

AGENDA

Regulatory Sub Committee

Date: **Tuesday 24 May 2016**

Time: **10.00 am**

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

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

For any further information please contact:

Clive Lloyd, Governance Services

Tel: 01432 260249

Email: clive.lloyd@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format, please call Clive Lloyd, Governance Services on 01432 260249 or e-mail clive.lloyd@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Regulatory Sub Committee

Membership

Councillor DW Greenow
Councillor PJ McCaull
Councillor AR Round

AGENDA

	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 NEW PREMISES LICENCE IN RESPECT OF: '10 NEW STREET, LEDBURY, HR8 2DX' - LICENSING ACT 2003 To consider an application for a new premises licence in respect of 10 New Street, Ledbury, HR8 2DX.	11 - 40

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.
- **RECORDING OF THIS MEETING**
 - Please note that filming, photography and recording of this meeting is permitted provided that it does not disrupt the business of the meeting.
 - Members of the public are advised that if you do not wish to be filmed or photographed you should let the governance services team know before the meeting starts so that anyone who intends filming or photographing the meeting can be made aware.
 - The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

Public Transport Links

There are bus stops directly outside the building. Hereford train station is a 15 minute walk, Hereford country bus station and Hereford city bus station are both a 5 minute walk from the Shirehall.

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.

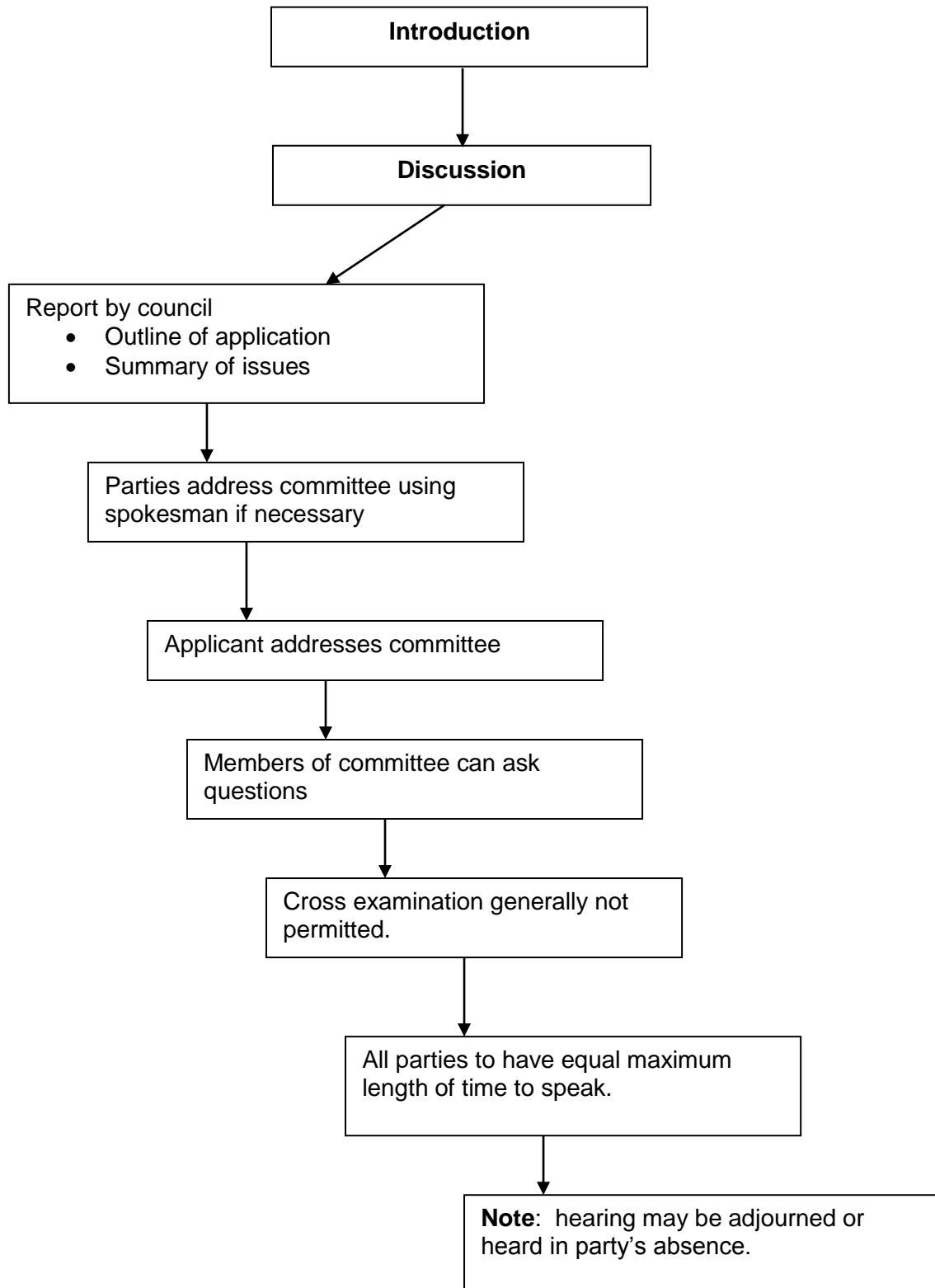
You should vacate the building in an orderly manner through the nearest available fire exit.

