

AGENDA

for the Meeting of the Licensing sub-committee

To: (Chairperson)
(Vice-Chairman)

Councillors Councillor Polly Andrews, Councillor Tracy Bowes and Councillor DW Greenow.

	Pages
1. Election of Chairman	
To elect a Chairman for the hearing.	
2. Declarations of Interest	
To receive any declarations of interest by Members in respect of items on the agenda.	
3. TO CONSIDER AN APPLICATION FOR A VARIATION OF A PREMISES LICENCE IN RESPECT OF 'THE GOLDEN GALLEON, 61 COMMERCIAL ROAD, HEREFORD, HR1 2BP' - LICENSING ACT 2003.	7 - 42
To consider an application for a variation of a premises licence in respect of 'The Golden Galleon, 61 Commercial Road, Hereford, HR1 2BP.	
4. TO CONSIDER AN APPLICATION FOR A NEW PREMISES LICENCE IN RESPECT OF 'THE MONUMENT, WHITECROSS ROAD, HEREFORD, HR4 0LT' - LICENSING ACT 2003.	43 - 82
To consider an application for a new premises licence in respect of 'The Monument, Whitecross Road, Hereford, HR4 0LT.	

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- Inspect agenda and public reports at least five clear days before the date of the meeting.
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HEREFORDSHIRE COUNCIL

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

FIRE AND EMERGENCY EVACUATION PROCEDURE

In the event of a fire or emergency the alarm bell will ring continuously.

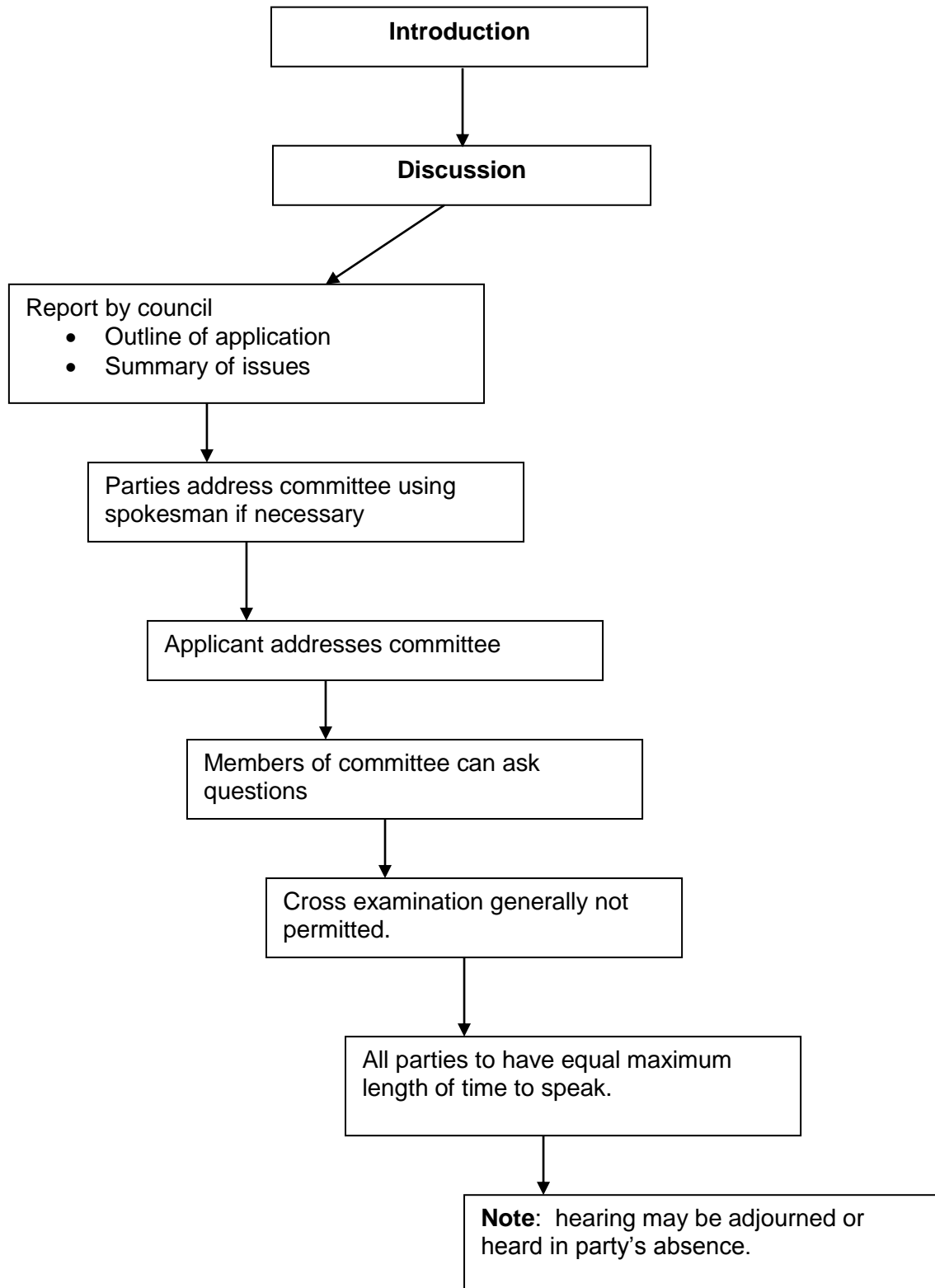
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You should then proceed to the Fire Assembly Point which is located in the Shire Hall Side Car Park. A check will be undertaken to ensure that those recorded as present have vacated the building following which further instructions will be given.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

Licensing Hearing Flowchart





Meeting:	Regulatory Sub-Committee
Meeting date:	1st OCTOBER 2015
Title of report:	TO CONSIDER AN APPLICATION FOR A VARIATION OF A PREMISES LICENCE IN RESPECT OF 'THE GOLDEN GALLEON, 61 COMMERCIAL ROAD, HEREFORD, HR1 2BP' – LICENSING ACT 2003.
Report by:	LICENSING OFFICER

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Central

Purpose

To consider an application for a variation of a premises licence in respect of 'The Golden Galleon, 61 Commercial Road, Hereford, HR1 2BP.

Recommendation

That:

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

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

Options

1. There are a number of options open to the Sub-Committee:
 - a) Grant the licence subject to conditions that are consistent with the operating schedule accompanying the application and the mandatory conditions set out in the Licensing Act 2003,
 - c) Grant the licence subject to modified conditions to that of the operating schedule where the committee considers it appropriate for the promotion of the licensing objectives and add mandatory conditions set out in the Licensing Act 2003,
 - d) To exclude from the scope of the licence any of the licensable activities to which the application relates,
 - e) To refuse to specify a person in the licence as the premise supervisor, or
 - f) To reject the application.
 - g) Adjourn the matter, to a set date, if the committee feel that to do so would be in the public interest

Reasons for Recommendations

2. Ensures compliance with the Licensing Act 2003.

Key Considerations

3. Licence Application

The application for a new premises licence has received representation and is brought before the committee for determination.

4. The details of the application are:

Applicant	Harjinder Singh 61 Commercial Road, Hereford. HR1 2BP	
Solicitor	Neil Coulson	
Type of application: Variation	Date received: 12th August 2015	28 Days consultation ended 9th September 2015

5. Summary of Application

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

Late Night Refreshment (Indoors)

All days

23:00 – 04:30

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

Non Standard Timings:

From the beginning of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.

The premises is currently licensed under a premises licence as follows:

Provision of late night refreshment

All days	23:00 - 01:30
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Sale by retail of alcohol

Monday-Tuesday:	11:00 - 23:00
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Wednesday-Sunday:	11:00 - 00:00
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Non Standard Timings:

From the beginning of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.

