

AGENDA

Regulatory Sub Committee

Date: **Tuesday 4 December 2012**

Time: **10.00 am**

Place: **Committee Room 1, Shirehall, Hereford**

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

For any further information please contact:

Ricky Clarke, Democratic Services Officer

Tel: 01432 261885

Email: rclarke@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format or language, please call Ricky Clarke, Democratic Services Officer on 01432 261885 or e-mail rclarke@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Regulatory Sub Committee

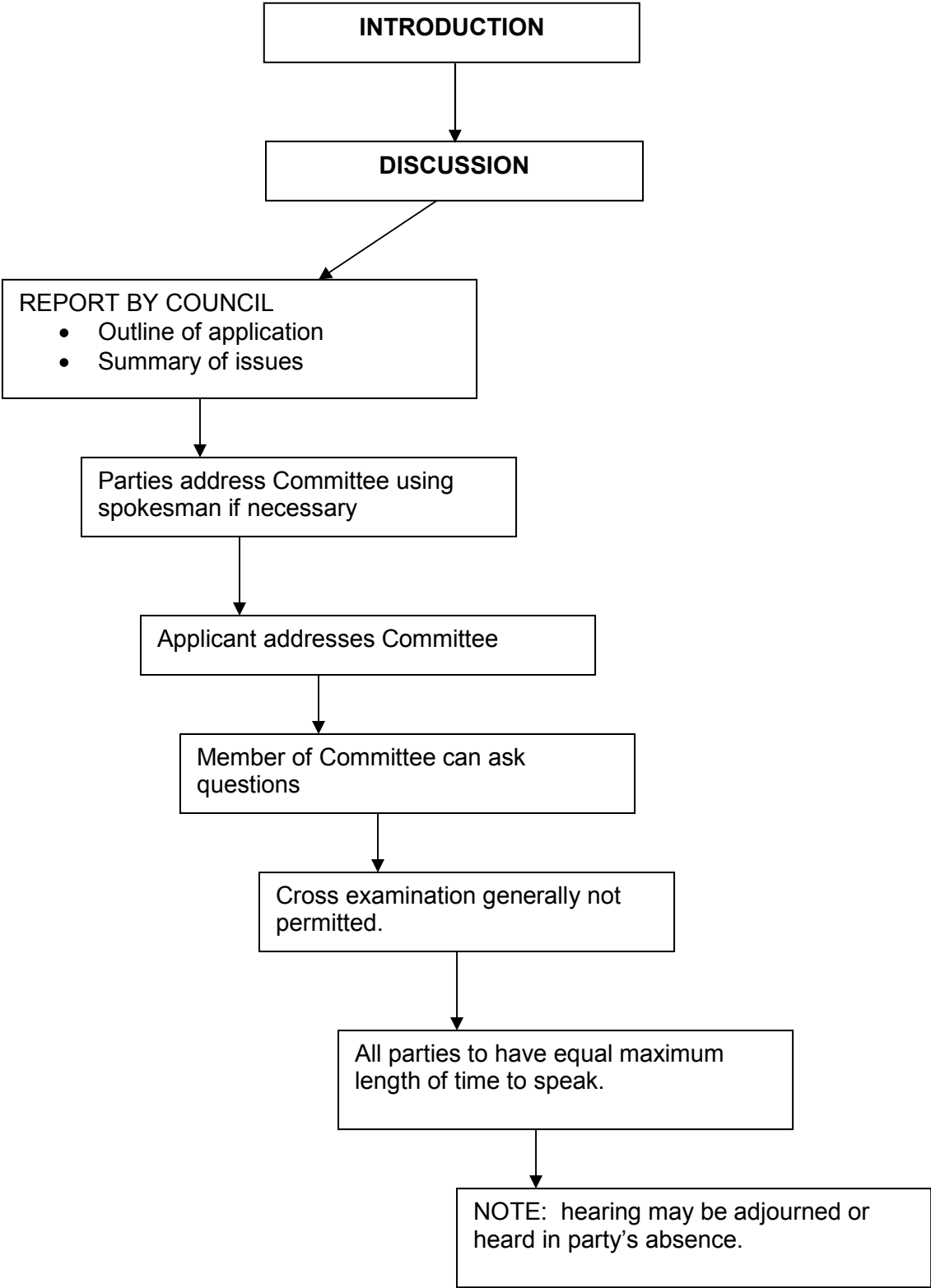
Membership

**Councillor CM Bartrum
Councillor JW Hope MBE
Councillor Brig P Jones CBE**

AGENDA

	Pages
1. ELECTION OF CHAIRMAN To elect a Chairman for the hearing.	
2. APOLOGIES FOR ABSENCE To receive apologies for absence.	
3. NAMED SUBSTITUTES (IF ANY) To receive any details of Members nominated to attend the meeting in place of a Member of the Committee.	
4. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
5. REVIEW OF PREMISES LICENCE 'JAILHOUSE, 1 GAOL STREET, HEREFORD, HR1 2HU.' To re-consider an application for the review of a premises licence in respect of 'Jailhouse, 1 Gaol Street, Hereford, HR1 2HU'.	1 - 20
6. APPLICATION FOR REVIEW OF PREMISES LICENCE 'KINGS ACRE POST OFFICE & STORES, 95 KINGS ACRE ROAD, HEREFORD, HR4 0RQ.' To re-consider an application for the review of a premises licence in respect of the 'Kings Acre Post Office & Stores, 95 Kings Acre Road, Hereford, HR4 0RQ'.	21 - 44

LICENCING HEARING FLOW CHART



The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO:-

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of the Cabinet, of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50, for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.
- A member of the public may, at a meeting of the full Council, ask a Cabinet Member or Chairman of a Committee any question relevant to a matter in relation to which the Council has powers or duties or which affects the County as long as a copy of that question is deposited with the Monitoring Officer eight clear working days before the meeting i.e. by 12:00 noon on a Monday in the week preceding a Friday meeting.

Public Transport Links

- The Shirehall is ten minutes walking distance from both bus stations located in the town centre of Hereford. A map showing the location of the Shirehall is found opposite.