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:	24th May 2016
Title of report:	TO CONSIDER AN APPLICATION FOR A NEW PREMISES LICENCE IN RESPECT OF: '10 NEW STREET, LEDBURY, HR8 2DX' - LICENSING ACT 2003
Report by:	FRED SPRIGGS - LICENSING OFFICER

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Ledbury

Purpose

To consider an application for a new premises licence in respect of 10 New Street, Ledbury, HR8 2DX.

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,

- b) 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,
- c) To exclude from the scope of the licence any of the licensable activities to which the application relates,
- d) To refuse to specify a person in the licence as the premise supervisor, or
- e) To reject the application.
- f) 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	Anna ZELASKO 28 Bronte Drive, Ledbury, HR8 2FZ.	
Solicitor	N/K	
Type of application: New	Date received: 31st March 2016	28 Days consultation ended 27th April 2016

5. Summary of Application

The application for a new premises licence requests the following licensable activities during the hours shown.

Supply of alcohol (Off premises) All days 09.00 – 22.00

Non Standard Timings: None

6. Summary of Representations

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

Representations have been made by:

One (1) of the Responsible Authorities (**Police**) and **One (1)** from a member of the public.

- 8. The police object outright to this application following the premises having being

Further information on the subject of this report is available from
Fred Spriggs – Licensing Officer 01432 261761

visited and illegal alcohol and tobacco were seized.

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.

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.

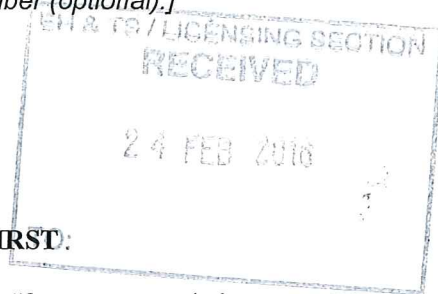
Appendices

- a. Application Form
- b. Police Representation
- c.. Pubic Representation

Background Papers

None.

[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 ANNA ZELASKO
(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 <p style="text-align: center;">10 NEW STREET</p>			
Post town:	HR8 ^{AZ} LEDBURY	Postcode	HR8 2DX
Telephone number at premises (if any)	07870168624		
Non-domestic rateable value of premises	£ 11,250		

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 checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <i>ZELASKO</i>			First names <i>ANNA</i>		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town					
Daytime contact					
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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
┆┆	┆┆	┆┆┆┆

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)

FOOD SUPER MARKET. THERE IS NO ALKOHOL CONSUMPTION INSIDE OR OUTSIDE THE PROPERTY AT ANY TIME.

