

AGENDA

Regulatory Sub Committee

Date: **Wednesday 1 June 2016**

Time: **10.00 am**

Place: **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

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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 PA Andrews
Councillor DW Greenow
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. APPLICATION FOR A NEW PREMISES LICENCE IN RESPECT OF THE 'NEW INN, LEDBURY ROAD, BARTESTREE, HR1 4BX' - LICENSING ACT 2003 To consider an application for a new premises licence in respect of the 'New Inn, Ledbury Road, Bartestree, HR1 4BX'.	11 - 44
4. APPLICATION FOR A NEW PREMISES LICENCE IN RESPECT OF 'THE CROWN & SCEPTRE, 7 SHERFORD STREET, BROMYARD. HR7 4DL' - LICENSING ACT 2003 To consider an application for a new premises licence in respect of the 'Crown & Sceptre, 7 Sherford Street, Bromyard, HR7 4DL'.	45 - 86
5. APPLICATION FOR A NEW PREMISES LICENCE IN RESPECT OF 'KUBUS POLSKI SKLEP, 22 EIGN GATE, HEREFORD, HR4 0AB' - LICENSING ACT 2003 To consider an application for a new premises licence in respect of the 'Kubus Polski Sklep, 22 Eign Gate, Hereford, HR4 0AB'.	87 - 110

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- 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.
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HEREFORDSHIRE COUNCIL

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

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

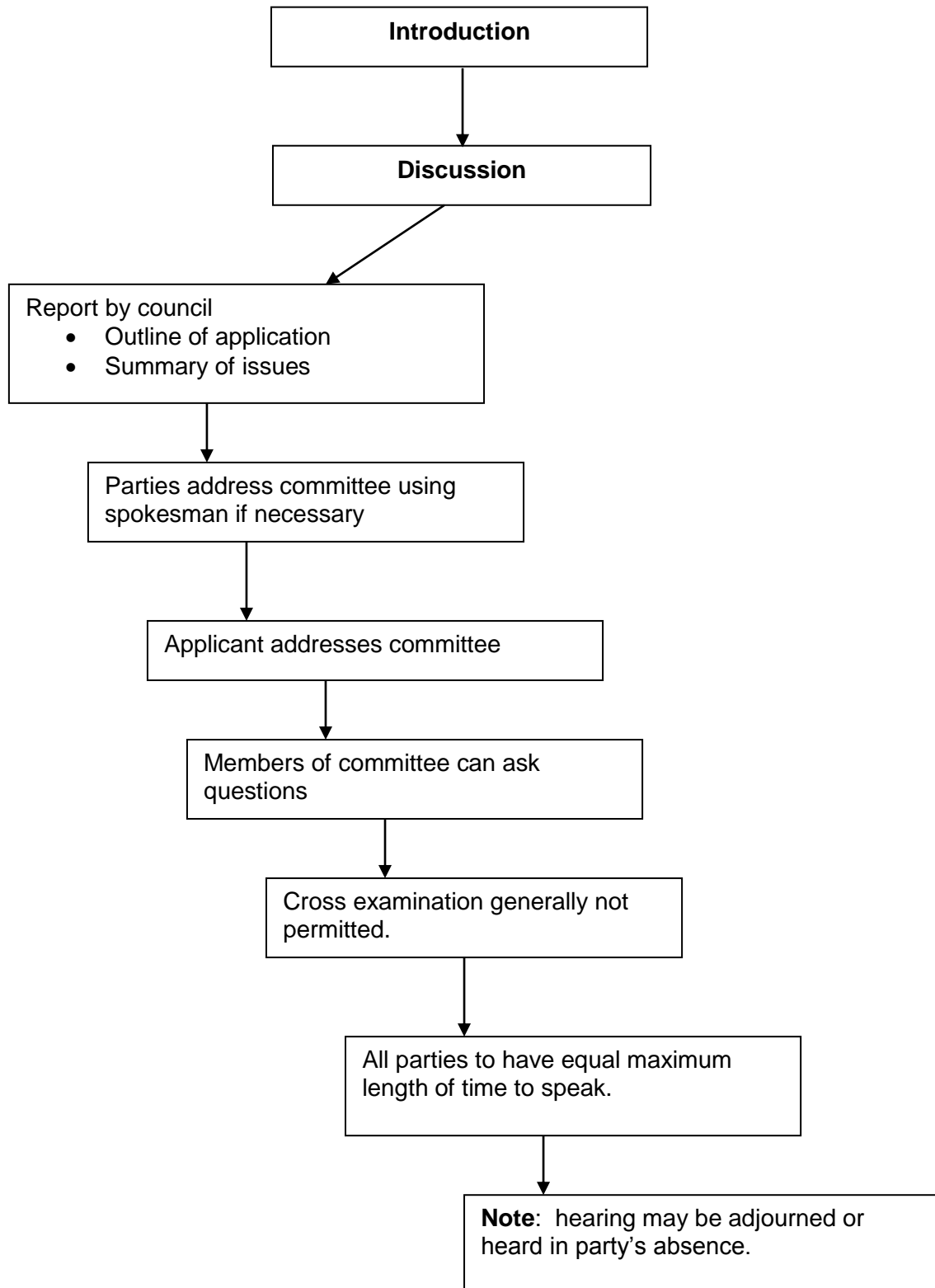
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Please do not allow any items of clothing, etc. to obstruct any of the exits.