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HEREFORD



- | | | | |
|---|------------------|----|-----------------------------------|
| 1 | Brockington | 7 | Kemble House |
| 2 | Town Hall | 8 | Trinity House |
| 3 | Shire Hall | 9 | Thorn Office Centre |
| 4 | Education Centre | 10 | Herefordshire Commercial Services |
| 5 | Garrick House | 11 | Merchant House |
| 6 | Bath Street | 12 | Plough Lane |

FIRE AND EMERGENCY EVACUATION PROCEDURE

IN CASE OF FIRE

(no matter how small)

1. Sound the Alarm
2. Call the Fire Brigade
3. Fire party - attack the fire with appliances available.

ON HEARING THE ALARM

Leave the building by the nearest exit and proceed to assembly area on:

GAOL STREET CAR PARK

Section Heads will call the roll at the place of assembly.

MEETING:	REGULATORY SUB-COMMITTEE
DATE:	4 DECEMBER 2012
TITLE OF REPORT:	REVIEW OF A PREMISES LICENCE 'JAILHOUSE, 1 GAOL STREET, HEREFORD, HR1 2HU' – LICENSING ACT 2003
PORTFOLIO AREA:	HEALTH AND WELLBEING

CLASSIFICATION: Open

Wards Affected

Central

Purpose

To consider an application for the review of a premises licence in respect of 'Jailhouse, 1 Gaol Street, Hereford, HR1 2HU'.

Key Decision

This is not a Key Decision.

Recommendation

THAT 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 necessary to promote the licensing objectives,
- The police application for a review,
- The Guidance issued to local authorities under the Licensing Act 2003, and
- The Herefordshire Council Licensing Policy.

Key Points Summary

- Application received from West Mercia Police on 13th August 2012
- Determination of application adjourned by the Sub-Committee on 2nd October 2012

Options

1 There are a number of options open to the committee:

- the modification of the conditions of the premises licence;

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

- to exclude a licensable activity from the scope of the licence;
- the removal of the designated premises supervisor from the licence;
- the suspension of the licence for a period not exceeding 3 months; and
- the revocation of the licence.

Reasons for Recommendations

2 Ensures compliance with the Licensing Act 2003.

Background Information

Applicant	West Mercia Police represented by Mr J Mooney	
Premise Licence Holder	Steven Lloyd Harrison The Crozens, 114 Eign Street, Hereford, HR1 2RZ	
Solicitor	N/A	
Type of application:	Date received:	28 Days consultation
Review	13 October 2012	10 September 2012

3 The grounds for the review are:

West Mercia Police are of the opinion that the premises licence holder is failing to promote the licensing objectives – in particular that of the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm – due to the level of crime (assaults and drug offences) and disorder that is occurring at the premises.

4 The information submitted to support the grounds stated:

This premises is a medium size night club that is located close to the city centre of Hereford and a short distance from Hereford Police Station.

For a number of years, West Mercia Police have raised concerns with both the premises licence holder (PLH) – Mr Harrison – and the designated premises supervisor (DPS) – Lee Symonds with regard to the effect promotion of the licensing objectives and in particular issues regarding crime, disorder and the misuse of illegal drugs. This has resulted in warning letters being sent with an expectation that matters would improve. Additionally there was an expectation that the premises licence holder would put in place – either voluntary, or through a licence variation application – necessary steps to further promote the licensing objectives.

The premises has a history of persons attending the venue to use or provide illegal drugs to others. It also has a history of drink related disorder in or near to the venue as a result of guests leaving the venue. It is fair to say that both responsible persons for the premises have

worked hard to change this view.

Below you will see a list of incidents that have come to the attention of West Mercia Police and also a list of interventions by the police with the premises licence holder.

This review is launched as a result of the catalogue of incidents and in particular the last matter dated 04 August 2012. This last incident concerns a report of 3 young males being found inside the club suffering the effects of drug misuse. All three are suspect of taking a drug called ketamine – this is a class B controlled substance and is described as a hallucinogenic 'high'. All three were taken from the club by ambulance. As a result of this, a short time later a male was detained inside the club in possession of a number of packets of drugs called 'ketamin'. This male was also suffering from the effects of taking this controlled substance.

This latest incident is viewed as a serious matter. As a consequence a meeting was held on the 08 August 2012, with both the PLH and DPS. The meeting identified a number of concerns over how the premises operate. When asked it was clear that no steps had been put in place to address any potential matter of a similar nature, when the premises opened the next evening for licensable activities.

West Mercia Police are voicing their concerns over the competence of the DPS to manage and control the premises and therefore promote the licensing objectives.

They have further concerns over the abilities of the door supervision team to operate in an effect manner and regarding the low number of door supervisors required by the premises licence.

It is recognised that when issues are raised with the PLH, steps are taken to address concerns being raised. However this is viewed as a reactive step and not a proactive approach in order to promote the licensing objectives.

Further information is provided within the application

5 **Current Licence**

In brief the current licence authorises

A performance of live music; Any playing of recorded music; A performance of dance; Making music; Dancing; Sale by retail of alcohol

Monday: 12:00 - 01:30;

Tuesday-Thursday: 12:00 - 02:00;

Friday-Saturday: 12:00 - 03:00;

Sunday: 12:00 - 01:00

Provision of late night refreshment

Monday: 23:00 - 02:00;

Tuesday-Thursday: 23:00 - 02:30;

Friday-Saturday: 23:00 - 03:00;

Sunday: 23:00 - 01:30

Key Considerations

6 The licensing authority must take into account any relevant representations made. Relevant representations are those that:

- relate to one or more of the licensing objectives;

- have not been withdrawn; and
- are made by the premises licence holder, a responsible authority or an interested party (who is not also a responsible authority).

Community Impact

7 There is likely to be little outcome on the Community.

Legal Implications

- 8 An appeal may be made within 21 days of the licence holder being notified of the licensing authority's decision to a magistrates' court. An appeal may be made by the premises licence holder, the chief officer of police and/or any other person who made relevant representations.
- 9 The decision of the licensing authority, following the review hearing, will not have effect until the end of the period allowed for appeal or until that appeal is disposed of.