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

B

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

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			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
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)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Wed					
Thur			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 (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

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 type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri			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					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

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				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat			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)		
Sun					

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 type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

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 checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	9:00	22:00			
Tue	9:00	22:00			
Wed	9:00	22:00			
Thur	9:00	22:00			
Fri	9:00	22:00			
Sat	9:00	22:00			
Sun	9:00	22:00	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	ANNA ZELASKO

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).

N/A

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)
Day	Start	Finish	
Mon	9:00	22:00	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p>
Tue	9:00	22:00	
Wed	9:00	22:00	
Thur	9:00	22:00	
Fri	9:00	22:00	
Sat	9:00	22:00	
Sun	9:00	22:00	

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)

THE DESIGNATED PREMISES SUPERVISOR WILL BE ON THE PREMISES MOST OF THE TIME THAT SHOP IS OPEN FOR BUSINESS
ALL PERSONELL WILL BE TRAINED TO UNDERSTAND AND COMPLY WITH THE CONDITIONS OF THE LICENSE. WE SHALL ADOPT CHALLENGE 25 POLICY AND WILL NOT SALE ALCOHOL TO ANYONE OBVIOUSLY UNDER THE INFLUENCE OF DRUGS OR ALCOHOL.
NO ALCOHOL CONSUMPTION IN SHOP AREA AT ANY TIME.

b) The prevention of crime and disorder

CCTV IN PLACE. NOTICES WARNINGS OF POTENTIAL CRIMINAL ACTIVITY. AN ALARM IN PLACE - ARMED AFTER BUSSINES HOURS. NO ID-NO SALE. METAL DOOR AND WINDOW COVER. AN INCIDENT LOG WILL BE KEPT AT THE PREMISES. A PERSONAL LICENSE HOLDER WILL BE AT ALL TIMES PRESENT WHEN THE PREMISES OPERATE FOR THE SALE OF ALCOHOL. PREMISES LICENSE HOLDER HAS GOT BIIAB NCPLH LEVEL 2 CERTIFICATE ALL STAFF WILL BE TRAINED ~~TO~~ AND COMPLY THE CONDITIONS OF THE LICENSE

c) Public safety

CCTV IN PLACE. ALCOHOL OVER 10% ABV WILL BE HELD BEHIND COUNTER. FIRST AID KIT WILL BE HELD ON PREMISES AT ALL THE TIME. SUFFICIENT LIGHTING. AUTOMATIC EMERGENCY LIGHTING. NO CURTAIN, TEMPORARY DECORATION OR ITEM OF A SIMILAR DESCRIPTION SHALL OBSTRUCT ANY EXIT. ACCESS FOR EMERGENCY VEHICLES IS KEPT CLEAR.

d) The prevention of public nuisance

CCTV IN PLACE. THE PREMISES WILL OPERATE A CHALLENGE 25 POLICY. NO SALE OF ALCOHOL TO PEOPLE WITH CHILDREN. COMP.

e) The protection of children from harm

CCTV IN PLACE.
THE PREMISES WILL OPERATE A CHALLENGE 25 POLICY
NO ALCOHOL SALE TO PEOPLE WITH CHILDREN.

see above

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	[Redacted]
Date	<i>26/10/15</i>
Capacity	

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	

Notes for Guidance

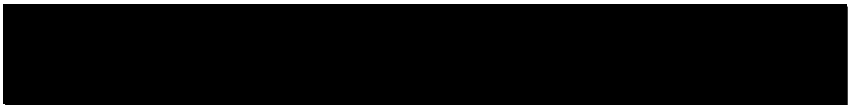
1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, 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.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give 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.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give 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 or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Zelasko Anne