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 June 2016
Title of report:	APPLICATION FOR A NEW PREMISES LICENCE IN RESPECT OF THE 'NEW INN, LEDBURY ROAD, BARTESTREE, HR1 4BX' – LICENSING ACT 2003
Report by:	FRED SPRIGGS - LICENSING OFFICER

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Hagley

Purpose

To consider an application for a new premises licence in respect of the 'New Inn, Ledbury Road, Bartestree, HR1 4BX'.

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 Statement of Licensing Policy 2015 - 2020.

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.

Reasons for Recommendations

- 2. Ensures compliance with the Licensing Act 2003.

Key Considerations

3. Licence Application

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

Summary of Application

- 4. The details of the application are:

Applicant	PWC (Bartestree) LLP Broadway House, 32-35 Broad Street, Hereford. HR4 9AR .	
Solicitor	N/K	
Type of application: New	Date received: 30th March 2016	28 Days consultation ended 26th April 2016

- 5 The application requests that:

Live Music (Indoors)	1900 – 0000	Friday to Sunday
Recorded Music (Indoors)	1100 – 0000	All days
Late Night Refreshment (Indoor & Outdoor)	2300 – 0000	All days
Supply of Alcohol	1100 – 0000	Monday to Saturday

Non Standard Timings: None

Summary of Representations

- 6. **Two (2)** Representations has been received from the Responsible Authorities (Trading Standards & the Police) – these have been agreed (appendix b & c).

7. One (1) Representation has been received from a member of the public which has not been withdrawn (appendix d).
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.

Right of Appeal

13. Schedule 5 gives a right of appeal which states:

Decision to grant premises licence or impose conditions etc.

- 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).

Risk Management

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

Consultees

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

Appendices

- a. Application Form
- b. Trading Standards Representation
- c. Police Representation
- d. Public Representation

Background Papers

None.

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

EH & TS / LICENSING SECTION
RECEIVED
- 3 MAR 2016
TO:

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

LICENSING SECTION
RECEIVED
22 FEB 2016
TO: PRO1715

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 WILLIAM REYNOLDS for PWC (BARTESTREE) LLP
(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 <u>NEW INN, LEDBURY ROAD, BARTESTREE.</u>			
Post town	<u>HEREFORD</u>	Postcode	<u>HR1 4BX</u>
Telephone number at premises (if any)			
Non-domestic rateable value of premises		<u>£ 3100-00</u>	

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	PWC (BARTESTREE) LLP
Address	BROADWAY HOUSE, 32-35 BROAD STREET, HEREFORD, HR4 9AR
Registered number (where applicable)	OC 354397
Description of applicant (for example, partnership, company, unincorporated association etc.)	PARTNERSHIP
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
28	03	2016

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)

THE PREMISES IS A PUBLIC HOUSE WITH A RESTAURANT AND LETTING ROOMS

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

N/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"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
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

N/A.

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

C

N/A

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			<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)
Thur			
Fri			
Sat			
Sun			

D

N/A

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			
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Wed			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)		
Thur					
Fri					
Sat					
Sun					

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 checked="" 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 performance of live music (please read guidance note 4)	
Thur						
Fri						
					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)	
	19.00	00.00				
Sat	19.00	00.00				
Sun	19.00	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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	11.00	00.00			
Tue	11.00	00.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed	11.00	00.00			
Thur	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)		
Fri	11.00	00.00			
Sat	11.00	00.00			
Sun	11.00	00.00			

G

N/A

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"/>	
Day	Start	Finish	Both				<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)				
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

N/A

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>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</u> (please read guidance note 5)</p>		
Sun					

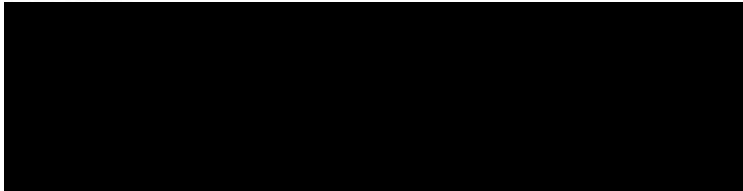

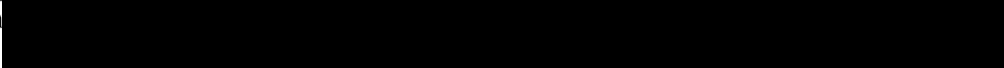
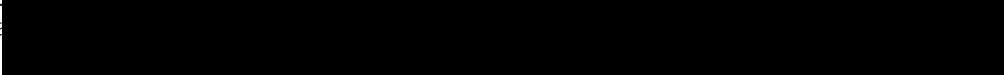
I

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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	11.00	00.00	<u>Please give further details here</u> (please read guidance note 3)		
Tue	11.00	00.00			
Wed	11.00	00.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	11.00	00.00			
Fri	11.00	00.00	<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)		
Sat	11.00	00.00			
Sun	11.00	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)		
Mon	11.00	00.00			
Tue	11.00	00.00			
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	WILLIAM REYNOLDS		
Address			
Postcode			
Personal licence n			
Issuing licensing a			

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).

ANYONE WHO APPEARS TO BE UNDER THE AGE OF 18 AND IS ATTEMPTING TO BUY ALCOHOL MUST BE REQUIRED TO PRODUCE PROOF OF AGE BEFORE A SALE IS MADE.

