

**Supplement to the agenda for**

# **Licensing sub-committee**

**Friday 15 March 2019**

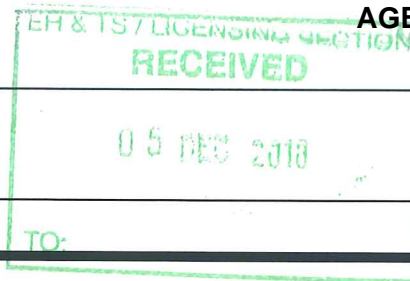
**10.00 am**

**Committee Room 1, The Shire Hall, St Peter's Square,  
Hereford, HR1 2HX**

	<b>Pages</b>
<b>7. APPLICATION FOR A VARIATION OF A PREMISES LICENCE IN RESPECT OF: 'MRH LEDBURY, THE HOMEND, LEDBURY. HR8 1BS'- LICENSING ACT 2003</b>	<b>3 - 30</b>
<b>Please note:</b> the incorrect appendices 1 through 5 were published with the original agenda papers and should be disregarded. This pack contains the correct supporting documents.	



Herefordshire  
Application to vary a premises licence  
Licensing Act 2003



For help contact  
licensing@herefordshire.gov.uk  
Telephone: 01432 26176

\* required information

## Section 1 of 18

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

as 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

VAT number

Legal status

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

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

*Continued from previous page...*

Applicant's position in the business	<input type="text" value="Legal Team"/>	
Home country	<input type="text" value="United Kingdom"/>	The country where the applicant's headquarters are.
<b>Registered Address</b>		Address registered with Companies House.
Building number or name	<input type="text" value="Vincent House"/>	
Street	<input type="text" value="4 Grove Lane"/>	
District	<input type="text"/>	
City or town	<input type="text" value="Epping"/>	
County or administrative area	<input type="text"/>	
Postcode	<input type="text" value="CM16 4LH"/>	
Country	<input type="text" value="United Kingdom"/>	

#### Agent Details

* First name	<input type="text" value="Andrew"/>	
* Family name	<input type="text" value="Sanders"/>	
* E-mail	<input type="text" value="asanders@wslaw.co.uk"/>	
Main telephone number	<input type="text" value="0207 593 0250"/>	Include country code.
Other telephone number	<input type="text"/>	

☐ 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?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Note: completing the Applicant Business section is optional in this form.
Registration number	<input type="text" value="OC334359"/>	
Business name	<input type="text" value="Winckworth Sherwood LLP"/>	If your business is registered, use its registered name.
VAT number	<input type="text" value="-"/> <input type="text" value="N/A"/>	Put "none" if you are not registered for VAT.
Legal status	<input type="text" value="Limited Liability Partnership"/>	

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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 18**

**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.**

/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



Continued from previous page...

Non-domestic rateable value of premises (£)

### Section 3 of 18

#### VARIATION

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

#### 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.

The premises is a petrol forecourt store located on The Homend, Ledbury, HR8 1BS.

The variation is to do the following:

1. Extension of the hours for the sale of alcohol to 24 hours daily.
2. Provision of late night refreshment between the hours of 2300 and 0500 daily.
3. To remove any embedded restrictions on the licence.
4. To remove the conditions listed in Annex 2.
5. To include in Annex 2 the conditions in boxes b to e of Section 16 of the application.
6. To make alterations to the premises.

### Section 4 of 18

#### PROVISION OF PLAYS

See guidance on regulated entertainment

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

☐ Yes ☒ No

### Section 5 of 18

#### PROVISION OF FILMS

See guidance on regulated entertainment

*Continued from previous page...*

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

☐ Yes ☒ No

#### Section 6 of 18

##### PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

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

☐ Yes ☒ No

#### Section 7 of 18

##### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

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 18

##### PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

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

☐ Yes ☒ No

#### Section 9 of 18

##### PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

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

☐ Yes ☒ No

#### Section 10 of 18

##### PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

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

☐ Yes ☒ No

#### Section 11 of 18

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

See guidance on regulated entertainment

Continued from previous page...