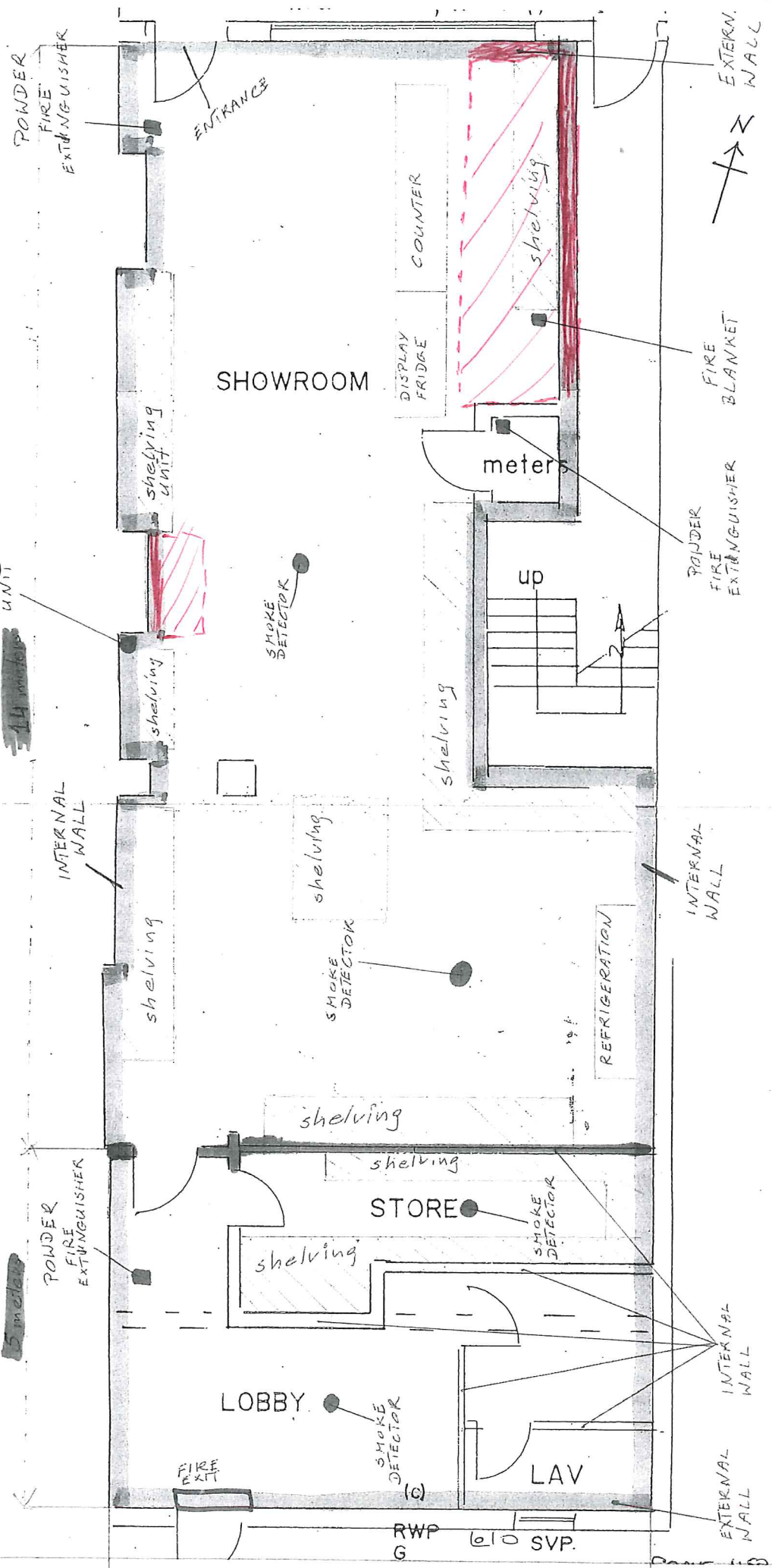
Form of consent given by the person whom the applicant wishes to be the premises supervisor

I, ...ANNA ZELASKO.....[insert first names and surname of prospective premises supervisor] hereby consents to being named as the premises supervisor in a new licence granted under paragraph 4 of Schedule 8 to the Licensing Act 2003 to ...ANNA ZELASKO.....[insert full name of applicant] where the holder of the licence has consented to the application being made by the applicant [delete as applicable] for ...ANNA ZELASKO, ALEX POLISH SHOP
10 NEW STREET, HR8 2DX LEDBURY.....[Insert name and address of the proposed licensed premises] if that application is successful.