Consultees

- 10 Responsible authorities and persons living within the vicinity or with a business interest within the vicinity of the premises.
- 11 The notice of review was displayed on the premises which invited representation. The notice was also displayed at the offices of the Licensing Authority at Bath Street.

Appendices

- 12 a. Application Form

Background Papers

Background papers are available for inspection in Meeting Room 22a, Brockington, 35 Hafod Road, Hereford 30 minutes before the start of the hearing.



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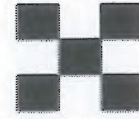


TO / LICENSING SECTION
RECEIVED

13 AUG 2012

TO:

<p>Application for the Review of a Premise Licence or Club Premise Certificate under the Licensing Act 2003</p> <p><small>*Delete as appropriate</small></p>	
<p>Please Read the Following Instructions First</p> <p>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 your answers are inside the boxes and written in black ink. Use additional sheets if necessary.</p> <p>You may wish to keep a copy of the completed form for your records.</p>	
<p>I, David Shaw, the Chief Officer of West Mercia Police, apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)</p>	
<p>Part 1 Premise or Club Premise details</p>	
<p>Postal address of Premise/Club Premise (if none, Ordnance Survey map location or description)</p> <p>Jail House Gaol Street</p>	
<p>Post Town Hereford</p>	<p>Post Code HR1 2HU</p>
<p>Name of Premise Licence Holder or Club holding Club Premises Certificate (if known)</p> <p>Stephen Lloyd Harrison</p>	
<p>Number of Premise Licence or Club Premise Certificate (if known)</p> <p>PR01136</p>	



Part 2 – Applicant Details	
I am: -	Tick for YES
1. An Interested Party (please complete (A) or (B) below)	
a) A person living in the vicinity of the Premise	
b) A body representing persons living in the vicinity of the premise	
c) A person involved in business in the vicinity of the premise	
d) A body representing persons involved in business in the vicinity of the premise	
2. A Responsible Authority (please complete C below)	X
3. A member of a Club to which this Application Relates	
A) Details of Individual Applicant	
Please tick	
Mr.	<input type="checkbox"/>
Mrs.	<input type="checkbox"/>
Miss	<input type="checkbox"/>
Ms.	<input type="checkbox"/>
Other	<input type="checkbox"/>
First Name(s)	
Surname	
I am over 18 years of age	Yes/No (delete as applicable)
Current Postal Address	
	Post Town Post Code
Daytime Telephone No.	
E-mail address	



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(B) Details of Other Applicants
Name & Address
Telephone Number
E-mail address
(C) Details of Responsible Authority Applicants
James Mooney Police Licensing Officer Hereford Police Station Bath Street Hereford. HR1 1TA
Telephone Number 01432 347102
E-mail address herefordandworcesterlicensing@westmercia.pnn.police.uk

This Application to Review Relates to the following Licensing Objective(s): -	
Please tick one or more boxes	
1. The prevention of crime and disorder	X
2. Public Safety	
3. Prevention of Public Nuisance	X
4. Protection of Children from Harm	X



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Please state the Grounds for Review

(Guidance Note 1 applies)

West Mercia Police are of the opinion that the premises licence holder is failing to promote the licensing objectives – in particular that of the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm – due to the level of crime (assaults and drugs offences) and disorder that is occurring at the premises



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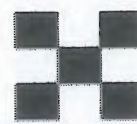
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This latest incident is viewed as a serious matter. As a consequence a meeting was held on the 08 August 2012, with both the PLH and DPS. The meeting identified a number of concerns over how the premises operate. When asked it was clear that no steps had been put in place to address any potential matters of a similar nature, when the premises opened the next evening for licensable activities.

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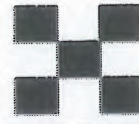
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RECORD OF INCIDENTS – BEGINNING OF 2011 TO 10/08/12

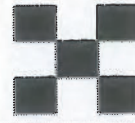
	Date	Time	Description
1	04/08/12	0250	DRUGS. Male detained suspicion of possession of a controlled substance. Male also under the effect of taking drugs. Arrested connected with (2) below
2	04/08/12	0115	DRUGS. 3 males found inside the premises under the effect of drugs, suspicion that they had taken ketamin. Ambulance called and all three taken to hospital
3	17/07/12		DRUGS. 3 rd party report that a female had been to the premises and believed that her drink had been 'spiked' with drugs. No police investigation, PLH informed of the incident.
4	14/07/12	0254	DISORDER. Disorder inside the premises – established that parties involved used to be in a relationship and had fallen out in the club. Both ejected by the staff at the club, both continued to argue, police attended and dispersal notices issued
5	30/06/12	0201	DISORDER. Call via city CCTV control room. Male ejected from club after a fight broke out. Male remained outside the club and was seen to assault another. Male arrested
6	16/06/12	0430	DISORDER. Staff at the club reporting disorder inside the premises. Two males ejected from the club, where one assaulted another, male refused to make a complaint
7	16/06/12	0225	DRUGS. Report via ambulance service that they were attending the premises after a report that a male had collapsed through drug misuse. Male not found.
8	10/06/12	0056	DISORDER. Call via city CCTV control room, male outside premises, alleging that he had been assaulted. Male perceived to be extremely drunk and with no visible injuries. Male left the area with friends
9	01/06/12	2348	DRUGS. Staff reporting that they had detained a male inside the premise using what they believed to be cocaine. Male appeared to be under the influence of an illegal drug – male searched by police, nothing found