6. **Summary of Representations**

A copy of the representations can be found within the background papers.

Representations have been made by:

Two (2) of the Responsible Authorities (**Police and the Licensing Authority**)

The representations by the police have been agreed. The Licensing Authority representation has not been agreed.

One (1) representation has been made by a member of the public.

7. The premises is within the area covered by the Herefordshire Council Special Policy (Cumulative Impact Policy)

8. The matter is therefore brought before Committee for determination.

Community Impact

9. Any decision is unlikely to have any impact on the local community.

Equality duty

10. There are no equality or human rights issues in relation to the content of this report.

Financial implications

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

Legal Implications

12. The Committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the Licensing Authority.

The case of Daniel Thwaites Plc v Wirral Borough Magistrates' Court (Case No:

CO/5533/2006) at the High Court of Justice Queen's Bench Division Administrative Court on 6 May 2008, [2008] EWHC 838 (Admin), 2008 WL 1968943, Before the Honourable Mrs Justice Black.

In this case it was summed up that: -

A licensing authority must have regard to guidance issued by the Secretary of State under section 182. Licensing authorities may depart from it if they have reason to do so but will need to give full reasons for their actions.

Furthermore the Thwaites case established that only conditions should be attached to a licence with a view to promoting the Licensing objectives and that 'real evidence' must be presented to support the reason for imposing these conditions.

This judgement is further supported in the case of *The Queen on the Application of Bristol Council v Bristol Magistrates' Court*, CO/6920/2008 High Court of Justice Queen's Bench Division The Administrative Court, 24 February 2009, [2009] EWHC 625 (Admin) 2009 WL 648859 in which it was said:

'Licensing authorities should only impose conditions which are necessary and proportionate for the promotion for licensing objectives'.

In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

The case of *Luminar Leisure Ltd v Wakefield Magistrates' Court*, *Brooke Leisure Limited*, *Classic Properties Limited*, *Wakefield Metropolitan District Council*, heard before the High Court of Justice, Queen's Bench Division The Administrative Court, 18 April 2008, [2008] EWHC 1002 (Admin) would appear to be relative in this matter.

This matter involved an application by Luminar for a nightclub which was located just outside the Wakefield Cumulative Impact Area. The application was granted by the Local Authority and that decision was subsequently appealed.

The judge allowed the appeal on the grounds 'because of the effect which the increase in the number of people attending such a venue in Westgate would have, generally, on crime and disorder in the area'.

The matter was further appealed to the High Court by way of case stated.

Three questions were posed for the Judge to address. The last question asked was 'Was it a proportionate response to refuse the licence rather than to impose conditions on any licence?'

In respect of this it was stated 'To put a limit on the extent to which cumulative impact is legally relevant is something which seems to me not to be permitted by the statute. But with all that this condition was not sought. So the answer to question 3 is "yes"'.

The stated case of 'The Queen on the application of *JD Wethersoon PLC v Guildford Borough Council* which appeared in front of the Honourable Mr Justice

Beatson at the Queens Bench Division Administrative Court on 11th April 2006 at paragraph 73 stated:

'The guidance provides that, where a cumulative impact policy is so adopted, there will be a rebuttable presumption that applications for new premises licences or material variations will normally be refused. To that extent, where there is such a policy, the guidance must permit an individual application to be considered on the basis of the rebuttable presumption so that the burden of proof lies on the applicant. In any event, if an area is so affected by serious alcohol related crime that the evidential basis for the special policy exists, requiring an applicant for a variation of the hours of premises in the area to demonstrate that the variation would not add to the area's problems does not mean that the "merits" of the application are not considered. A reversed burden of proof does not preclude consideration of the "merits" of an application.

Right of Appeal

13. Schedule 5 gives a right of appeal which states:
 - 2 (1) This paragraph applies where a licensing authority grants a premises licence under section 18.
 - (2) The holder of the licence may appeal against any decision—
 - (a) to impose conditions on the licence under subsection (2)(a) or (3)(b) of that section, or
 - (b) to take any step mentioned in subsection (4)(b) or (c) of that section (exclusion of licensable activity or refusal to specify person as premises supervisor).
 - (3) Where a person who made relevant representations in relation to the application desires to contend—
 - (a) that the licence ought not to have been granted, or
 - (b) that, on granting the licence, the licensing authority ought to have imposed different or additional conditions, or to have taken a step mentioned in subsection (4)(b) or (c) of that section,he may appeal against the decision.
 - (4) In sub-paragraph (3) "relevant representations" has the meaning given in section 18(6).

Section 9 states that any such appeal must be made to a Magistrates Court for the area in which the premises are situated within 21 days of notification of the decision.

Risk Management

14. There is little risk associated with the decision at this time as the legislation allows a right of appeal to the Magistrates Court.

Consultees

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

Appendices

- a. Application Form
- b. Police Representation
- c. Licensing Authority Representation
- d. Representation by a member of the public
- e. Herefordshire Council Special Policy

Background Papers

None.



Herefordshire
Application to vary a premises licence
Licensing Act 2003

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

DATA IS/UNDER REGULATION
 RECEIVED
 11 JUL 2016
 TO:

* required information

Section 1 of 17

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	Singh H S003001	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	HARJINDER	
* Family name	SINGH	
* E-mail	neil@coulsonreadlewis.co.uk	
Main telephone number	01432 2766633	Include country code.
Other telephone number		

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

Is the applicant:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

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

Continued from previous page...

Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

Include country code.

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

Are you:

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

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

Agent Business

* Is your business registered in the UK with Companies House? Yes No

* Is your business registered outside the UK? Yes No

* Business name

* VAT number

* Legal status

* Your position in the business

Home country

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

Continued from previous page...

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

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APPLICATION DETAILS

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

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

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Non-domestic rateable value of premises (£)

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VARIATION

Continued from previous page...

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

Yes No

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

Yes No

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

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

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.

To extend the hours during which the Premises can provide late night refreshment [indoors] until 4.30 Monday to Sunday

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PROVISION OF PLAYS

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

Yes No

Section 5 of 17

PROVISION OF FILMS

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

Yes No

Section 6 of 17

PROVISION OF INDOOR SPORTING EVENTS

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

Yes No

Continued from previous page...

Section 7 of 17

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

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

- Yes No

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PROVISION OF LIVE MUSIC

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

- Yes No

Section 9 of 17

PROVISION OF RECORDED MUSIC

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

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

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

- Yes No

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

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

- Yes No

Section 12 of 17

PROVISION OF LATE NIGHT REFRESHMENT

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

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the 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.

Extension of permitted hours for provision of refreshment [indoors] Monday to Sunday inclusive- subject to seasonal variations enabling the premises to open from 10.00am on New Years Eve to 4.30am on the following morning New Years Day

State any seasonal variations.

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

Continued from previous page...

Non standard timings. Where the premises will be used for the 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.

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SUPPLY OF ALCOHOL

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

- Yes No

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start 11:00 End

Start End

SATURDAY

Start 11:00 End

Start End

SUNDAY

Start 11:00 End

Start End

State any seasonal variations.

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

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

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

NYE 10:00 - 04:30

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

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

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

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LICENSING OBJECTIVES

Continued from previous page...

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

The Premises will continue to cooperate with the Licensing authorities and the Police to promote all four licensing objectives

b) The prevention of crime and disorder

1. CCTV in the form of a recordable system the use of which will be as approved by West Mercia Police Authority
2. SIA Door staff will be employed at times when risk assessments dictate door supervision to be necessary and maintain a suitable register of Door supervisors in accordance with approved guidelines
3. Incident logs will be kept and used in a manner approved by the relevant authorities

c) Public safety

The Premises will continue to be managed in accordance with it's existing arrangements as approved by the relevant authorities- no alcohol is to be consumed on the premises

d) The prevention of public nuisance

- with prominent and clear signing will be provided at Exits requesting the public to respect the needs of any local residents and to leave quietly
- Adequate refuge containers will be provided in accordance with existing arrangements approved by the relevant authorities- there will be regular litter checks during operating hours

e) The protection of children from harm

The Premises will continue to operate in accordance with approved Policy's established by the relevant authorities

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Variation Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000	£900.00
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Continued from previous page...