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	11.00	00.30	<p><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)</p>
Tue	11.00	00.30	
Wed	11.00	00.30	
Thur	11.00	00.30	
Fri	11.00	00.30	
Sat	11.00	00.30	
Sun	11.00	00.30	

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 LICENSEE SHALL TAKE ALL REASONABLE PRECAUTIONS TO ENSURE THE SAFETY OF THE PUBLIC AND PERFORMERS ON THE PREMISES.
THE LICENSEE WILL COMPLY WITH ALL REASONABLE REQUESTS OF THE POLICE, FIRE AUTHORITY AND LICENSING AUTHORITY.
THE MEANS OF ESCAPE, FIRE ALARM AND FIRE FIGHTING EQUIPMENT ELECTRICAL INSTALLATIONS SHALL BE MAINTAINED IN GOOD CONDITION AND FULL WORKING ORDER.

b) The prevention of crime and disorder

NO IRRESPONSIBLE SALES PROMOTIONS OF ALCOHOLIC BEVERAGES SHALL BE OFFERED TO CUSTOMERS
A SIGN WILL BE DISPLAYED ON THE PREMISES INDICATING THE STANDARD HOURS DURING WHICH THE SALE OF ALCOHOL IS PERMITTED.

c) Public safety

ALL FIRE DOORS WILL BE MAINTAINED EFFECTIVELY SELF CLOSING.
NOTICES DETAILING THE ACTIONS TO BE TAKEN IN THE EVENT OF FIRE OR OTHER EMERGENCIES, INCLUDING HOW THE FIRE BRIGADE SHALL BE SUMMONED, ARE TO BE PROMINENTLY DISPLAYED.

d) The prevention of public nuisance

WHEN AMPLIFIED MUSIC IS TAKING PLACE INSIDE THE PREMISES AFTER 22.00 WINDOWS & DOORS, SAVE FOR ENTRANCE & EXIT PURPOSES, WILL BE KEPT SHUT.
A SIGN WILL BE LOCATED AT THE EXIT REQUESTING THAT CUSTOMERS LEAVING THE PREMISES, DO SO QUIETLY.

e) The protection of children from harm

*K

NO ADULT ENTERTAINMENT.

ANYONE WHO APPEARS TO BE UNDER THE AGE OF 21 & WHO IS ATTEMPTING TO PURCHASE ALCOHOL MUST BE REQUIRED TO PRODUCE PROOF OF AGE BEFORE SUCH A SALE IS MADE

Checklist:

Please tick to indicate agreement

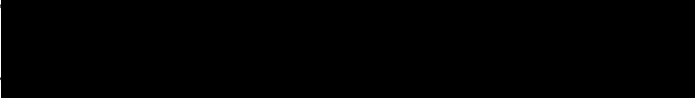
- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, 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	19-2-2016
Capacity	M.D.

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

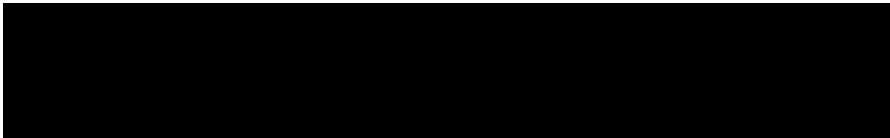
1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, 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.
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.