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 18

### 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

### 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 day 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



*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 select 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.

The provision will take place inside the premises but customers may leave the premises with items purchased.

State any seasonal variations.

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

Non standard timings. Where the premises will be used for the provision of late night refreshment 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 13 of 18

### SUPPLY OF ALCOHOL

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

☒ Yes ☐ No

#### 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 day of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start 00:00

End 24:00

Start

End

THURSDAY

Start 00:00

End 24:00

Start

End

FRIDAY

Start 00:00

End 24:00

Start

End

SATURDAY

Start 00:00

End 24:00

Start

End

SUNDAY

Start 00:00

End 24:00

Start

End

Will the sale of alcohol be for consumption?

☐ On the premises ☒ Off the premises ☐ Both

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

State any seasonal variations.

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

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

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.

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.

The premises sells alcohol and other age restricted products.

## Section 15 of 18

### OURS 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 day 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.

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*Continued from previous page...*

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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.

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

1. Any embedded restrictions on the licence.
2. The conditions listed under Annex 2.

☒ 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.

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## Section 16 of 18

### 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.

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b) The prevention of crime and disorder

1. A CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.

2. The CCTV system shall be capable of producing immediate copies on site. Copies of recordings will either be recorded on good quality video tape or digitally on to CD/DVD or other equivalent medium.

3. Any recording will be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.

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4. The precise positions of the camera may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
5. The system will display, on any recording, the correct time and date of the recording.
6. The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
7. All cashiers shall be trained to record refusals of sales of alcohol in a refusals book/register. The book/register will contain
  - details of the time and date the refusal was made;
  - the identity of the staff member refusing the sale;
  - details of the alcohol the person attempted to purchase.

This book/register shall be available for inspection by a police officer or other authorised officer on request.

8. There shall be no self-service of spirits except for spirit mixtures.
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#### **;) Public safety**

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There will at all times be adequate levels of staff maintained at the premises. Such staff levels will be disclosed, on request, to the licensing authority and police.

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#### **j) The prevention of public nuisance**

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Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.

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#### **;) The protection of children from harm**

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1. The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.
2. All staff engaged or to be engaged in the sale of alcohol on the premises shall receive the following training in age restricted sales:
  - Induction training which must be completed and documented prior to the sale of alcohol by the staff member.
  - Refresher/reinforcement training at intervals of no more than 6 months.

Training records will be available for inspection by a police officer or other authorised officer on request.

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## **Section 17 of 18**

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### **NOTES ON REGULATED ENTERTAINMENT**

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*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.
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*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 18 of 18

### 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](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

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
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 (£)	315.00
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### 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



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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

\* Capacity

\* Date  /  /   
dd mm yyyy

[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.