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 (£)

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/herefordshire/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, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

OFFICE USE ONLY

Applicant reference number	Singh H S003001
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	<input type="checkbox"/>

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West Mercia Police Rep Agreed

West Mercia Police are in receipt of an application to vary the premises licence **for the Golden Galleon, Commercial Road, Hereford**

The application is to extend the current hours for late night refreshment.

The venue is a well established food take away and is located within the area designated as part of the local licensing authorities cumulative impact zone and therefore subject to a special policy contained within Herefordshire Councils Licensing Policy.

The initial submissions by the applicant did not satisfy West Mercia Police as regards to further promoting the licensing objectives and not undermining the cumulative impact policy.

West Mercia Police have been in discussions with the applicants solicitor, and you will see attached to this e-mail a list of licensing conditions that are agreeable to the police in order to promote the licensing objectives.

In addition West Mercia Police have discussed the terminal hour for licensable activities at the venue.

You will see below the amended position of the applicant. Therefore to ensure clarity West Mercia Police do not object to this application if the following matters are applied to any variation to the premises licence.

1. As a minimum all conditions as per the attachment are applied in order to promote the licensing objectives
2. That the terminal hour for licensable activities be 0300hrs on all days with the exception of all bank holidays and all Friday, Saturdays and Sundays before bank holiday Mondays when the terminal hour for licensable activities will be 0430hrs.

Regards

Jim Mooney (on behalf of Inspector 0795 SEMPER)
Harm Reduction/Community Safety Dept.,
Licensing & Harm Reduction Coordinator,
Policing Unit - Herefordshire,
West Mercia Police.
DDI 01432 347102
Switchboard '101' x 4702
james.mooney@westmerciam.pnn.police.uk
[In Herefordshire we protect people from harm](#)
[#destinationHereford](#)

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises. Equipment MUST be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand (provided that the police will allow reasonable time for the recording to be obtained in the event that the request for recordings is made at a time when the premises are closed. The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the Premises Licence Holder or other responsible named individual. In the event of technical failure of the CCTV equipment the Premises Licence holder MUST report the failure to the Police on contact number '101' immediately.
2. The Premises Licence Holder will employ SIA door staff at times when risk assessments dictate door supervision to be necessary.
3. If employed the Premises Licence Holder shall maintain a register of Door Supervisors which will be kept on the premises showing the names and addresses of the Door Supervisors, their badge numbers and shall be signed by the Door Supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police or an authority Officer of the SIA.
4. An incident log must be kept at the premises, and made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), an authorised Herefordshire Trading Standards Officer or the Police, which must record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any visit by a relevant authority or emergency service
5. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exists to the premises requesting the public to respect the needs of local residents and to leave the premises quietly.
6. Adequate refuge containers shall be located in the premises. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exists to the premises requesting the public to respect the area and ensure that litter is disposed of properly and in appropriate litter bins.

7. The Premises Licence holder will ensure that the area immediately outside the premises is regularly checked for litter during operating hours and that any litter found is disposed of appropriately
8. All staff shall wear clothing which identifies them as members of staff of the premises.
9. The Premises Licence Holder and staff will not permit alcohol to be consumed on the premises.

From: Neil Coulson [<mailto:Neil.Coulson@CoulsonReadLewis.co.uk>]

Sent: 07 September 2015 15:01

To: Mooney,James

Cc: fspriggs@herefordshire.gov.uk

Subject: Licensing Application- Golden Galleon- extension of hours

Importance: High

Dear James

Further to our telephone discussion this morning I attach copies of the conditions which the police would be seeking in the event that our client's application for extension of hours proceeds. I can confirm on behalf of my client that are agreed and endorsed by my client and will be implemented fully prior to the commencement of any extended hours approved by the Licensing Regulatory Committee

Our client understands and agrees that they are intended and will ensure that the CIZ will not be undermined and will further promote as indeed will our client the licensing objectives.

I also confirm that following our constructive discussions our client would wish to amend his application for an extension of the schedule of hours in order to provide for a terminal hour at 3.00am on Mondays through Sunday inclusive save that the proposed terminal hour on Friday Saturday and Sunday immediately before Bank Holidays and on bank holiday days shall be 4.30am

I trust that on this basis the police will have no objections to the proposed amended application.

I am aware that this will have to be considered by the Licensing Regulatory Committee in any event as the business is situated within the cumulative Impact Zone.

I thank you for your assistance. If you have any further queries please do not hesitate to contact me by return as the consultation period ends at midnight on 9th September 2015. I have copied Fred Spriggs at the Council into this email as you will note.

Kind regards

Neil

Neil A Coulson

Senior Partner

Representation made by the Local Authority

I am an officer authorised under the Licensing Act 2003.

I refer to the application made for a variation to the premises licence in respect of the 'Golden Galleon, 61 Commercial Road, Hereford, HR1 2BP

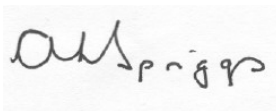
The Licensing Authority must **object** to the licence as applied for.

It is disappointing to note that whilst the premises is within the area covered by the Herefordshire Council Special Policy the applicants solicitor has failed to mention this or to consider the impact on the public nuisance licensing objective caused by customers arriving at and leaving the premises.

The guidance under Section 182 of the Act states:

- 8.34 Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives that they understand:
- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
 - any risk posed to the local area by the applicants' proposed licensable activities; and
 - any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.
- 8.35 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.
- 8.36 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives.

Whilst the applicant has offered a number of conditions none of the above issues have been addressed.



Fred Spriggs
Licensing Officer



Licensing Section,
Herefordshire Council,
Blueschool House,
P.O. Box 233,
Hereford,
HR1 2ZB.

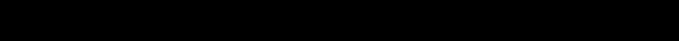


2nd. September, 2015.

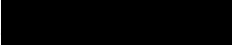

Dear Sir ,

Re. Application from Golden Galleon Fish and Chip Shop, 61 Commercial Road, Hereford, HR1 2BP regarding the extension of operating hours.

Once again, we have to write a letter to object to the latest in a number of applications that has the plainly obvious potential to make worse the public nuisance already existing in the busiest and noisiest area of Commercial Road where we live.

 himself has been suffering from acute health problems for more than two years that have involved two admissions to hospital, the most recent being last week.

We already have continuous noise problems from drunken late-night revellers every weekend, sometimes until after 5.00 in the morning, as happened last weekend.

Added to this is the operation of taxi ranks on both sides of the road   at the same time, plus motorised road sweepers operating between the hours of 5.00 a.m. and 6.00 a.m. cleaning up the rubbish left behind by the public.

We have always accepted that there would be activity in the street outside during an evening up to midnight, but it is this persistent erosion of what most people would regard as the reasonable time to enjoy a night's sleep which is causing us both, as two council taxpayers, to be constantly on edge, to lose sleep and to be increasingly unable to carry on business to the best of our ability.

We can only hope that you will make the right decision and reject this application.

Yours faithfully,



These pages deal with the special policy which affects Hereford City Centre.

ANNEX 1

SPECIAL CUMULATIVE IMPACT POLICY

A1 The Council recognises that the cumulative effect of licensed premises may result in adverse effects on the licensing objectives and amenity and this in turn may have a number of undesirable consequences, for example:

- An increase in crime against both property and persons;
- An increase in noise and disturbance to residents;
- Traffic congestion and/or parking difficulties;
- Littering and fouling.