Dated 06/01/16

ALEX POLISH SHOP LTD
 10 NEW STREET
 HR8 2DX
 LEDBURY
 WEREFDORSHIRE



Handwritten signature: A. J. G. 12/10/06.

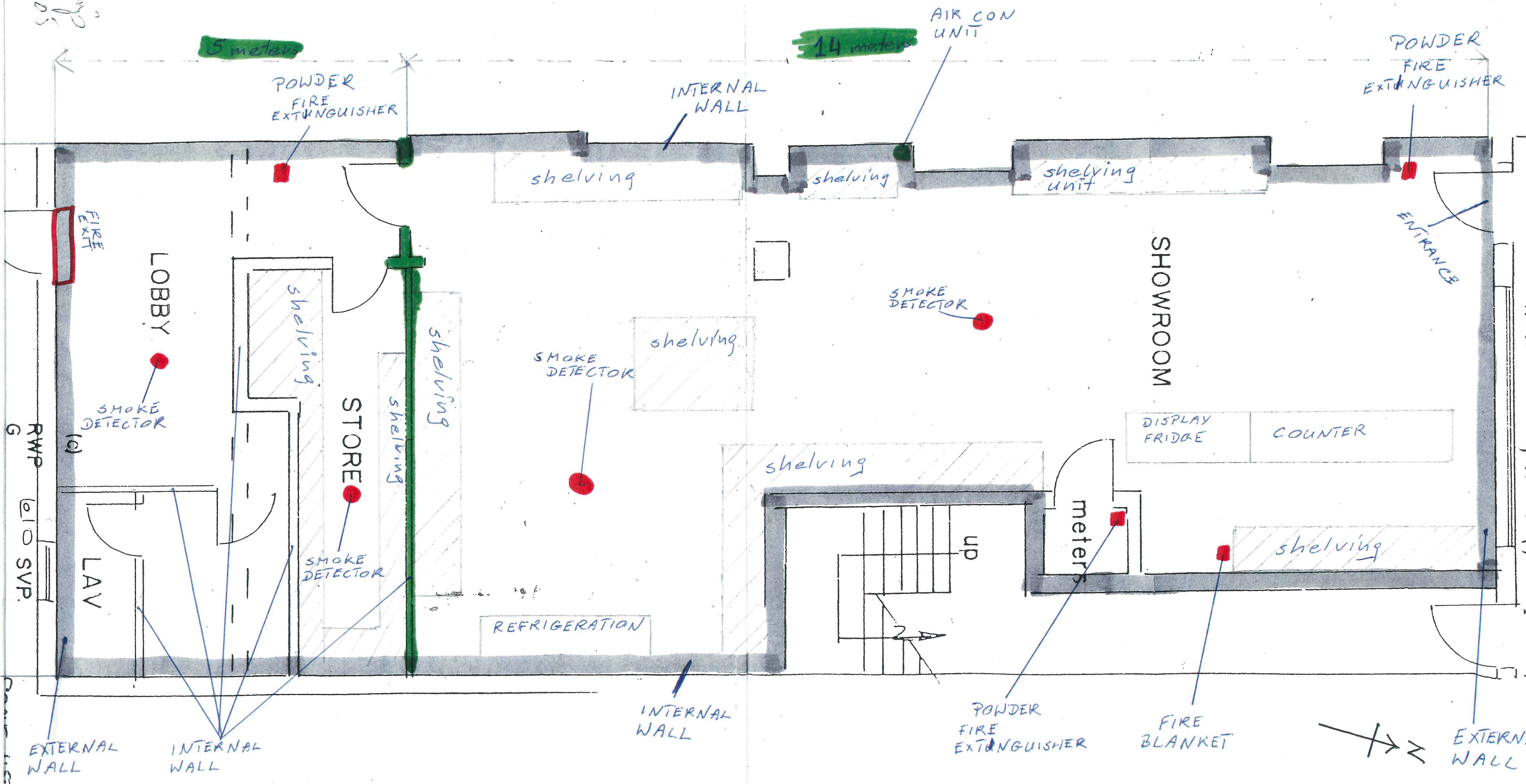
Handwritten notes: From CD 15/9/05

ALEX POLISH SHOP LTD
10 NEW STREET
HR8 2DX
LEDBURY
HEREFORDSHIRE

Alex
A. J. Johnson.
8/12/06.