**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.**

#### OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

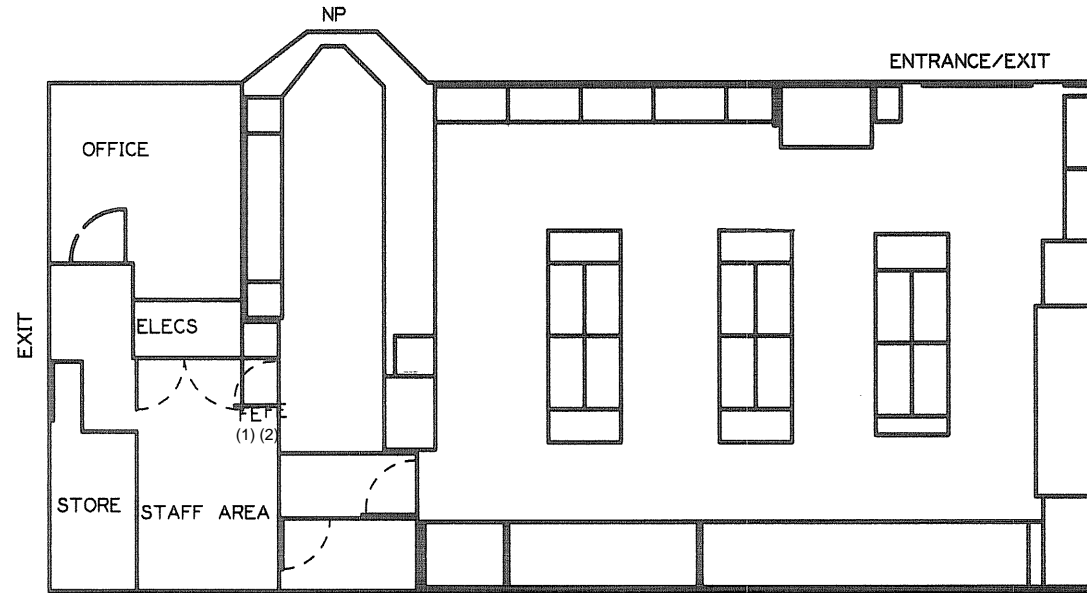
Is Digitally signed ☐

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

# MRH LEDBURY

75.18 Squared Meterage

1:100 on A4 Paper



KEY:

FE - Fire Extinguishers  
(1) CO2  
(2) Powder

THE ENTIRE PREMISES MAY BE USED FOR  
THE SALE OF ALCOHOL AND THE PROVISION  
OF LATE NIGHT REFRESHMENT







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

**Premises licence number –PR01177(Change of Address Premises Licence Holder)**

**Part 1 - Premises details**

Postal address of premises, or if none, ordnance survey map reference or description <b>MRH Ledbury The Homend</b>	
Post town <b>Ledbury</b>	Postcode <b>HR8 1BS</b>
Telephone number <b>01531635025</b>	

Where the licence is time limited the dates <b>Not applicable</b>
--

Licensable activities authorised by the licence <b>Provision of refreshment or alcohol</b> <b>1. Sale by retail of alcohol (For consumption off the premises)</b>
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The times the licence authorises the carrying out of licensable activities <b>Monday-Sunday: 06:00 - 23:00</b>  <b>Non standard timings: None</b>  <b>Seasonal variations: None</b>
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The opening hours of the premises <b>Monday-Sunday: 06:00 - 23:00</b>  <b>Non standard timings: None</b>  <b>Seasonal variations: None</b>
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Where the licence authorises supplies of alcohol whether these are on and/ or off supplies <b>For consumption off the premises</b>
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**Part 2**

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence <b>Malthurst Retail Limited Gladstone Place 36-38 Upper Marlborough Road St Albans AL1 3UU</b>
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Registered number of holder, for example company number, charity number (where applicable) <b>3313799</b>
--

Licensing Section, Herefordshire Council  
8 St Owen Street, Hereford. HR1 2PJ

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

**Suren Rajendran**

**Xxxxxx**

**Xxxxxx**

**xxxx**

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: xxxxxxxxx**

**Issuing authority: Ealing Council**

## **Annex 1 - Mandatory conditions**

### **Age verification**

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) 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 either—
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.

### **Below Cost 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.

### **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

**Licensing Section, Herefordshire Council  
8 St Owen Street, Hereford. HR1 2PJ**

- (a) 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.

## **Annex 2 - Conditions consistent with the operating Schedule**

### **Licensing objectives**

#### **General:**

Provision of full alarm, CCTV system with recordings, fully trained staff with recorded ongoing training regime, Challenge 21 and pass accredited proof of age initiative embraced, refusals book, instore signage, spirits displayed behind the counter.

#### **Prevention of Crime & Disorder:**

Full alarm system, CCTV system with record facility, instore signage, access can be controlled into the premises at staff's discretion by means of electronic shunt locks fitted to the shop door. Spirits located behind the counter.