A2 The licensing policy is not the only means of addressing such problems. Other controls include:

- planning controls
- CCTV
- provision of transport facilities including Taxi Ranks
- Late Night Levy
- Early Morning Restriction Orders (EMRO's)
- Designated Public Places Orders
- police powers
- closure powers
- positive measures to create safer, cleaner and greener spaces

A3 Where the Council recognise there is such a cumulative effect it will consider adopting a specific Cumulative Impact Policy for an area if this proves necessary.

A4 The Guidance to the Act states that the cumulative impact of licensed premises on the promotion of their licensing objectives is a proper matter for a licensing authority to consider in developing its Statement of Licensing Policy.

A5 In accordance with the Guidance the Council consulted on the proposal for Cumulative Impact Zones in the area identified as part of the wider consultation on the council's revision of its Statement of Licensing Policy during 2010. Consultation was therefore specifically undertaken with:

- The Responsible Authorities
- Licensees and those representing licensees
- Local Residents and Businesses
- Those representing local residents and businesses.

A6 In considering whether to adopt such a Policy for the areas, the council took the following steps as recommended by the Guidance:

- Gather crime and disorder statistics, ambulance service statistics, data from A & E and such other statistics that may be appropriate
- Identify serious and chronic concern from a responsible authority or from residents or local businesses (or their representatives) concerning nuisance and/or disorder;
- Identify the area in which problems are arising and the boundaries of that area

A7 As a result the Council has designated the following areas within Herefordshire as being subject to a special Cumulative Impact Policy:

- Commercial Road full length (both sides) from its junction with Aylestone Hill to its junction with Blueschool Street and Bath Street – a point known as Commercial Square.
- Commercial Square, all sides and in all directions.
- Bath Street (both sides) east 50m from its junction with Commercial Square.
- Union Street (both sides) full length, both to South to St Peter's Square.
- Gaol Street (both sides) from its junction with Union Street East to a point East and starting at the private car park of Hereford Police Station.
- St Peter's Square East into St Owen Street (both sides) for a distance of 150m (opposite Hereford Town Hall).
- St Peter's Square to St Peter's Street – both sides of the streets.
- St Peter's Street to High Town pedestrian precinct – all sides and in all directions.
- High Town pedestrian precinct from its junction with High Street towards Widemarsh Street – all sides of all streets
- Widemarsh Street (both sides) north to its junction with Newmarket Street and Blueschool Street – commonly known as 'Wellington Corner'. Both sides of the streets and in all directions.
- Blueschool Street (both sides) from its junction with Newmarket Street and Widemarsh Street at a point commonly known as 'Wellington Corner' to its junction with Commercial Square
- All streets and locations enclosed within this defined area (as indicated in the shaded area of map Appendix A)

A8 A summary of the evidence of the problems being experienced is attached to the bottom of this policy. The Licensing Authority are of the opinion based on the evidence that the number of licensed premises in the above areas adversely affect the promotion of the licensing objectives of:

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

A9 Whilst the summary of the evidence was mainly based on crime and disorder, this Council is of the opinion that such crime and disorder also

materially and severely affects the promotion of the other licensing objectives in the above areas.

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

1. Where relevant representations are received against any:
New applications for Premises Licences, Club Premises Certificates or Provisional Statement, or Variation applications for an existing Premises Licences or Club Premises Certificates
2. Where the police have issued an objection notice in respect of a Temporary Event Notice

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

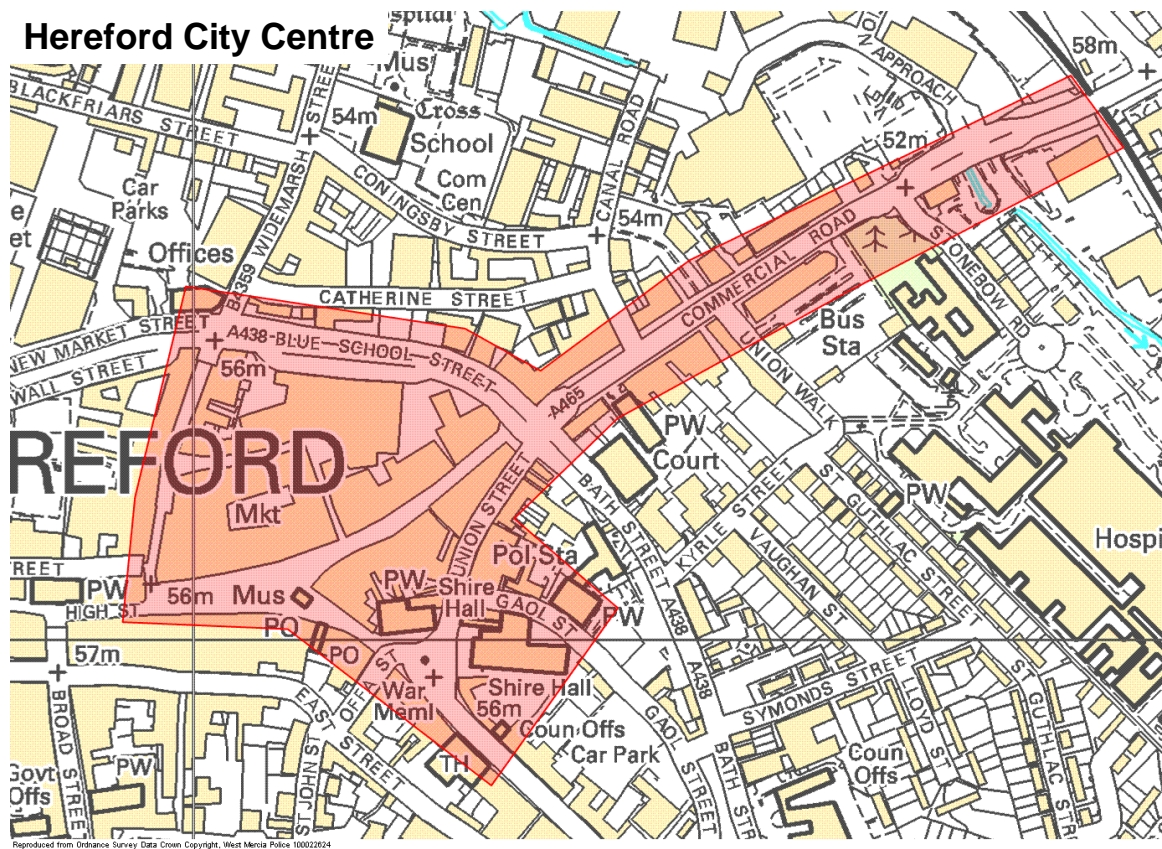
A12 The special policy will apply to all the licensable activities of:

- The sale by retail of alcohol,
- The supply of alcohol by or on behalf of a club to, or to the order of a member of the club,
- Regulated entertainment, and
- The provision of late night refreshment

Summary of Crime and Disorder in Hereford - extended Cumulative Impact Zone 2013. Version 2 (March 2013)

1.0 Overview

This document is an assessment of crime and disorder within the area outlined in red on the map below. The streets within the area are either within the existing Hereford Cumulative Impact Zone (CIZ) or within the proposed extension to that zone.



Particular emphasis is placed on crime and disorder involving alcohol disorder committed after 18:00hrs and before 04:00hrs.

2.0 Incidents

In the 12 months between 1 January and 31 December 2010 there were a total of 1003 incidents of relevant crime or disorder¹ reported in the area outlined above, of these, 229 incidents went on to be crimed (23%). Of the 1003 incidents 636 (63%) occurred between the hours of 18:00hrs and 04:00hrs, 157 of these went on to be crimed (25%).