10	20/05/12	0100	DRUGS. Staff detained two males inside premises – found with two lines of a white powder on a surface inside the male toilets. One male arrested
11.	19/05/12	0221	DISORDER/DRUGS. Call via city CCTV control room – male acting aggressive towards door staff. Male acting as if either drunk or under the influence of an illegal drug. Male arrested for disorder
12	10/04/12	22588	DISORDER. Pre planned 'teen night' occurring at the premises (restricted to under 18's with no alcohol sold). Police attended a number of incidents near to the premises, of young people under the influence of alcohol
13	10/03/12	0025	DRUGS. Staff detained a male in possession of illegal drugs. Male arrested
14	26/02/12	0000	Items of identification handed to the police. Items used by young people attempting to gain entry to the premises whilst under the age of 18. Matters not reported to the police at the time they occurred.
15	26/02/12	0147	DISORDER. Staff reporting a male setting off fire extinguishers inside the premises. Male arrested
16	27/12/11	0317	DISORDER. Street disorder by revellers leaving the premises – dispersal notices issued
17	24/12/11	0600	DISORDER. Street disorder by revellers leaving the premises – 2 arrests for disorder and dispersal notices issued
18	16/12/11	2313	DISORDER. Disorder in the alley leading to the premises – 2 arrests
19	05/11/11	0203	DISORDER. Disorder outside the premises – 1 arrest and other parties dispersed
20	05/11/11	0148	DRUGS. Staff detained male with tablets believed to illegal drugs – later established to be herbal tablets
21	24/10/11	0104	DISORDER. Assault at premises – 1 arrest
22	22/10/11	0100	6 items of identification handed to the police – seized from young people attempting to gain entry to the premises. No reported to the police at the time of the occurrences
23	15/10/11	0100	DISORDER. Disorder at the premises, parties ejected and continued to fight. Dispersal notices issued
24	10/10/11	0200	DRUGS. Staff detained male found in possession of illegal drugs. 1 arrest
25	25/09/11	0145	DISORDER. Disorder outside the premises –



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			parties dispersed by officers
26	20/08/11	0200	DRUGS. Staff detained male in possession of illegal drugs. 1 arrest
27	11/07/11	2220	Staff stopped a female attempting to gain entry to premises with another's ID document. 1 arrest
28	30/05/11	0300	DISORDER. Disorder outside premises – parties involved then went into the premises where one assaulted another. 1 arrest
29	30/05/11	0134	DISORDER. Disorder outside premises, dispersal notices issued
30	21/05/11	0220	DRUGS. Staff detained a male in possession of illegal drugs. 1 arrest.
31	21/05/11	0210	DISORDER. Assault inside the premises – 1 arrest
32	21/05/11	0134	DISORDER. Disorder outside the premises – 1 arrest.
33	20/05/11	2330	DRUGS. Staff detained a male in possession of an illegal substance – believed to be cannabis. 1 arrest
34	13/05/11	2350	DRUGS. Staff detained one male in possession of illegal substance – tablets and powder. 1 arrest
35	09/04/11	0154	DRUGS. Ambulance attending a report of male collapsed outside the premises – believed through the misuse of a controlled drug
36	09/04/11	0110	DRUGS. Staff detained a male in possession of powder. Later established to be illegal drugs. 1 arrest
37	27/03/11	0300	DISORDER. Domestic assault at the premises. Parties reluctant to make a complaint. Warnings given
38	19/03/11	0413	DISORDER. Staff reporting a female being disorderly at the front of the premises. Female warned
39	12/03/11	0305	DISORDER. Disorder inside the premises. 1 arrest
40	06/03/11	0319	DISORDER. Disorder at the front of the premises. Parties warned
41	20/02/11	2306	Female detained with another's item of ID. Female warned
42	19/02/11	2357	DRUGS. Staff detained one male in possession of an illegal substance. 1 arrest
43	30/01/11	0140	DISORDER. Assault inside the premises – DJ punched in the face
44	22/01/11	0041	DRUGS. Ambulance attended a report of a collapsed male. Believed to have taken an



			illegal substance
45	15/01/11	0141	DRUGS. Staff detained a male in possession of an illegal substance – 1 arrest
	2010		A total of 32 incidents were reported and recorded by West Mercia Police as being connected to the premises. 09 of these incidents involve issues concerning drugs 23 of these incidents concern both crime and disorder.

Police interventions with premises licence holder.

	Date	Comments
1	03/02/11	Visit and inspection by officers of the licensing authority – follow up warning letter sent regards non compliance of licence conditions
2	18/04/11	Police warning letter regarding level of disorder and drugs incidents
3	18/05/11	Police follow up letter regarding drugs issues at the premises
4	12/01/12	Police warning letter regarding irresponsible drinks promotions
5	08/08/12	Meeting at premises with DPS/PLH regarding drugs issues.

The impact of crime and disorder resulting from this venue has an impact on the community in Hereford. It also impacts on the resilience of the police and the National Health Service – in particular the services provided at the Hereford county Hospital Accident and Emergency Department.

West Mercia Police are of a view that the premises licence holder has failed to effectively promote the licensing objectives with regards the promotion of the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm




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<p>Have you made application to Review this Premise Licence before</p>	<p>Yes or No (Delete as applicable)</p>					
<p>If "yes" please state the date of that application</p>	D	D	M	M	Y	Y
<p>If you have made representations before relating to this premise please state what they were and when you made them</p>						
						<p>Please tick</p>
<ul style="list-style-type: none"> ▪ I have sent copies of this form and enclosures to the responsible authorities and the premise licence holder or club holding the club premise certificate, as appropriate 						<p>X</p>
<ul style="list-style-type: none"> ▪ I understand that if I do not comply with the above requirements, my application will be rejected 						<p>X</p>
<p>IT IS AN OFFENCE, LIABLE UPON CONVICTION, TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN , OR IN CONNECTION WITH, THIS APPLICATION</p>						



Part 3 – Signatures (Please see Guidance Note 3)	
Signature of Applicant or Applicant’s Solicitor or other duly authorised person (see Guidance Note 4). If signing on behalf of the applicant please state in what capacity	
Signature	Jim Mooney. 
Date	13 August 2012.
Capacity	Police Licensing Officer
Contact name (where not previously given) and postal address for correspondence associated with this application (Please read Guidance Note 5)	
Post Town	Post Code
Telephone Number	
E-mail address	
Notes for Guidance	
<ol style="list-style-type: none"> 1. The Grounds for Review must be based upon one or more of the Licensing Objectives 2. Please list any additional information or information, for example dates of problems, which are included in the grounds for review, if available 3. The Application form MUST be signed 4. An Applicant’s Agent, for example a Solicitor, may sign the form on their behalf provided they actually have the authority to do so. 5. This is the address which we shall use to correspond with you about this application. 	