#### **Public Safety:**

Staff trained in fire safety procedures and evacuation procedures fire safety equipment located on site with staff trained in its use.

#### **Prevention of Public Nuisance:**

Staff trained to deal with situations

#### **Protection of Children from Harm:**

Staff fully trained in alcohol sales with ongoing refresher training, Challenge 21 and pass accredited proof of age scheme, instore signage, refusals book, spirits located behind the counter.

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).

## **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 – PR01177 (App to Vary Premise DPS)**

**Premises details**

Postal address of premises, or if none, ordnance survey map reference or description <b>MRH Ledbury The Homend</b>	
Post town <b>Ledbury</b>	Post code <b>HR8 1BS</b>
Telephone number	

Where the licence is time limited the dates <b>Not applicable</b>
--

Licensable activities authorised by the licence <b>Provision of refreshment or alcohol</b> <b>1. Sale by retail of alcohol (For consumption off the premises)</b>
---

The times the licence authorises the carrying out of licensable activities <b>Monday-Sunday: 06:00 - 23:00</b>  <b>Non standard timings: None</b>  <b>Seasonal variations: None</b>
--

The opening hours of the premises <b>Monday-Sunday: 06:00 - 23:00</b>  <b>Non standard timings: None</b>  <b>Seasonal variations: None</b>
---

Name, (registered) address of holder of premises licence <b>Malthurst Retail Limited Gladstone Place 36-38 Upper Marlborough Road St Albans AL1 3UU</b>
--

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies <b>For consumption off the premises</b>
---

Registered number of holder, for example company number, charity number (where applicable) <b>3313799</b>
--

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol <b>Suren Rajendran</b>
--

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

**Restricted**

**Licensing Objectives:**

**Staff fully trained in alcohol sales with ongoing refresher training, Challenge 21 and pass accredited proof of age scheme, instore signage, refusals book, spirits located behind the counter.**

**No adult entertainment or services or activities must take place at the premises**





## NOT PROTECTIVELY MARKED

West Mercia Police are in receipt of an application to vary the premises licence for a premises known as **MRH Ledbury, The Homend, Ledbury**. The application to extend the hours for the sale/supply of alcohol and to add late night refreshment. The applicant also seeks to replace a number of existing conditions.

Whilst the applicant has put forward a number of steps to promote the licensing objectives, a number are worded in a manner that makes them unclear and to a certain extent unenforceable. West Mercia Police have the following representations that in our view 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. 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 be 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) any complaints (relevant to the licensing objectives) received
- (c) any faults in the CCTV system or searching equipment or scanning equipment
- (d) any refusal of the sale of alcohol
- (e) any visit by a relevant authority or emergency service

3. 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 Trading Standards. (All existing staff shall be trained within one month of the date that this condition appears on this licence. All new staff shall be trained within one month of taking up employment. All staff shall be re-trained twelve monthly thereafter. Training records shall be kept on the premises which shall show the name of the training course attended, the date of the training, the name of the person undertaking the training and 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. 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), 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 serving counter advertising the scheme operated.

Regards

Jim Mooney - **on behalf of Ps 3456 REYNOLDS**

Harm Reduction/Community Safety Dept.,

Harm Reduction Coordinator,

Herefordshire Policing Area

West Mercia Police.

DDI 01432 347102

Switchboard '101' x 4702

[james.mooney@westmercia.pnn.police.uk](mailto:james.mooney@westmercia.pnn.police.uk)

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

[#destinationHereford](#)

[www.westmercia.police.uk/maketherightcall](http://www.westmercia.police.uk/maketherightcall)

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.