In 2011 there were a total of 942 incidents, 201 went on to be crimed (21%). 611 (65%) occurred between 18:00hrs and 04:00hrs, 147 of these went on to be crimed (24%).

This shows that, over both years, incidents occurring overnight are slightly more likely to be crimed and thus could be deemed to be more harmful.

In 2012 there were a total of 1014 relevant incidents, 222 of which have been crimed (22%). There have been 666 overnight incidents (66%), of which 147 have been crimed (22%).

The annual totals for last year show that two thirds of incidents in this area occur between 18:00hrs and 04:00hrs but in 2012 those incidents occurring in that time bracket are *as likely not more* likely to be crimed (as in previous years).

In January 2013 there were 64 incidents, 10 of which have been crimed (16%). 41 incidents occurred overnight, 6 of which were crimed (15%).

¹ Incident types included are; Anti-social Behaviour, assaults, criminal damage, drug offences, sexual offences, public order offences, collapse/illness/injury, concern for safety, licensing, suspicious circumstances.

The incident types and their relative proportions are shown in the two tables below. The first shows incidents occurring throughout the day, the second shows only those occurring between 18:00hrs and 04:00hrs.

Table of all call types throughout the day (all relevant incidents of crime and disorder 2010- January 2013)

Primary Result Description	Number of Incidents 2010	Number of Incidents 2011	Number of Incidents 2012	Number of Incidents Jan 2013	% of total incidents 2010	% of total incidents 2011	% of total incidents 2012	% of total incidents 2013
ASB	475	416	448	27	47.36%	44.16%	44.18%	42.19%
Suspicious Circumstances	187	216	258	17	18.64%	22.93%	25.44%	26.56%
Assaults	87	72	94	7	8.67%	7.64%	9.27%	10.94%
Concern for Safety	73	127	129	9	7.28%	13.48%	12.72%	14.06%
Collapse/Illness /Injury	67	14	0	0	6.68%	1.49%	0.00%	0.00%
Criminal Damage	61	47	37	2	6.08%	4.99%	3.65%	3.13%
Public Order Offence	32	31	22	1	3.19%	3.29%	2.17%	1.56%
Drug Offences	13	16	21	0	1.30%	1.70%	2.07%	0.00%
Sexual Offence	7	2	5	1	0.70%	0.21%	0.49%	1.56%
Licensing	1	1	0	0	0.10%	0.11%	0.00%	0.00%
Total	1003	942	1014	64	100.00%	100.00%	100.00%	100.00%

Table of overnight relevant call types (18:00hrs to 04:00 hrs) 2010- January 2013

Primary Result Description	Number of Incidents 2010	Number of Incidents 2011	Number of Incident s 2012	Number of Incidents Jan 2013	% of total incidents 2010	% of total incidents 2011	% of total incidents 2012	% of total incidents 2013
ASB	328	293	328	19	51.57%	47.95%	49.25%	46.34%
Suspicious Circumstances	92	114	138	11	14.47%	18.66%	20.72%	26.83%
Assaults	65	54	62	4	10.22%	8.84%	9.31%	9.76%
Concern for Safety	30	73	77	5	4.72%	11.95%	11.56%	12.20%
Collapse/Illness/Injury	45	8	0	0	7.08%	1.31%	0.00%	0.00%
Criminal Damage	31	29	21	1	4.87%	4.75%	3.15%	2.44%
Public Order Offence	26	26	17	1	4.09%	4.26%	2.55%	2.44%
Drug Offences	13	12	21	0	2.04%	1.96%	3.15%	0.00%
Sexual Offence	5	1	2	0	0.79%	0.16%	0.30%	0.00%
Licensing	1	1	0	0	0.16%	0.16%	0.00%	0.00%
Total	636	611	666	41	100.00%	100.00%	100.00%	100.00%

Within the CIZ ASB and drug offences are more likely to occur between the hours of 18:00hrs and 04:00hrs. Assaults and criminal damage are as likely to occur as during the day.

This table shows how the 1954 overnight relevant incidents within the period 1 January 2010 to 31 January 2013 are distributed over the week and throughout the night; as expected the peak times for calls are weekends 23:00hrs to 02:00hrs:

Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
1800	15	8	16	8	17	14	11	89
1900	15	21	14	19	14	27	12	122
2000	14	12	16	19	15	19	22	117
2100	16	22	18	11	35	33	28	163
2200	20	19	24	17	26	35	27	168
2300	23	20	23	41	73	63	29	272
0000	37	19	15	32	31	85	89	308
0100	18	18	24	24	38	77	98	297
0200	15	9	12	13	14	89	84	236
0300	5	4		4	20	75	74	182
Grand Total	178	152	162	188	283	517	474	1954

Of the 1954 incidents over the period, 909 have been given the “alcohol involved” incident marker (47%).

3.0 Crime

Over the period 1st January 2010 to 31st January 2013 there were 452 incidents (18:00hrs to 04:00hrs) within the area under review that went on to receive an external crime number. Of these 35 were no crimed.

The table below shows the most common offence types (of which there have been four or more offences within the period). The offences in the table account for 79% to 87% of the crime committed in the area within the period and whilst the relative proportions remain largely similar there have been small increases in assault (ABH), criminal damage (to building – not dwelling), common assault, GBH (without intent), criminal damage (vehicle), possession of cannabis and cocaine and assault police officer.

The totals and percentages for January 2013 are shown for completeness.

Short Offence Title	2010	2011	2012	2013	% of offences 2010	% of offences 2011	% of offences 2012	% of offences 2013
Assault (ABH)	37	29	35	0	25%	22%	30%	0%
Using disorderly Behaviour	26	14	5	0	18%	11%	4%	0%
Criminal damage (not dwelling)	18	15	13	1	12%	12%	11%	14%
Common assault	7	12	12	1	5%	9%	10%	14%
Criminal damage (other property)	7	8	3	0	5%	6%	3%	0%
Fear/provocation of violence (s4)	7	7	2	0	5%	5%	2%	0%
GBH (without intent)	5	4	7	1	3%	3%	6%	14%
Malicious wounding	4	8	4	1	3%	6%	3%	14%
Criminal damage (vehicle)	2	6	4	0	1%	5%	3%	0%
Possess class B - Cannabis	3	3	6	1	2%	2%	5%	14%
Possess class A - Cocaine	2	0	8	0	1%	0%	7%	0%
Affray	4	2	3	1	3%	2%	3%	14%
Attempt GBH	2	3	1	0	1%	2%	1%	0%
Assault police officer	0	2	3	0	0%	2%	3%	0%
Total	124	113	106	6	85%	87%	91%	86%
Others	22	17	11	1	15%	13%	9%	14%
Grand Total	146	130	117	7	100%	100%	100%	100%



Meeting:	Regulatory Sub-Committee
Meeting date:	1st OCTOBER 2015
Title of report:	TO CONSIDER AN APPLICATION FOR A NEW PREMISES LICENCE IN RESPECT OF 'THE MONUMENT, WHITECROSS ROAD, HEREFORD, HR4 0LT' – LICENSING ACT 2003.
Report by:	LICENSING OFFICER

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Whitecross

Purpose

To consider an application for a new premises licence in respect of 'The Monument, Whitecross Road, Hereford, HR4 0LT.

Recommendation

That:

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

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

Options

1. There are a number of options open to the Sub-Committee:
 - a) Grant the licence subject to conditions that are consistent with the operating schedule accompanying the application and the mandatory conditions set out in the Licensing Act 2003,
 - c) Grant the licence subject to modified conditions to that of the operating schedule where the committee considers it appropriate for the promotion of the licensing objectives and add mandatory conditions set out in the Licensing Act 2003,
 - d) To exclude from the scope of the licence any of the licensable activities to which the application relates,
 - e) To refuse to specify a person in the licence as the premise supervisor, or
 - f) To reject the application.
 - g) Adjourn the matter, to a set date, if the committee feel that to do so would be in the public interest

Reasons for Recommendations

2. Ensures compliance with the Licensing Act 2003.

Key Considerations

3. Licence Application

The application for a new premises licence has received representation and is brought before the committee for determination.