**Territorial Policing Unit – Herefordshire
Southern Hub
Hereford Police Licensing Department
Hereford Police Station
Bath Street
HEREFORD
HR1 2HT**

0300 333 3000 ext 4702

e-mail. herefordandworcesterlicensing@westmercia.pnn.police.uk

Direct Dial 01432 347102

Review application

Jail House Night Club, Gaol Street, Hereford.

You will be aware of the licensing review application submitted by West Mercia Police. This matter was heard at a regulatory meeting on the 02 October and was adjourned until 04 December 2012.

The below are additional matters recorded on police computer systems, that West Mercia Police will rely on at the hearing. These matters have been recorded since the 16 September 2012.

	Date	Time	Detail
1	28/09/12	2230hrs	Drugs Male searched prior to entering club and found in possession of illegal drugs – 1 arrest
2	29/09/12	0028hrs	Drugs Male searched prior to entering club and found in possession of illegal drugs – 1 arrest
3	29/09/12	0208hrs	Drugs Male searched prior to entering club and found in possession of illegal drugs – 1 arrest
4	29/09/12	2230hrs	Drugs Male searched prior to entering club and found in possession of illegal drugs. Amount of drugs seized indicates male was in possession with intent to supply to others – 1 arrest
5	30/09/12	0021hrs	Drugs Male found inside premises (toilets area) searched and found in possession of illegal drugs – 1 arrest

6	30/09/12	0110hrs	Drugs Male searched prior to entering club, found in possession of illegal drugs. On being detained by staff, male became violent and assaulted door staff – 1 arrest
7	07/10/12	0200hrs	Drugs Male searched prior to entering club and found in possession of illegal drugs – 1 arrest
8	07/10/12hrs	0020	Drugs Male searched prior to entering club and found in possession of illegal drugs – 1 arrest
9	13/10/12	0040hrs	Drugs 2 males found inside toilets at premises – suspected of using illegal drugs, searched by staff and both found in possession of illegal drugs – 2 arrests
10	14/10/12	0007hrs	Drugs Male searched prior to entering club and found in possession of illegal drugs – 1 arrest
11	20/10/12	0302hrs	Disorder/assault Male assaulted inside premises – punched in the face and teeth damage caused – 1 arrest
12	20/10/12	0150hrs	Drugs Male searched prior to entering club and found in possession of illegal drugs – 1 arrest
13	21/10/12	2314hrs	Assault (Teen night taking place) Allegation of assault in beer garden area of premises – male punched in the face – 1 arrest
14	21/10/12	0147hrs	Drugs Male searched prior to entering club and found in possession of illegal drugs
15	21/10/12	0326hrs	Disorder Fight between males as they were leaving the premises – no arrests
16	22/10/12	2358hrs	Theft allegation (Teen night taking place) Personal items left in cloakroom and returned to a 3 rd party (not the victim or friends). Property later returned to the owner and money and other personal items found missing – on going investigation
17	23/10/12	2255hrs	Disorder (Teen night taking place) 2 males found trying to gain unlawful entry to the premises – both found in a private garden near to the premises – alarm and distress caused to occupants – no arrests

18	27/10/12	0045hrs	Disorder Male ejected from the club for smashing a glass, male refused to leave the area as his friends were still in the club. Police removed male from area – no arrests
19	28/10/12	0104hrs	Age verification Male detained attempting to enter the club with another persons identity document – 1 arrest
20	03/11/12	2359hrs	Drugs Male searched prior to entering club and found in possession of illegal drugs – 1 arrest
21	04/11/12	0037hrs	Drugs Male searched prior to entering club and found in possession of illegal drugs – 1 arrest
22	09/11/12	2314hrs	Drugs Male searched prior to entering club and found in possession of illegal drugs – 1 arrest
23	10/11/12	0115hrs	Drugs Male searched prior to entering club and found in possession of illegal drugs – 1 arrest
24	10/11/12	2246hrs	Drugs Male searched prior to entering club and found in possession of illegal drugs – 1 arrest
25	10/11/12	2339hrs	Disorder Male refused entry as subject to a civil pub ban, became aggressive and threatened staff. Male issued with a dispersal notice
26	11/11/12	0008hrs	Drugs Male found in toilet area acting suspiciously, searched and found in possession of illegal drugs
27	18/11/12	0230	Drugs Male seen to be handing what was thought to be illegal drugs to others – male arrested – later established that the male was in possession of a legal 'high' – available over the counter.

In addition to these matters, West Mercia Police has had further discussions with the premises licence holder to give advice with regards to deterring persons coming to the club with drugs and therefore promoting the licensing objective of the prevention of crime and disorder.

The premises licence holder put in place a suggestion that the club would have a 'meet and greet' system, where guests would be spoken to prior to reaching the front door of the premises (where they would be searched), and advised that they will be searched and that if illegal items were found the police would be called. This process has been used on one occasion (Saturday 20 October 2012), for a number of core hours when guests come to the club. However items (12) and (14) on the above table took place AFTER the 'meet and greet' system was lifted.

In addition to 'face to face' discussions with the premises licence holder, he agreed to have weekly contact with the Police Licensing Officer to discuss issues that have occurred in the previous week.

Jim Mooney

Police Licensing Officer

J. MOONEY
Police Licensing Officer

MEETING:	REGULATORY SUB-COMMITTEE
DATE:	4 DECEMBER 2012
TITLE OF REPORT:	REVIEW OF A PREMISES LICENCE 'KINGS ACRE POST OFFICE & STORES, 95 KINGS ACRE ROAD, HEREFORD, HR4 0RQ' – LICENSING ACT 2003
PORTFOLIO AREA:	PEOPLES SERVICES DIRECTORATE

CLASSIFICATION: Open

Wards Affected

Central

Purpose

To consider an application for the review of a premises licence in respect of the 'Kings Acre Post Office & Stores, 95 Kings Acre Road, Hereford, HR4 0RQ.'