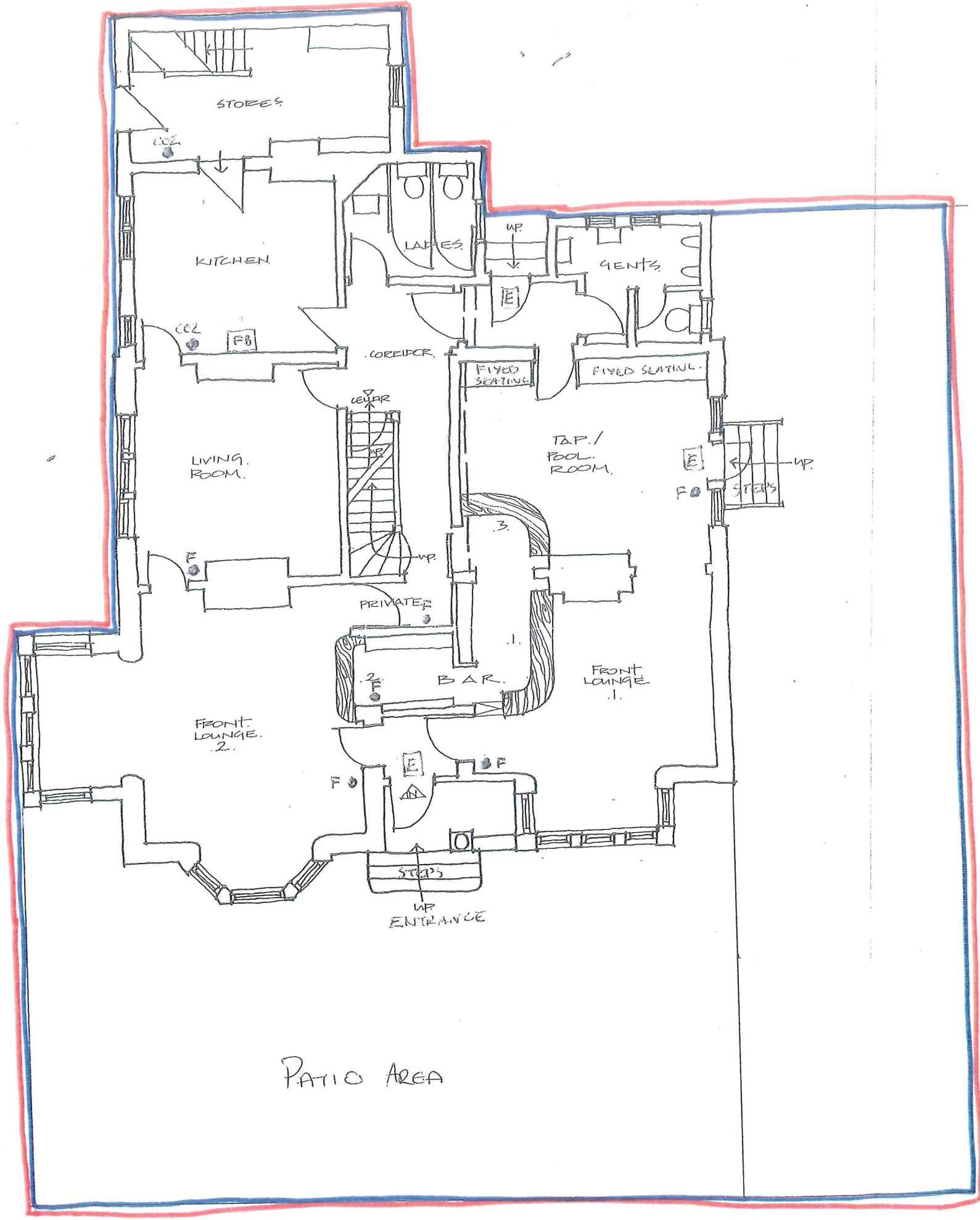
HEREFORDSHIRE
COUNCIL

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

I, WILLIAM REYNOLDS.....[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 WILLIAM REYNOLDS.....[insert full name of applicant] in respect of the application to convert an existing justices' licence held by the applicant/ where the holder of the licence has consented to the application being made by the applicant [delete as applicable] for NEW INN PUB, BARTON STREET
HEREFORD NR1 4BX.....[Insert name and address of the existing licensed premises] if that application is successful.



Dated 19-02-2016



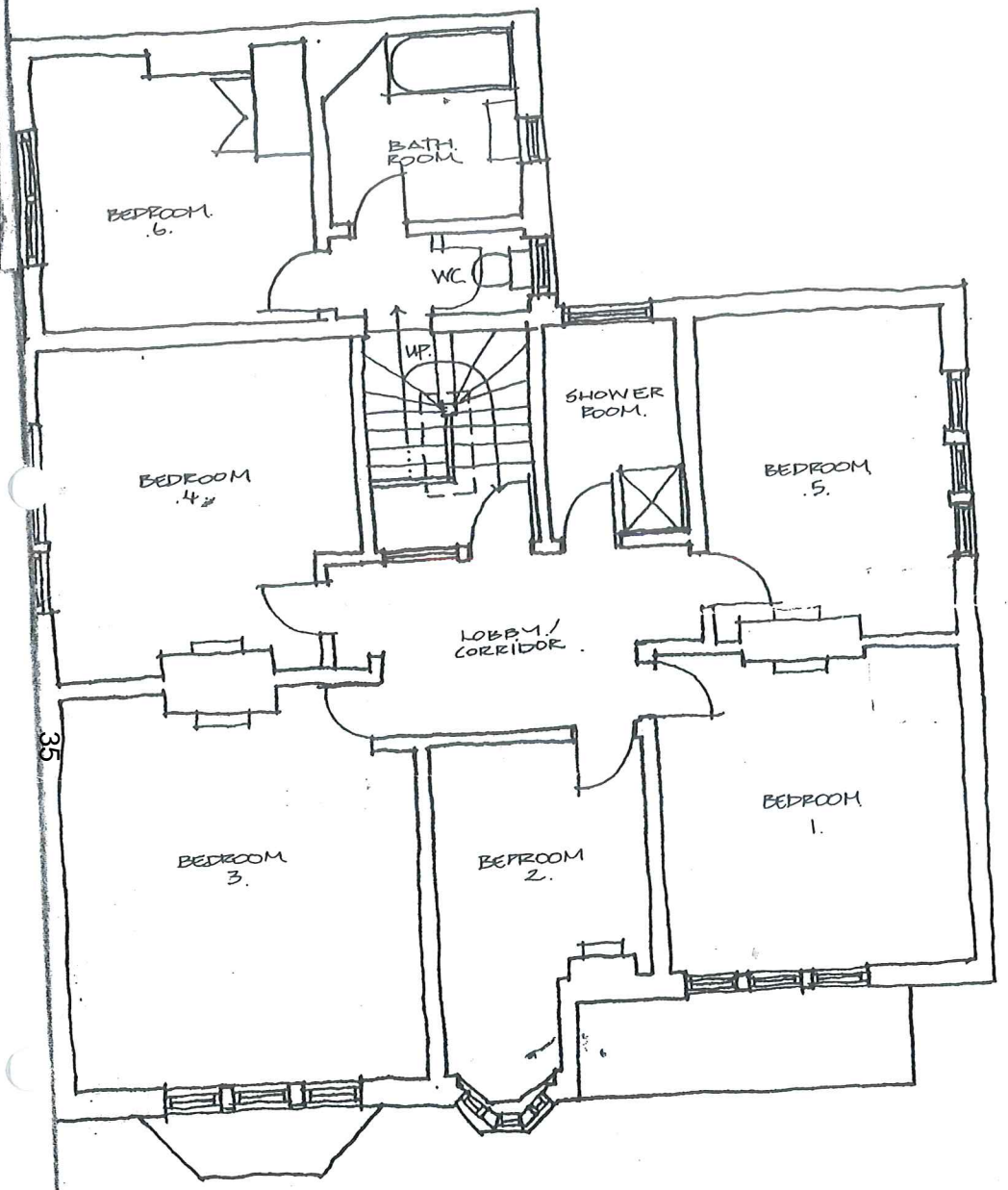
- CO2 CO2 TYPE EXTINGUISHER
- P FOAM TYPE EXTINGUISHER
- FB FIRE BLANKET
- E EXIT / ESCAPE ROUTE
- Licensable Activity
- Consumption Area

GROUND FLOOR.

existing
SCALE 1/100

CAR PARK

THE
NEW INN.
AT
BARTESTREE



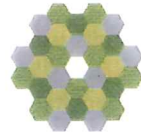
7.
SHEET NO 2.