4. The details of the application are:

Applicant	Greene King Brewing & Retailing Ltd Westgate Brewery, Bury St Edmunds, Suffolk, IP33 1QT	
Solicitor	N/K	
Type of application: New	Date received: 14th August 2015	28 Days consultation ended 11th September 2015

5. Summary of Application

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

Films, Live Music, Recorded Music, Performance of Dance, Anything of a similar description to Films, Live & Recorded Music (Indoor & Out)

Monday to Tuesday 11:00 – 23:00

Wednesday to Sunday 11:00 – 00:00

Late Night Refreshment (Indoors & Out)

Wednesday to Sunday 23:00 – 00:00

Sale/Supply of alcohol (On & Off Premises)

Monday to Tuesday 11:00 – 23:00

Wednesday to Sunday 11:00 – 00:00

Hours premises open to the public

Monday to Tuesday 11:00 – 23:40

Wednesday to Sunday 11:00 – 00:40

Non Standard Timings:

Christmas Eve, Christmas Day, Boxing Day, New Year's Day, Springs & August Bank Holiday, Good Friday, Easter Saturday, Easter Sunday, St Patrick's Day and St. George's Day. Proceeding and preceding day before a Bank Holiday – one extra hour.

New Year's Eve from the beginning of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.

The premises is currently licensed under a premises licence as follows:

Films

Monday to Saturday until 23.30

A performance of live music;

Monday - Sunday 1100 - 2300

Any playing of recorded music; Dancing; Other regulated entertainment

Monday - Tuesday 1100-2300

Wednesday - Sunday 1100 – 0000

Provision of late night refreshment

Wednesday-Sunday: 23:00 - 00:00

Sale by retail of alcohol

Monday-Tuesday: 11:00 - 23:00

Wednesday-Sunday: 11:00 - 00:00

Non Standard Timings:

Christmas Eve, Christmas Day, Boxing Day, New Years Day, Spring and August Bank Holidays, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St. Patricks Day, and St. Georges Day, Proceeding and Preceding Day before a Bank Holiday - One Extra Hour

Any other public declared holiday One Extra Hour

New year's eve from the beginning of permitted hours on new year's eve to the end of permitted hours on new year's day.

6. **Summary of Representations**

A copy of the representations can be found within the background papers.

Representations have been made by:

Three (3) of the Responsible Authorities (**Police, Environmental Health and Trading Standards**)

The representations by the police have been agreed. The trading standard conditions and Environmental Health conditions are still not agreed.

One (1) representation has been made by a member of the public.

7. The matter is therefore brought before Committee for determination.

Community Impact

8. Any decision is unlikely to have any impact on the local community.

Equality duty

9. There are no equality or human rights issues in relation to the content of this report.

Financial implications

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

Legal Implications

11. The Committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the Licensing Authority.

The case of Daniel Thwaites Plc v Wirral Borough Magistrates' Court (Case No: CO/5533/2006) at the High Court of Justice Queen's Bench Division Administrative Court on 6 May 2008, [2008] EWHC 838 (Admin), 2008 WL 1968943, Before the Honourable Mrs Justice Black.

In this case it was summed up that: -

A licensing authority must have regard to guidance issued by the Secretary of State under section 182. Licensing authorities may depart from it if they have reason to do so but will need to give full reasons for their actions.

Furthermore the Thwaites case established that only conditions should be attached to a licence with a view to promoting the Licensing objectives and that 'real evidence' must be presented to support the reason for imposing these conditions.

This judgement is further supported in the case of The Queen on the Application of Bristol Council v Bristol Magistrates' Court, CO/6920/2008 High Court of Justice Queen's Bench Division The Administrative Court, 24 February 2009, [2009] EWHC 625 (Admin) 2009 WL 648859 in which it was said:

'Licensing authorities should only impose conditions which are necessary and proportionate for the promotion for licensing objectives'

In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

Right of Appeal

12. Schedule 5 gives a right of appeal which states:
- 2 (1) This paragraph applies where a licensing authority grants a premises licence under section 18.
- (2) The holder of the licence may appeal against any decision—
- (a) to impose conditions on the licence under subsection (2)(a) or (3)(b) of that section, or
- (b) to take any step mentioned in subsection (4)(b) or (c) of that section (exclusion of licensable activity or refusal to specify person as premises supervisor).
- (3) Where a person who made relevant representations in relation to the application desires to contend—
- (a) that the licence ought not to have been granted, or
- (b) that, on granting the licence, the licensing authority ought to have imposed different or additional conditions, or to have taken a step mentioned in subsection (4)(b) or (c) of that section,
- he may appeal against the decision.
- (4) In sub-paragraph (3) “relevant representations” has the meaning given in section 18(6).

Section 9 states that any such appeal must be made to a Magistrates Court for the area in which the premises are situated within 21 days of notification of the decision.

Risk Management

14. There is little risk associated with the decision at this time as the legislation allows a right of appeal to the Magistrates Court.

Consultees

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

Appendices

- a. Application Form
- b. Police Representation
- c. Environmental Health Representation
- d. Representation by a member of the public
- e. Trading Standards Representation
- f. Summary of agreed conditions and outstanding conditions still not agreed.

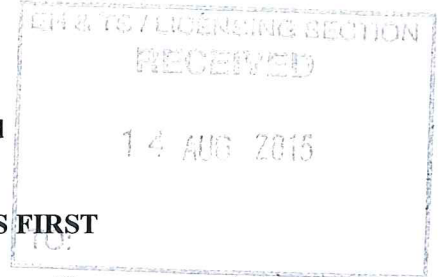
Background Papers

None.

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

PRO1694

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



Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/We Greene King Brewing & Retailing Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Monument Whitecross Road Hereford Herefordshire			
Post town	Hereford	Postcode	HR4 0LT

Telephone number at premises (if any)	01432 273180
Non-domestic rateable value of premises	£69,000

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Greene King Brewing & Retailing Ltd
Address Westgate Brewery Bury St Edmunds Suffolk IP33 1QT
Registered number (where applicable) 3298903
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any) 01284 714140
E-mail address (optional) Hannahloynds@greeneking.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	1	0 9 2 0 1 5

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
┐	┐	┐

Please give a general description of the premises (please read guidance note 1)
Public House

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

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



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



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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for performing plays (please read guidance note 4)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat								
Sun								

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon	11:00	23:00				
Tue	11:00	23:00				
Wed	11:00	00:00	State any seasonal variations for the exhibition of films (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, New Year’s Day, Spring & August Holiday, Good Friday, Easter Saturday, Easter Sunday, St Patrick’s Day and St George’s Day. Proceeding and preceding day before a Bank Holiday – one extra hour New year’s eve 00 from the beginning of permitted hours on new year’s eve to the end of permitted hours on new year’s day			
Thur	11:00	00:00				
Fri	11:00	00:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat	11:00	00:00				
Sun	11:00	00:00				