As per CD
4/10/05
to Andy
15/9/05

ay
ct
le
ay
ed
id
nt
on
re
le
re
ay
35
er
ay
id
es
ch
ity
ig



5 meters

14 meters

AIR CON UNIT

POWDER FIRE EXTINGUISHER

INTERNAL WALL

POWDER FIRE EXTINGUISHER

ENTRANCE

SHOWROOM

DISPLAY FRIDGE

COUNTER

SMOKE DETECTOR

SMOKE DETECTOR

shelving

REFRIGERATION

shelving

POWDER FIRE EXTINGUISHER

FIRE BLANKET

EXTERN. WALL

EXTERNAL WALL

INTERNAL WALL

INTERNAL WALL

meters

up

LOBBY

STORE

FIRE EXIT

LAV

RWP
SVP

35 meters

NOT PROTECTIVELY MARKED

West Mercia Police are in receipt of an application for a new premises licence for a location called **Alex Polish Shop, New Street, Ledbury**. The application is for the licensable activity of the sale/supply of alcohol

The applicant seeks to specify the designated premises supervisor as Anna ZELASKO

West Mercia Police **object to this application** as to grant it will undermine the licensing objectives - in particular that of the prevention of crime and disorder.

On 11 April 2016, as a result of intelligence received a joint enforcement visit was made to the premises by Herefordshire Council Trading Standards and West Mercia Police. Entry to the shop was under the powers delegated to Trading Standards.

A quantity of tobacco was found under the serving counter of the shop (within the main store). This tobacco is at the very least a foreign brand and potentially illegal/counterfeit which does not have the required English wording health warnings and pictures. The shop assistant did indicate that the cigarettes were sold in the shop for £45 per carton of 200 which is in the region of £4.50 per packet of 20. This is below the normal selling price of £8 to £9 a packet of 20.

In addition a quantity of similar items and packets of tobacco, plus bottles of non duty paid vodka and cans of lager were found inside a locked safe in the premises.

The view of West Mercia Police and Trading Standards is that the items found are both illegal/counterfeit and non duty paid brands that were stored at the premises with the intention of selling to the public. The view of West Mercia Police is that this activity is illegal and criminal and therefore an activity that undermines the licensing objectives

If this matter progresses to a regulatory hearing further information will be provided to support the police position.

Regards

Jim Mooney (on behalf of Ps 3456 REYNOLDS)
Harm Reduction/Community Safety Dept.,
Licensing & Harm Reduction Coordinator,
Policing Unit - Herefordshire,
West Mercia Police.
DDI 01432 347102
Switchboard '101' x 4702
james.mooney@westmercia.pnn.police.uk
[In Herefordshire we protect people from harm](#)
[#destinationHereford](#)

TO WHOM IT MAY CONCERN

Dear Licensing Officer,

As a Member of Public I must say NO to application for a Premises Licence for Alex Polish Food, 10 New Street, Ledbury, Herefordshire, HR8 2DX.

Below are the reasons why this particular shop should not be granted with a Premises Licence.

Since they have been opened they are selling from under the counter polish beer, spirits and polish and russian cigaretts. To make it easier below there is a price list of everything:

You can buy there a 4 pack of polish caned beer for £5.00

You can buy there L&M cigarettes for £5.00/per one

You can buy there russian cigarettes for £3.50/ per one

You can buy there spirits without custome duties paid for depending on company between £12-20

They only sell it to people who they know, who has been recommended by the other customer, and mainly to polish customers, but as well to some workers from local farms - most people in Ledbury knows that as well.

They keep this illigal items at the back of the shop, hidden, or in the safe at the shop.

Everything above is a true.

Please treat it confidential.