FIRST FLOOR.
existing

THE
NEW INN.
AT
BARTESTREE

Land Registry
Current title plan

Title number **HE12862**
Ordnance Survey map reference **SO5641SW**
Scale **1:1250 enlarged from 1:2500**
Administrative area **Herefordshire**



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36

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This title is dealt with by Land Registry, Telford Office.

Message Received: Mar 15 2016, 04:29 PM
From: "Wilson, Leah" <LWilson@herefordshire.gov.uk>
To: "billyreynolds@fsmail.net" <billyreynolds@fsmail.net>
Cc: "Licensing" <licensing@herefordshire.gov.uk>
Subject: New Inn, Bartestree (Premises Licence Application)

Dear Mr Reynolds

RE: Premises Licence.

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 New Inn, Ledbury Road, Bartestree, Hereford, HR14BX.

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 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<<mailto:licensing@herefordshire.gov.uk>>; or If you wish to discuss this matter further please do not hesitate to contact me on 01432 260163, lwilson@herefordshire.gov.uk<<mailto:lwilson@herefordshire.gov.uk>>

Miss Leah Wilson | 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<mailto:lwilson@herefordshire.gov.uk> | GCSX:
lwilson@herefordshire.gcsx.gov.uk<mailto:lwilson@herefordshire.gcsx.gov.uk>

Council's Homepage www.herefordshire.gov.uk<blocked::http://www.herefordshire.gov.uk/>

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NOT PROTECTIVELY MARKED

West Mercia Police are in receipt of an application for a new premises licence for a location known as the **New Inn, Bartestree, near Hereford.**

The application is for the licensable activities of the sale/supply of alcohol, late night refreshment and regulated entertainment.

The applicant seeks to specify the designated premises supervisor as William Reynolds

This premises has a long history of operating as a licensed premises. Its location is on a main route to/from Hereford city and is close to residential addresses.

West Mercia Police do not object to this application and would seek to apply the following conditions to any premises licence in order to promote the licensing objectives. It is out view that they are proportionate, achievable and enforceable.

1. An incident log must be kept at the premises. Incident log records will be retained for a period of 12 months from the date it occurred. It will be made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), an authorised Herefordshire Trading Standards Officer or the Police, which must record the following:
 - (a) all crimes (relevant to the licensing objectives) reported to the venue
 - (b) all ejections of patrons
 - (c) any incidents of disorder
 - (d) any refusal of the sale of alcohol
 - (e) any visit by a relevant authority or emergency service

2. 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 staff shall be re-trained twelve monthly thereafter. Training records shall be kept on the premises which shall show the name of the training course attended, the date of the training, the name of the person undertaking the training and shall be produced to the police, an authorised Herefordshire Trading Standards Officer or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) on demand.

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

4. The Premises Licence Holder or DPS or the responsible person must immediately comply with any request to adjust noise levels/ frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.

5. All doors and windows at the premises shall be kept closed after 2200hrs until the termination of licensable activities, except during immediate access and egress.

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. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
8. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of an authorised person' (as defined by Section 13 of the Licensing Act 2003), an authorised Herefordshire Trading Standards Officer or the police. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.
9. 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).

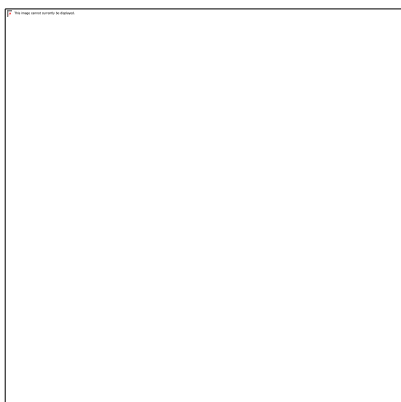
These are the minimum conditions West Mercia Police would wish to see applied to any premises licence granted to this venue

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



Make the difference

For more information about becoming a Special Constable,
please visit,

Warwickshire Police:
www.warwickshire.police.uk/specialconstables

West Mercia Police:

www.westmercia.police.uk/specialconstables

HEREFORDSHIRE COUNCIL

Licensing Act 2003

PLANNING & TS / LICENSING SECTION

RECEIVED

29 MAR 2016

Please return this form, and additional information within the statutory period to:
**The Licensing Section,
 County Offices,
 PO Box 233,
 Bath Street, Hereford,
 HR1 2ZF
 licensing@herefordshire.gov.uk**

REPRESENTATION FORM – INTERESTED PARTIES

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

When completing this form please print clearly and legibly.