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
Mon				<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue						
Wed						
Thur						
Fri						
Sat						
Sun						
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)			
			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	00:00	State any seasonal variations for the performance of live music (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, New Year’s Day, Spring & August Holiday, Good Friday, Easter Saturday, Easter Sunday, St Patrick’s Day and St George’s Day. Proceeding and preceding day before a Bank Holiday – one extra hour New year’s eve 00 from the beginning of permitted hours on new year’s eve to the end of permitted hours on new year’s day		
Thur	11:00	00:00			
Fri	11:00	00:00			
			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	11:00	00:00			
Sun	11:00	00:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	11:00	23:00			
	-----	-----			
Tue	11:00	23:00			
	-----	-----			
Wed	11:00	00:00	State any seasonal variations for the playing of recorded music (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, New Year’s Day, Spring & August Holiday, Good Friday, Easter Saturday, Easter Sunday, St Patrick’s Day and St George’s Day. Proceeding and preceding day before a Bank Holiday – one extra hour New year’s eve 00 from the beginning of permitted hours on new year’s eve to the end of permitted hours on new year’s day		
Thur	11:00	00:00			
	-----	-----			
Fri	11:00	00:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
	-----	-----			
Sat	11:00	00:00			
	-----	-----			
Sun	11:00	00:00			
	-----	-----			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00	State any seasonal variations for the performance of dance (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, New Year’s Day, Spring & August Holiday, Good Friday, Easter Saturday, Easter Sunday, St Patrick’s Day and St George’s Day. Proceeding and preceding day before a Bank Holiday – one extra hour New year’s eve 00 from the beginning of permitted hours on new year’s eve to the end of permitted hours on new year’s day		
Thur	11:00	00:00			
Fri	11:00	00:00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	11:00	00:00			
Sun	11:00	00:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon	11:00	23:00		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	11:00	23:00	Please give further details here (please read guidance note 3)		
Wed	11:00	00:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, New Year's Day, Spring & August Holiday, Good Friday, Easter Saturday, Easter Sunday, St Patrick's Day and St George's Day. Proceeding and preceding day before a Bank Holiday – one extra hour New year's eve 00 from the beginning of permitted hours on new year's eve to the end of permitted hours on new year's day		
Thur	11:00	00:00			
Fri	11:00	00:00	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	11:00	00:00			
Sun	11:00	00:00			




I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue						
Wed	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, New Year’s Day, Spring & August Holiday, Good Friday, Easter Saturday, Easter Sunday, St Patrick’s Day and St George’s Day. Proceeding and preceding day before a Bank Holiday – one extra hour New year’s eve 00 from the beginning of permitted hours on new year’s eve to the end of permitted hours on new year’s day			
Thur	23:00	00:00				
Fri	23:00	00:00				
			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)			
Sat	23:00	00:00				
Sun	23:00	00:00				

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, New Year's Day, Spring & August Holiday, Good Friday, Easter Saturday, Easter Sunday, St Patrick's Day and St George's Day. Proceeding and preceding day before a Bank Holiday – one extra hour New year's eve 00 from the beginning of permitted hours on new year's eve to the end of permitted hours on new year's day		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	00:00			
Thur	11:00	00:00			
Fri	11:00	00:00			
Sat	11:00	00:00			
Sun	11:00	00:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name Andrew Whitcombe	
Address 	
Postcode	
Personal licence number (if known) 	
Issuing licensing authority (if known) Herefordshire Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, New Year's Day, Spring & August Holiday, Good Friday, Easter Saturday, Easter Sunday, St Patrick's Day and St George's Day. Proceeding and preceding day before a Bank Holiday – one extra hour New year's eve 00 from the beginning of permitted hours on new year's eve to the end of permitted hours on new year's day
Day	Start	Finish	
Mon	10:00	23:40	
Tue	10:00	23:40	
Wed	10:00	00:40	
Thur	10:00	00:40	
Fri	10:00	00:40	
Sat	10:00	00:40	
Sun	10:00	00:40	
<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)			

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

Prevention of Crime

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 DPS or appointed member of staff must be capable and competent at downloading CCTV footage in a recordable format EITHER DISC or VHS to the Police/Local Authority on demand.

The recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible person.

The DPS or other responsible person nominated for the purpose will employ SIA door staff on a risk assessed basis. The risk assessment shall be in writing and shall be made immediately available on request to an 'authorised person' (as defined in the Licensing Act 2003) or Police.

The DPS or a person nominated in writing for the purpose; shall maintain a register of door supervisors which shall be kept on the premises showing the names and addresses of the door supervisors, their badge numbers and shall be signed by the door supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by an 'authorised person' (as defined by the Licensing Act 2003), or the Police or an authorised officer of the SIA.

Public Safety

The Licensed premises shall not be used for any exhibition, demonstration or performance of hypnotism unless the hypnotist has been licensed by the relevant authority in England and Wales. Any performance must comply in accordance with any conditions attached to the licence.

The maximum permitted numbers of persons in the premises including staff shall not exceed the number set within the fire risk assessment for the premises.

Prevention of Public Nuisance

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

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

Prominent, clear and legible signage shall be displayed at all exits to the premises requesting that the public to respect the needs of local residents and leave the premises and area quietly.

The use of explosives, pyrotechnics and fireworks of a similar nature shall not be used at the premises without the written notification of the Licensing Authority.

No waste such as bottles of refuse shall be placed outside the premises between the hours of 2200hours and the end of licensable activities.

The DPS or responsible person must immediately comply with any request to adjust noise levels/frequency spectra made by an authorised person (as defined by Licensing Act 2003)

Protection of children from harm

The premises will operate, as a minimum, a challenge 21 policy. Such policy shall be written and kept at the premises. The policy shall be produced on demand of an 'authorised person' (as defined by the Licensing Act 2003) or the police or an authorised Trading Standards Officer of Herefordshire Council. Prominent, clear, legible signage shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.

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

All children to be accompanied by a responsible adult.

b) The prevention of crime and disorder

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

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

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

The DPS or appointed member of staff must be capable and competent at downloading CCTV footage in a recordable format EITHER DISC or VHS to the Police/Local Authority on demand.

The recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible person.

The DPS or other responsible person nominated for the purpose will employ SIA door staff on a risk assessed basis. The risk assessment shall be in writing and shall be made immediately available on request to an 'authorised person' (as defined in the Licensing Act 2003) or Police.

The DPS or a person nominated in writing for the purpose; shall maintain a register of door supervisors which shall be kept on the premises showing the names and addresses of the door supervisors, their badge numbers and shall be signed by the door supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by an 'authorised person' (as defined by the Licensing Act 2003), or the Police or an authorised officer of the SIA.

c) Public safety

The Licensed premises shall not be used for any exhibition, demonstration or performance of hypnotism unless the hypnotist has been licensed by the relevant authority in England and Wales. Any performance must comply in accordance with any conditions attached to the licence.

The maximum permitted numbers of persons in the premises including staff shall not exceed the number set within the fire risk assessment for the premises.

d) The prevention of public nuisance

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

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

Prominent, clear and legible signage shall be displayed at all exits to the premises requesting that the public to respect the needs of local residents and leave the premises and area quietly.

The use of explosives, pyrotechnics and fireworks of a similar nature shall not be used at the premises without the written notification of the Licensing Authority.

No waste such as bottles of refuse shall be placed outside the premises between the hours of 2200hours and the end of licensable activities.

The DPS or responsible person must immediately comply with any request to adjust noise levels/frequency spectra made by an authorised person (as defined by Licensing Act 2003)

e) The protection of children from harm

The premises will operate, as a minimum, a challenge 21 policy. Such policy shall be written and kept at the premises. The policy shall be produced on demand of an 'authorised person' (as defined by the Licensing Act 2003) or the police or an authorised Trading Standards Officer of Herefordshire Council. Prominent, clear, legible signage shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.

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

All children to be accompanied by a responsible adult.

Checklist:

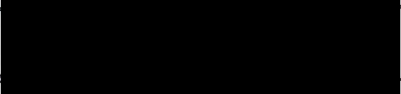
Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	13 th August 2015
Capacity	Licensing Manager

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.