Key Decision

This is not a Key Decision.

Recommendation

THAT 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 necessary to promote the licensing objectives,
- The Licensing Authority's application for a review,
- The Guidance issued to local authorities under the Licensing Act 2003, and
- The Herefordshire Council Licensing Policy.

Key Points Summary

- Application received from the Licensing Authority on 18th September 2012
- Two (2) Representations received (from the police and trading standards).
- Consideration of the application was adjourned on 13 November 2012 pending receipt of a minor variation.

Options

1 There are a number of options open to the committee:

- the modification of the conditions of the premises licence;

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

- to exclude a licensable activity from the scope of the licence;
- the removal of the designated premises supervisor from the licence;
- the suspension of the licence for a period not exceeding 3 months; and
- the revocation of the licence.

Reasons for Recommendations

2 Ensures compliance with the Licensing Act 2003.

Background Information

Applicant	Herefordshire Council as the Licensing Authority represented by Mr F Spriggs	
Premise Licence Holder	Ms Jacqueline Lorraine Pritchard 21 Church Road, Tupsley, Hereford, HR1 1RR	
Solicitor	N/K	
Type of application: Review	Date received: 18th September 2012	28 Days consultation 16th October 2012

3 The grounds for the review are:

The premise is a convenience store situated on the outskirts of Hereford.

The request for this review is based on the licensing objectives regarding the prevention of crime and disorder and the protection of children from harm.

The premise has been the subject of a test purchase operation which it failed.

4 The information submitted to support the grounds stated:

During the evening of Friday 14th September 2012 Herefordshire Council trading standards department and West Mercia Police carried out a test purchase operation at the premise.

A 15 year old male and a 16 year old female were sold a 2 litre bottle of Strongbow Cider.

No challenge was made in respect of age.

The current DPS has been shown on the licence since it was converted from a Justices Licence in October 2005.

The sale was made by a shop assistant, who is not a Personal Licence Holder and was the

only person on the premises.

Herefordshire Council Licensing Policy states that any premises failing a test purchase will be reviewed.

5 **Current Licence**

The current licence authorises:

Sale of Alcohol

On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.

On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.

On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.

On Good Friday, 8 a.m. to 10.30 p.m.

Key Considerations

- 6 The licensing authority must take into account any relevant representations made. Relevant representations are those that:
- relate to one or more of the licensing objectives;
 - have not been withdrawn; and
 - are made by the premises licence holder, a responsible authority or an interested party (who is not also a responsible authority).

Community Impact

- 7 There is likely to be little impact on the Community.

Legal Implications

- 8 An appeal may be made within 21 days of the licence holder being notified of the licensing authority's decision to a magistrates' court. An appeal may be made by the premises licence holder, the chief officer of police and/or any other person who made relevant representations.
- 9 The decision of the licensing authority, following the review hearing, will not have effect until the end of the period allowed for appeal or until that appeal is disposed of.

Consultees

- 10 Responsible authorities and persons living within the vicinity or with a business interest within the vicinity of the premises.
- 11 The notice of review was displayed on the premises which invited representation. The notice was also displayed at the offices of the Licensing Authority at Bath Street.

Appendices

- 12 a. Application Form
b. Copy of Police Representations
c. Copy of Trading Standards Representation

Background Papers

Background papers are available for inspection in Room 18a , Brockington, 35 Hafod Road, Hereford 30 minutes before the start of the hearing.

HEREFORDSHIRE COUNCIL LICENSING POLICY states;

18.3 Failed Test Purchases

Where a premises fails a test purchase then, other than in exceptional circumstances, the premises licence will be reviewed. During the course of any review the Licensing Authority will look at the cause of the failure. Where during the first review it is found that the training of staff at the premises is inadequate, the Licensing Authority may look at placing a condition on the licence in respect of staff training and will consider suspending the licence to allow sufficient time to enable staff to be trained. When a further test purchase is failed the Licensing Authority will consider revoking the licence in order to promote the licensing objective of the 'protection of children from harm'.

18.4 Other than in exceptional circumstances, in partnership with the Police and Trading Standards, persons who sell to under-age persons will normally be dealt with by means of a Fixed Penalty Notice unless that person is the holder of a personal licence.

18.5 Where that person holds a personal licence the Licensing Authority will normally look towards prosecuting that person through the Court for the offence. The court will be asked to consider either the suspension or revocation of the personal licence.

18.6 Premises Persistently Selling

In line with the existing legislation, the Licensing Authority or the Police will look at prosecuting those premises which persistently sell to under age persons. Persistently selling is defined by the legislation as 2 sales within a 3 month period.

**Application for the review of a premises licence or club premises certificate
under the Licensing Act 2003****PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

We Herefordshire Council as the Licensing Authority

(Insert name of applicant)

apply for the review of a premises licence under Section 51 of the Licensing Act
2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Kings Acre Post Office & Stores 95 Kings Acre Road,	
Post town Hereford	Post code (if known) HR4 0RQ

Name of premises licence holder or club holding club premises certificate (if known)
Jacqueline Lorraine Pritchard

Number of premises licence or club premises certificate (if known)
PR00291

Part 2 - Applicant details

I am

Please tick yes

1) an interested party (please complete (A) or (B) below)

- | | |
|--|--------------------------|
| a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the
premises | <input type="checkbox"/> |

- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

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

Please tick

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

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Fred Spriggs Herefordshire Council as the Licensing Authority Council Offices Bath Street Hereford
Telephone number (if any) 01432 260105
E-mail address (optional) Licensing@herefordshire.gov.uk

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

Please tick one or more boxes

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

<p>Please state the ground(s) for review (please read guidance note 1)</p> <p>The premises is a convenience store situated on the outskirts of Hereford.</p> <p>The request for this review is based on the licensing objectives regarding the prevention of crime and disorder and the protection of children from harm.</p> <p>The premise has been the subject the subject of a test purchase operation which it failed.</p>
--

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

During the evening of Friday 14th September 2012 Herefordshire Council trading standards department and West Mercia Police carried out a test purchase operation at the premise.