**From:** [Wilson, Leah](#)  
**To:** ["asanders@wslaw.co.uk"](mailto:asanders@wslaw.co.uk)  
**Cc:** [Licensing](#)  
**Subject:** Premises Licence Variation Application  
**Date:** 18 February 2019 13:16:37  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Dear Mr Sanders

RE: Trading Standards Representation in the Application to Vary a Premises Licence

As an authorised body under the Licensing Act 2003, Herefordshire Council Environmental Health and Trading Standards have received details of your client's application for a premises licence variation for MRH Ledbury, The Homend, Ledbury, HR8 1BS.

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 as an amendment to those already specified on the application:

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 12 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.

I would kindly request that on the authorisation from your client of an acceptance of these conditions you email both our licensing department [licensing@herefordshire.gov.uk](mailto:licensing@herefordshire.gov.uk) and myself (on behalf of trading standards).

Regards  
Trading Standards

Image



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

8 St Owens Street  
Hereford  
HR12PJ



**Please consider the environment - Do you really need to print this E-Mail?**

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**From:** [Mooney, James](#)  
**To:** [Licensing](#)  
**Cc:** [Bowell, Emma](#); [Reynolds, Duncan](#); [Spriggs, Fred](#)  
**Subject:** Variation Application - MRH Ledbury, The Homend, Ledbury, HR8 1BS  
**Date:** 27 February 2019 11:01:17  
**Attachments:** [image002.png](#)  
[image003.png](#)

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Morning Emma

There has been long protracted discussions with the applicants agent which have come to an impasse with regards to the supply of CCTV if required by the Police.

The following is a cut and paste from the applicant which is agreed with the Police with the exception of their point 3 which I have put in bold.

The Police position is that CCTV should be available at all times the premises is open for licensable activities. In order to compromise the Police have put forward various suggestions to appease the applicant. These have all been rejected on the grounds they are not achievable by the applicant and not supported by any evidence to prove they are necessary.

This I understand is the current position from a Police point of view:

**Amended Operating Schedule**

1. A CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose such system to be to the reasonable satisfaction of the police.
2. The CCTV system shall be capable of producing immediate copies on site. Copies of recordings will either be recorded on good quality video tape or digitally on to CD/DVD or other equivalent medium.

**3. Any recording will be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be provided, subject to compliance with Data Protection legislation, to the police or other authorised officer within 24 hours of request.**

4. The precise positions of the camera may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
5. The system will display, on any recording, the correct time and date of the recording.
6. The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
7. All cashiers shall be trained to record refusals of sales of alcohol in a refusals book/register. The book/register will contain:

- details of the time and date the refusal was made;
- the identity of the staff member refusing the sale;
- details of the alcohol the person attempted to purchase.

This book/register shall be available for inspection by a police officer or other authorised officer on request.

8. There shall be no self-service of spirits except for spirit mixtures.
9. There will at all times be adequate levels of staff maintained at the premises. Such staff levels

will be disclosed, on request, to the licensing authority and police.

10. Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.

11. The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.

12. An incident book/register must be maintained to record:

- all incidents of crime and disorder occurring at the premises
- details of occasions when the police are called to the premises

The book/register must be retained at the premises or at the offices of the licence holder for a minimum period of 12 months.

13. All staff engaged or to be engaged in the sale of alcohol on the premises shall receive the following training in age restricted sales:

- Induction training which must be completed and documented prior to the sale of alcohol by the staff member.
- Refresher/reinforcement training at intervals of no more than 6 months.

Training records will be available for inspection by a police officer or other authorised officer on request.

14. Signage informing customers of the age verification policy adopted at the premises will be prominently displayed.

Regards

Jim Mooney - on behalf of Ps 3456 Reynolds  
Harm Reduction/Community Safety Dept.,  
Harm Reduction Coordinator,  
Herefordshire Policing Area  
West Mercia Police.  
DDI 01432 347102  
Switchboard '101' x 4702  
james.mooney@westmercia.pnn.police.uk  
[In Herefordshire we protect people from harm](#)  
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**From:** Licensing [mailto:licensing@herefordshire.gov.uk]