Your Name: [REDACTED]	Contact Telephone No. [REDACTED]
[REDACTED]	Please state your interest in the premises you are making a representation about: Local resident
Name & Address of premises you are making a representation about: New Inn, Ledbury Road, Bartestree	

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

<p>To Prevent Crime & Disorder The extension of the licence until 00.00 with clearing out until 00.30 is unacceptable in a residential area. It will lead to late night rowdiness and disturbance to residents as drinkers leave and drive away.</p>
<p>Public Safety</p>
<p>To Prevent Public Nuisance Although I support the re-opening of the New Inn as a pub, I wish to object to the performance of live and recorded music.. [REDACTED] I have previous bad experience with music being played there. Even with all windows and doors closed, live music in the New Inn is loud enough in surrounding properties to prevent sleep. The old windows are an ineffective barrier to sound. In any case, who is to enforce the condition for windows to be closed, when it gets hot and stuffy indoors?</p> <p>I would have little objection to occasional local events with live music. But giving permission for Fri/Sat/Sun every week opens the door to use as a music venue drawing in people from a wide area, and the experience of constant loud music and noise every weekend.</p> <p>The fact that Mr. Reynolds has allowed the New Inn and its gardens to become an overgrown and dilapidated eyesore, presumably deliberately, as he cannot be short of funds, indicates that he has little interest in the local community. One cannot therefore depend on his goodwill or statements of intention to restrict musical events or nuisance. One must presume that the conditions of the licence will be exercised to the full and that, if permitted, loud live music may be performed 3 nights a week. [REDACTED]</p>

The licence requests permission for recorded music 7 days a week until midnight. Perhaps this is mainly intended as background muzak, but there is nothing to state this would be the case. Under the licence conditions it could be hip-hop DJs, with an equal disturbance level to live music. It must be presumed that the maximum permitted could in fact occur. Once again, who will police the "closed windows" condition? Are local residents expected to go round there late night to confirm that windows are open and complain?

Finally, the "closed windows" condition only applies after 22.00. That means that local residents would potentially be subject to unmitigated amplified music from 11.00 to 22:00 any day of the week. This is unacceptable.

To Protect Children from Harm

Signed:

Date:



HEREFORDSHIRE
COUNCIL

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105

**Representation Form – Interested Parties
Suggested Conditions**

Premise: New Inn , Bartestree Your name: [REDACTED]

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

To Prevent Crime and Disorder

Limit the licence to 23:00

Public Safety

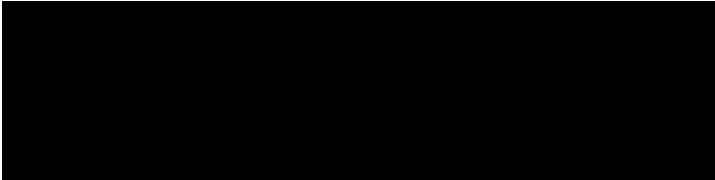
Prevent Public Nuisance

The physical condition of the windows, even when closed, and the impossibility of policing their closure, mean that amplified music, live or otherwise, must not be permitted.

If regrettably the authority were to permit music, then it should be limited to 23:00 at latest.

The "windows closed" condition should apply at all times when music is being performed, and violation of the condition should be reason for withdrawal of the licence.

Protect Children from Harm



If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105



Meeting:	Regulatory Sub-Committee
Meeting date:	1st June 2016
Title of report:	APPLICATION FOR A NEW PREMISES LICENCE IN RESPECT OF 'THE CROWN & SCEPTRE, 7 SHERFORD STREET, BROMYARD. HR7 4DL' – LICENSING ACT 2003
Report by:	FRED SPRIGGS - LICENSING OFFICER

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Bromyard Bringsty

Purpose

To consider an application for a new premises licence in respect of the 'Crown & Sceptre, 7 Sherford Street, Bromyard, HR7 4DL'.

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 Statement of Licensing Policy 2015 - 2020.

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.

Reasons for Recommendations

- 2. Ensures compliance with the Licensing Act 2003.

Key Considerations

3. Licence Application

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

Summary of Application

- 4. The details of the application are:

Applicant	Ludovic Weekers Ravenscroft, Tenbury Road, Clows Top, Kidderminster, DY14 9HF	
Solicitor	Lanyon Bowdler	
Type of application: New	Date received: 8th April 2016	28 Days consultation ended 5th May 2016

- 5 The application requests that:
 Films, Indoor Sporting Events, Live Music, Recorded Music, Performance of Dance, Anything of a similar nature to live/recorded music or performance of dance, (all indoors)
 - 1100 – 2300 Monday to Wednesday
 - 1100 – 0100 Thursday to Sunday
 Late Night Refreshment (Indoors)
 - 2300 – 0000 Thursday to Sunday
 Supply of Alcohol (Both on and off premises)
 - 1100 – 2300 Monday to Wednesday

Non Standard Timings: A further additional hour every Christmas Eve and Boxing. From the end of permitted hours on New Years Eve until the start of permitted hours on New Years Day.

Previous Licence

5. The premises was previously licensed and that licence was surrendered in February 2016.
6. In brief, the licence contained the following licensable activities during the times shown:

Live & Recorded Music and Sale by Retail of Alcohol

Monday-Wednesday: 11:00 – 23:00

Thursday- Saturday: 11:00 – 00:00

Sunday: 12:00 – 22:30

Summary of Representations

7. **Three (3)** Representations has been received from the Responsible Authorities (Trading Standards, the Police, the Licensing Authority and Environmental Health) – these have been agreed (appendix b, c, d and e).
8. **Two (2)** Representation has been received from members of the public which have not been withdrawn (appendix f & g). There was one (1) further public representation which was rejected as no evidence was provided
9. The matter is therefore brought before Committee for determination.

Community Impact

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

Equality duty

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

Financial implications

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

Legal Implications

13. 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

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

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

14. Schedule 5 gives a right of appeal which states:

Decision to grant premises licence or impose conditions etc.

- 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).