A 15 year old male and a 16 year old female were sold a 2 litre bottle of Strongbow Cider.

No challenge was made in respect of age.

The current DPS has been shown on the licence since it was converted from a Justices Licence in October 2005.

The sale was made by a shop assistant, who is not a Personal Licence Holder and was the only person on the premises.

Herefordshire Council Licensing Policy states that any premises failing a test purchase will be reviewed.

Please tick yes

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

If yes please state the date of that application

Day Month Year

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

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

[Empty text box for providing details of representations]

Please tick yes


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

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

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

Signature



Date 18th September 2012

Capacity Licensing Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

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

- 1. The objective of this report is to provide a comprehensive overview of the current state of the market for renewable energy sources, with a particular focus on solar and wind power.
- 2. This report is intended for use by investors, policymakers, and industry stakeholders who are interested in the potential for growth in the renewable energy sector.
- 3. The data presented in this report is based on a thorough analysis of industry reports, government statistics, and expert opinions.
- 4. It is important to note that the market for renewable energy is still in its early stages, and there are significant challenges that must be overcome in order to achieve widespread adoption.
- 5. However, the long-term potential for renewable energy is enormous, and it is expected that the market will continue to grow rapidly in the years ahead.

From: Hough, David
Sent: 11 October 2012 10:29
To: **Bowell, Emma**
Cc: **Spriggs, Fred**
Subject: **RE: Memo to RA's - Kings Acre PO & Stores**

Trading Standards Representation

This review was brought after the sale of alcohol to volunteers who were under the age of 18. Looking at there is no previous history regarding this premise it is the view of Trading Standards that the following conditions are added to the licence.

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 agreed by Herefordshire Council Trading Standards 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). Retraining to take place every 6 months. 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

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

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 counter advertising the scheme operated.

Regards

David Hough
Team Manager
Business and Agricultural Support Team
Health and Well Being Services
Peoples Directorate
Herefordshire Council
PO Box 233
Hereford
HR1 2ZF
Tel No. 01432 260011
Email: dthough@herefordshire.gov.uk
GCSX: dthough@herefordshire.gcsx.gov.uk

From: Mooney,James [james.mooney@westmercia.pnn.police.uk]
Sent: 20 September 2012 13:35
To: Licensing
Subject: FW: Kings Acre Post Office- Review application

NOT PROTECTIVELY MARKED

West Mercia Police are receipt of a notification notice with regards to review application for Kings Acre Post Office, Kings Acre Road, Hereford. The review application is made in the name of Herefordshire Council Licensing Authority and concerns under age alcohol sales.

West Mercia Police have the following submissions -

West Mercia Police feel that these issues are best addressed by a variation to the premises licence; they feel that there is no requirement to revoke the premises licence or remove the designated premises supervisor.

1. The Premises Licence Holder/DPS shall successfully complete the BIIAB NCPLH level 2 (or recognised equivalent)
2. 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. This training to be delivered PRIOR to undertaking any alcohol sales. (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.
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 employed. All staff shall be re-trained twelve monthly thereafter. The training shall include:
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. 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 fonts bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any serving area advertising the scheme operated

If a variation application is not submitted by the premises licence holder and the matter progresses to a formal hearing, these are the minimum conditions West Mercia Police would wish to see applied to the premises licence by any regulatory licensing committee.

Regards

.

Jim Mooney

Police Licensing Officer - South Hub

Territorial Policing Unit - Herefordshire

West Mercia Police

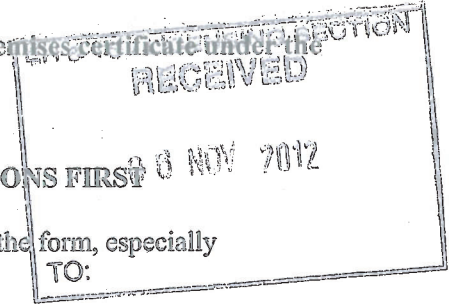
01432 347102 (direct line)

07792 366 462 (work)

herefordandworcesterlicensing@westmercia.pnn.police.uk

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application for a minor variation to a premises licence or club premises certificate under the Licensing Act 2003



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the Guidance Notes at the end of the form, especially Note 1.

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 in black ink. Use additional sheets if necessary.

Once completed please send your application to the relevant licensing authority. You may wish to keep a copy of the completed form for your records.

MRS JACQUELINE LORRAINE MANTLE

(Insert name(s) of applicant)

being the premises licence holder(s)/club holding a club premises certificate, apply to vary a premises licence under section 41A/club premises certificate under section 86A of the Licensing Act 2003 for the premises described in Part 1 below.

Part 1 - Premises details

Postal address of premises (or, if none, ordnance survey map reference, or description)	
95 KINGS ACRE ROAD. 1	
Post town	Postcode
HEREFORD	HR4 0RQ

Telephone number at premises (if any)

01432 273726

Premises licence number/club premises certificate number

556

Brief description of premises (Please see Guidance Note 2)
POST OFFICE / CONVENIENCE STORE

Part 2 – Applicant Details

I am/~~we~~ are the premises licence holder/club premises certificate holder. (Please delete as appropriate)

Contact phone number in working hours (if any)

01452 273726

Applicant Postal address IF DIFFERENT FROM PREMISES ADDRESS	
[REDACTED]	
Post town	Postcode
[REDACTED]	[REDACTED]
Please provide email address if you would prefer us to contact you by email (optional)	

Part 3 – Proposed variation(s)

Please tick

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?

