police, which must record the following:**
 - (a) **The date and time of the incident**
 - (b) **A general description of the incident**
 - (c) **A description of offenders and or person involved (with name if possible)**
 - (d) **The member of the staff dealing with the incident.**
 - (e) **Any faults in the CCTV system**
 - (f) **Any visit by a relevant authority or emergency service**
5. **Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exists to the premises requesting the public to respect the needs of local residents and to leave the premises quietly.**
6. **The premises licence holder shall provide 2 additional refuse (litter) containers to be located outside the premises. Such containers shall be secured and shall**

be sighted at a location agreed with Herefordshire Council Highways Department or their agent. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exists to the premises requesting the public to respect the area and ensure that litter is disposed of properly and in appropriate litter bins.

7. The Premises Licence holder will ensure that the area immediately outside the premises is checked for litter at least once every 30 minutes, during operating hours and that any litter found is disposed in refuse sacks or bins.
8. All staff shall wear clothing which identifies them as members of staff of the premises.
9. The Premises Licence Holder and staff will not permit alcohol to be consumed on the premises.
10. The premises licence will ensure that drunks are not served on the premises.
11. The premises licence holder shall ensure that all staff are trained in conflict resolution within one month of being employed at the premises and 6 monthly thereafter. Such training records shall be written down and shall be produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) on demand.