Risk Management

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

Consultees

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

Appendices

- a. Application Form
- b. Trading Standards Representation
- c. Police Representation
- d. Local Authority Representation
- e. Environmental Health
- f. Public Representation
- g. Public Representation

Background Papers

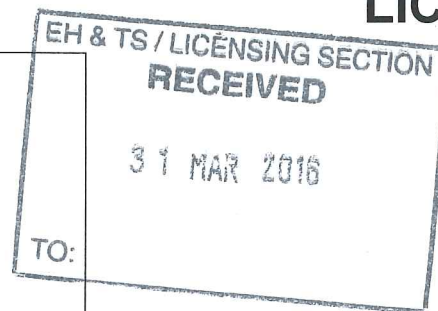
None.

PRO1721

LIC2

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

HEREFORDSHIRE COUNCIL



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 LUDOVIC WEEKERS
(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 CROWN & SCEPTRE INN 7 SHERFORD STREET	
Post town BROMYARD	Post code HR7 4DL
Telephone number at premises (if any)	01885 482441
Non-domestic rateable value of premises	£ 4,900.00

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

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			Post code	
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			
a	s	a	p				

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

DD		MM		YYYY			

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

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

PUBLIC HOUSE WITH FUNCTION ROOM WHICH HAD THE BENEFIT OF A PREMISES LICENCE WHICH HAS BEEN SURRENDERED.

THE CURRENT APPLICATION IS SIMPLIFIED VERSION OF THE PREVIOUS LICENCE.

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)

Please tick any that apply

Provision of regulated entertainment

- 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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11:00	23:00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	11:00	23:00			
Wed	11:00	23:00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	11:00	01:00			
Fri	11:00	01:00	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	01:00			
Sun	11:00	01:00			
		Mon			

1. A further additional hour every Christmas Eve & Boxing Day
2. New Years Eve allow licensable activities from 11:00am of New Years Eve until 11:00am on New years Day

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3) Normal sports activities for example: Darts Pool Biliards competitions etc		
Day	Start	Finish	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	01:00	<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) 1. A further additional hour every Christmas Eve & Boxing Day 2. New Years Eve allow licensable activities from 11:00am of New Years Eve until 11:00am on New years Day		
		Fri			
Fri	11:00	01:00			
		Sat			
Sat	11:00	01:00			
		Sun			
Sun	11:00	01:00			
		Mon			

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"/>				
					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 boxing or wrestling entertainment</u> (please read guidance note 4)			
Thur										
Fri			<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)							
Sat										
Sun										

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 checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11.00	23.00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	11.00	23.00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed	11.00	23.00	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)		
Thur	11.00	01.00			
		Fri			
Fri	11.00	01.00	1. A further additional hour every Christmas Eve & Boxing Day		
		Sat			
Sat	11.00	01.00	2. New Years Eve allow licensable activities from 11:00am of New Years Eve until 11:00am on New years Day		
		Sun			
Sun	11.00	01.00			
		Mon			

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 checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11.00	23.00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	11.00	23.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed	11.00	23.00	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)		
Thur	11.00	01:00			
		Fri			
Fri	11.00	01:00	1. A further additional hour every Christmas Eve & Boxing Day		
		Sat			
Sat	11.00	01:00	2. New Years Eve allow licensable activities from 11:00am of New Years Eve until 11:00am on New years Day		
		Sun			
Sun	11.00	01:00			
		Mon			

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 checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11.00	23.00	<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	11.00	23.00			
Wed	11.00	23.00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur	11.00	01:00			
		Fri			
Fri	11.00	01:00	<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			
Sat	11.00	01:00	1. A further additional hour every Christmas Eve & Boxing Day 2. New Years Eve allow licensable activities from 11:00am of New Years Eve until 11:00am on New years Day		
		Sun			
Sun	11.00	01:00			
		Mon			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u> This is to allow for the various types of bookings for the function room for example Funeral wakes, Conferences, club meetings etc.	<u>Will this entertainment take place indoors or outdoors or both - please tick</u> (please read guidance note 2)	
Day	Start	Finish		Indoors	<input checked="" type="checkbox"/>
Mon	11:00	23:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	11:00	23:00	<u>Please give further details here</u> (please read guidance note 3)		
Wed	11:00	23:00			
Thur	11:00	01:00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
		Fri			
Fri	11:00	01:00			
		Sat			
Sat	11:00	01:00	<u>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</u> (please read guidance note 5)		
		Sun			
Sun	11:00	01:00	1. An additional hour every Christmas Eve & Boxing Day 2. New Years Eve add 11:00am to 11:00am New Years Day		
		Mon			

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 checked="" type="checkbox"/>
Day				Start	Finish
				Outdoors	<input type="checkbox"/>
Mon			Both	<input type="checkbox"/>	Please give further details here (please read guidance note 3)
Tue					
Wed					
Thur	23.00	01.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
		Fri			
Fri	23.00	01.00			
		Sat			
Sat	23.00	01.00			
		Sun			
Sun	23.00	01.00			
		Mon			
			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)		
			1. An additional hour every Christmas Eve & Boxing Day		
			2. New Years Eve allow late night refreshment from 11:00pm of New Years Eve until 05:00am on New years Day		

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"/>
Day				Start	Finish
				Off the premises	<input type="checkbox"/>
Mon	11.00	23.00	Both	<input checked="" type="checkbox"/>	State any seasonal variations for the supply of alcohol (please read guidance note 4)
Tue	11.00	23.00			
Wed	11.00	23.00			
Thur	11.00	01:00	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)		
		Fri			
Fri	11.00	01:00			
		Sat			
Sat	11.00	01:00			
		Sun			
Sun	11.00	01:00			
		Mon			
			1. An additional hour every Christmas Eve & Boxing Day		
			2. New Years Eve allow licensable activities from 11:00am of New Years Eve until 11:00am on New years Day		