DDMM			YYYY			

Please describe the proposed variation(s) in detail in the box below and explain why you consider that they could not have an adverse effect on the promotion of any of the licensing objectives (See Guidance Note 1). This should include whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent):

Details of proposed variations (Please see Guidance Note 3)

AS PER YOUR PROPOSALS, AND CONDITIONS,
1, 2, 3 OF YOUR LETTER DATED,
21st OCTOBER 2012 AND SIGNED BY
FRED SPRIGGS.

Details of proposed variations (Continued)

Part 4 – Operating Schedule

Please tick those parts of the Operating Schedule which would be subject to change if this application to vary was successful.

Provision of regulated entertainment

Please tick all that apply

- a. plays
- b. films
- c. indoor sporting events
- d. boxing or wrestling entertainment
- e. live music
- f. recorded music
- g. performances of dance
- h. anything of a similar description to that falling within (e), (f) or (g)

Provision of late night refreshment

Sale by retail of alcohol

(Note that this can only relate to reducing licensed hours or moving them without any overall increase between 7am and 11pm)

Please tick to indicate you have enclosed the following:

I have enclosed the premises licence/club premises certificate

I have enclosed the relevant part of the premises licence/
club premises certificate

I have included a copy of the plan
(necessary if the proposed variation will affect the layout)

If you have not ticked one of the previous three boxes, please explain why in the box below.

Reasons why you have not enclosed the premises licence/club premises certificate or relevant parts.

Any further information to support your application. (See Guidance Note 4)

CHECKLIST:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan, if appropriate, of the premises in scale [1mm to 100mm], unless otherwise agreed with the licensing authority.
- I have enclosed the premises licence/club premises certificate or relevant part of it or provided an explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.
- I understand that I am required to advertise my application by posting a white notice at or on the premises for ten consecutive days commencing on, and including the day after the day when my application is given to the licensing authority.

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

Part 5 – Signatures and Contact Details
(See Guidance Note 5)

Premises Licence: Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (see Guidance Note 6). If signing on behalf of the applicant, please state your name and in what capacity you are authorised to sign:

Signature: 

Date: 5/11/12

Capacity: I/We (insert full name and capacity)

sign on behalf of and have authority to bind the applicant.

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 (See Guidance Note 7). If signing on behalf of the applicant, please state in what capacity.

Signature:

Date:

Capacity: I/We (insert full name and capacity)

sign on behalf of and have authority to bind the applicant.

Where the premises is a club

I (insert full name) make this application on behalf of the club and have authority to bind the club.

Signature:

Date:

Capacity: I/We (insert full name and capacity)

sign on behalf of and have authority to bind the applicant.

Contact name (where not previously given) and address for correspondence associated with this application. (See Guidance Note 8)	
Post town	Postcode
Telephone number (if any)	If you would prefer us to correspond with you by email your email address (optional)

Notes for Guidance

1. **General Note:** The minor variations process can only be used for variations that could have no adverse impact on the promotion of any of the four licensing objectives. (These are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.)

It cannot be used to:

- extend the period for which the licence has effect;
- vary substantially the premises to which it relates;
- specify, in a premises licence, an individual as the designated premises supervisor;
- add the sale by retail or supply of alcohol as an activity authorised by a licence or certificate;
- authorise the sale by retail or supply of alcohol at any time between 11pm and 7am;
- authorise an increase in the amount of time on any day during which alcohol may be sold by retail or supplied;
- include the alternative licence condition referred to in section 41D (3) of the Licensing Act 2003 in a premises licence.

2. **Description of premises:** For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. This should include any activities in or associated with 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, the presence of gaming machines etc.

3. **Give full details of all the proposed variation(s).** Failure to provide sufficient information may lead to the refusal of your application. Details should include a description of the proposed variation(s) in terms as precise as possible. If you are not precise, the licensing authority may decide that the changes you propose would be potentially broader in scope than you intend and reject your application as not being a 'minor' variation. You should also include a statement about why you consider the variations proposed could not have an impact on the licensing objectives listed in section 4(2) of the Act. You should cover each of the objectives that could possibly apply to your proposal (or if more than one, to each proposal) and say why you think there could be no adverse impact on that objective. Your application will be assisted by including as much information as you can about this. (However, there is a box at the end of the form for 'further information', and this should be used for any relevant background information not directly related to the variation.) Relevant information includes:

a) Variations to licensable activities/licensing hours (all timings should be given in 24 hour clock e.g. 16.00. Only give details for the days of the week when you intend the premises to be used for the activity), such as:

- Whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent);
- Relevant further details, for example whether music will be amplified or unamplified;
- Standard days and timing when the activity will take place, including start and finish times;
- Any seasonal variations in timings, e.g. additional days during the summer; and
- Non-standard timings, e.g. where you wish the activity to go on longer on a particular day such as Christmas Eve.

b) Variations to premises/club layout: If you are applying for a variation to the layout of your premises, you must include a revised plan. You should be aware that your application is likely to be refused if the proposed variation could:

- increase capacity for drinking on the premises;
- affect access between the public part of the premises and the rest of the premises or the street or public way, e.g. block emergency exits or routes to emergency exits; or

- impede the effective operation of a noise reduction measure.

c) **Revisions, removals and additions of conditions:** The minor variation process may be used to remove conditions which are out of date or invalid and to revise conditions which are unclear (as long as the intention and effect remains the same). It can also be used to add a new condition volunteered by the applicant or mutually agreed between the applicant and a responsible authority, such as the police or the environmental health authority (subject to impact on the licensing objectives).

d) **Variations to opening hours:** Details of any changes to hours when the premises or club is open to the public.

4. **Further information:** You should use this box to provide any additional evidence to support your claim that the proposed variation is 'minor' and could not have an adverse impact on the promotion of the licensing objectives.

5. **Signatures:** The application form must be signed.

6. **Authorised agent:** An applicant's agent (e.g. solicitor) may sign the form on their behalf and, in so doing, will be confirming that they have actual authority to do so.

7. **2nd Applicant:** Where there is more than one applicant, both applicants or their respective agents must sign the application form.

8. **This is the address which we shall use to correspond with you about this application. This might not be the same as the address of the premises or applicant, but these addresses must also be provided.**