Consent of individual to being specified as premises supervisor

I Andrew Whitcombe

[full name of prospective premises supervisor]

Of

[redacted]

[home address of prospective premises supervisor]

Hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

New Premises Licence [type of application]

by Greene King Brewing & Retailing Ltd [name of applicant]

relating to a premises licence N/A [number of existing licence, if any]

for

The Monument, Whitecross Road, Hereford, Herefordshire, HR4 0LT

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made

by Greene King Brewing & Retailing Ltd [name of applicant]

concerning the supply of alcohol at

The Monument, Whitecross Road, Hereford, Herefordshire, HR4 0LT

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal Licence Number [redacted]
[insert personal licence number, if any]

Personal licence issuing authority Herefordshire Council
[insert name and address and telephone number of personal licence authority, if any]

* [redacted]

Signed

Andrew Whitcombe

Name [please print]

29th July 2015

Dated

Dear all

Please accept my apologies for the delay in responding to you & also my apologies if this email is duplicated, I have been experiencing technical issues.

I can confirm, on behalf of Greene King, that we agree to the conditions below.

I trust this email is self-explanatory however if you have any further queries then please do not hesitate to contact me on either of the numbers below.

Kindest regards, Hannah

Hannah Loynds
Licensing Manager

Greene King plc | Abbot House | Westgate Brewery | Bury St Edmunds | Suffolk | IP33 1QT
Desk: 01284 714140 | Mob: 07974 132921

From: Mooney,James [<mailto:james.mooney@westmercia.pnn.police.uk>]

Sent: 19 August 2015 10:45

To: 'Licensing'

Cc: Hannah Loynds; Semper,Nick; 'Wilson, Leah'

Subject: The Monument, Whitecross Road, Hereford - new premises licence application

NOT PROTECTIVELY MARKED

West Mercia Police are in receipt of an application for a new premises licence for a location known as **The Monument, Whitecross Road, Hereford.**

The application is for the licensable activities of the supply/sale of alcohol, regulated entertainment and late night refreshment. It also seeks to specify the designated premises supervisor as Andrew Whitcombe

This venue is a well established licensed premises with a very broad customer base. It has a current premises licence - this application replaces the existing licence. It is located very close to residential addresses.

West Mercia Police do not object to this application and support all steps put forward by the applicant in order to promote the licensing objectives. In addition West Mercia Police have the following representations that further promote the licensing objectives and are in our view necessary, 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 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 reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service

3. All bar 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 (12) 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. A written register of refusals (or other system agreed by Herefordshire Council Trading Standards) 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.

5. External areas covered by the premises plan shall not be used after 2330hrs save for smoking. No alcohol or drinking vessels shall be taken to any external areas after 2330hrs. The DPS

or appointed member of staff shall monitor the area after 2330hrs to ensure that this condition is complied with.

6. 'Noise' from the premises must not be 'audible or discernable' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. 'In this conditions; 'Noise' -is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. Audible or discernable' -is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed premises'.

7. 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).

These are the minimum conditions West Mercia Police would seek to apply to any premises licence granted to this location.

Regards

Jim Mooney (on behalf of Inspector 0795 Semper)
Harm Reduction/Community Safety Dept.,
Licensing & Harm Reduction Coordinator,
Policing Unit - Herefordshire,
West Mercia Police.
DDI 01432 347102
Switchboard '101' x 4702
james.mooney@westmercia.pnn.police.uk
[In Herefordshire we protect people from harm](#)
[#destinationHereford](#)

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

www.warwickshire.police.uk and www.westmercia.police.uk

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Greene King Brewing and Retailing Limited (3298903), Greene King Retailing Limited (5265451), Premium Dining Restaurants and Pubs Limited (SC181811), Spirit Pub Company (Services) Limited (5266811), Spirit Pub Company (Managed) Limited (5269240), Spirit Pub Company (Leased) Limited (5699544), and Spirit Pub Company (Trent) Limited (5746068)

The registered office of each of these subsidiaries is the same as that of Greene King plc, save for Premium Dining Restaurants and Pubs Limited, which is registered in Scotland and whose registered office is Belhaven Brewery, Brewery Lane, Dunbar, East Lothian, EH42 1PE and the Spirit companies which are registered at Sunrise House, Ninth Avenue, Burton upon Trent, Staffordshire DE14 3JZ.

MEMORANDUM

To : LICENSING OFFICER

From : Aris Trezins

Tel : 01432 261761 My Ref : ATR/185096/EB/PR01694

Date : 18 August 2015 Your Ref :

**LICENSING ACT 2003
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE
THE MONUMENT The Monument, Whitecross Road, Hereford, Herefordshire, HR4 0LT**

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

Representation	Industry Guidance
PREVENTION OF CRIME & DISORDER	
PUBLIC SAFETY	
PREVENTION OF PUBLIC NUISANCE Noise or vibration shall not emanate from the premises so as to cause a nuisance.	Model condition
PROTECTION OF CHILDREN FROM HARM	

REFERENCES

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

**ARIS TREZINS
ENVIRONMENTAL HEALTH OFFICER
HEREFORDSHIRE COUNCIL**

Dear Sir,

I am writing to object on the extended opening hours at the "Monument" pub. Two days at the week-end is quite enough. Residents have to put up with the noise & music & people shouting outside to hear each other above the music. As well as car doors slamming etc. The pub backs on to old peoples bungalows, give a thought to them. Also could you ask them to trim back their bushes on the pavement, it is hard to walk along.

Yours faithfully,

From: Wilson, Leah
Sent: 08 September 2015 15:11
To: 'hannahloynds@greenking.co.uk'
Cc: Licensing
Subject: Premises Licence Application

Dear Ms Loynds

RE: Green King Brewing & Retailing Ltd - Application for a Premises Licence for The Monument, Whitecross Road, Hereford, Herefordshire HR40LT

As an authorised body under the Licensing Act 2003, Herefordshire Council Environmental Health and Trading Standards have received details of your application for a premises licence for The Monument, Whitecross Road, Hereford, Herefordshire HR40LT.

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

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

1. All staff engaged in the sale of alcohol to be trained in responsible alcohol retailing to the minimum standard of BIIAB level 1 or any equivalent training course approved 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. Refresher training will be conducted at 6 monthly intervals. Training records shall be kept on the premises and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.
2. A written or electronic register of refusals will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months. It will be collected and reviewed on a 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.
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 bar advertising the scheme operated.

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

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

Leah Wilson (Miss) | BSc DTS MTSI | Trading Standards Officer |
Trading Standards & Animal Health | Economy, Communities & Corporate
Directorate | Herefordshire Council | Blue School House, PO Box 233, Hereford HR1
2ZB
Tel: 01432 260163 | Fax: 01432 261982 | Email: lwilson@herefordshire.gov.uk
| GCSX: lwilson@herefordshire.gcsx.gov.uk

Council's Homepage www.herefordshire.gov.uk

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If you have received this e-mail in error, please notify the IT Service Helpdesk at the Herefordshire Council, telephone 01432 260160.

Agreed Conditions

Police Representation

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

3. All bar 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 (12) 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. A written register of refusals (or other system agreed by Herefordshire Council Trading Standards) 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.
5. External areas covered by the premises plan shall not be used after 2330hrs save for smoking. No alcohol or drinking vessels shall be taken to any external areas after 2330hrs. The DPS or appointed member of staff shall monitor the area after 2330hrs to ensure that this condition is complied with.
6. 'Noise' from the premises must not be 'audible or discernible' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. 'In this conditions; 'Noise' -is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. Audible or discernible' -is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed premises'.
7. 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

Conditions requested but not agreed

EHO

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

Trading Standards

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 approved 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. Refresher training will be conducted at 6 monthly intervals. Training records shall be kept on the premises and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.
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