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

Name PAMELA JOY JAMES


K

<p>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).</p> <p>N/a</p>

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	11.00	23.30	<p>Non standard timings. Where you intend the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 5)</p> <p>1. An additional hour every Christmas Eve & Boxing Day 2. New Years Eve allow licensable activities from 11:00am of New Years Eve until 11:00am on New years Day</p>
Tue	11.00	23.30	
Wed	11.00	23.30	
Thur	11.00	01.30	
		Fri	
Fri	11.00	01.30	
		Sat	
Sat	11.00	01:30	
		Sun	
Sun	11:00	01:30	
		Mon	

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)

Following assessment of the premises and its surrounding area, the following is proposed :

The applicant will ensure adequate investment and management of the premises to ensure that it trades within the law and provides a safe environment for its staff and customers.

30 minute drinking up time to allow appropriate dispersal, use of lavatories etc

b) The prevention of crime and disorder

1. The exterior of the public house will be well lit including the car park.
2. Customers are not permitted to loiter in the car park or in front of the public house after closing.
3. An incident log will be kept and made available on request to an authorised officer of the Council/Police
4. CCTV footage will be made available to an authorised officer of the Council/Police
5. Alcohol will not knowingly be sold to anyone under age or who appears under the influence of alcohol or drugs.

c) Public safety

1. Fire fighting equipment is in place within the building
2. There is a fire alarm
3. No smoking is allowed within the premises and a designated outside smoking area is provided
4. Electrical equipment will be checked on a regular basis
5. Any spillages or breakages are dealt with at the earliest opportunity

d) The prevention of public nuisance

1. Prominent, clear and legible notices are displayed at all exits requesting customers to respect the needs of local residents including the request to leave the premises quietly
2. No live music to be played outside the premises
3. The outdoor area/beer garden shall not be used for the consumption of alcohol or licensable activities after 23.30
4. Music to be played at such a level as not to cause a nuisance.

e) The protection of children from harm

1. All children must be accompanied by an adult at all times
2. Signage is displayed indicating no sales to under 18's
3. Customers will be asked to provide confirmation of their age if staff believe them to be under age and only approved photo ID such as passport, driving licence card and National proof of age schemes

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.

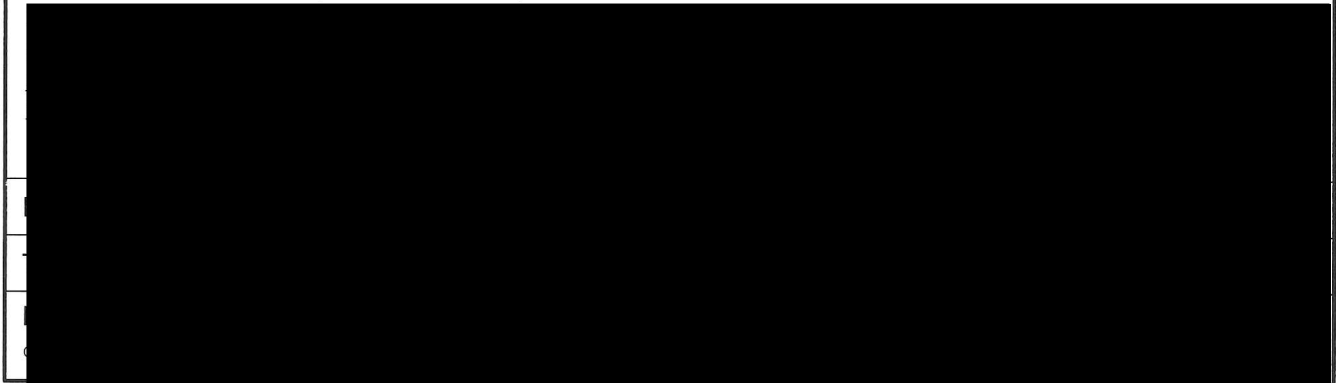


Date	29/03/16
Capacity	SOLICITORS TO THE APPLICANT

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)



LICENSING ACT 2003
Section 37(3)

**CONSENT OF INDIVIDUAL TO BEING SPECIFIED AS
PREMISES SUPERVISOR**

Reference number:

I

[full name of prospective premises supervisor]
PAMELA JOY JAMES

Of



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

[type of application] NEW PREMISES LICENCE

By

[name of applicant] LUDOVIC HUBERTUS WEEKERS

Relating to a Premises Licence

[number of existing licence if any]

For

[name and address of premises to which the application relates]
Crown & Sceptre INN
7 Sherford Street
BROMYARD - HEREFORDSHIRE HR7 4DL

And any premises licence to be granted or varied in respect of this application may by
[name of applicant] LUDOVIC HUBERTUS WEEKERS

Concerning the supply of alcohol at

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

CROWN + SCEPTRE INN
7 SULLY FORD STREET
BROMYARD NR7 4DL

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

[insert personal licence number if any]

1986

Personal licence issuing authority

[insert name and address and telephone number of personal licence issuing authority if any]

Hereford Council

Name (please print)

PAMELA JOY JAMES

Date 16-3-16.

All figure dimensions and levels must be checked on site.
 Do not scale dimensions or levels from this drawing for the
 purpose of setting out or ordering components.
 If in doubt check with the consultant.
 All scales as indicated below

Revisions

date	details

scales 1:100

date 13.01.10 drawn by AG/jp

title

Proposed Extension
 Crown and Sceptre
 Bromyard
 Hereford

client

Mr K Griffiths

drawing no.

1050-1

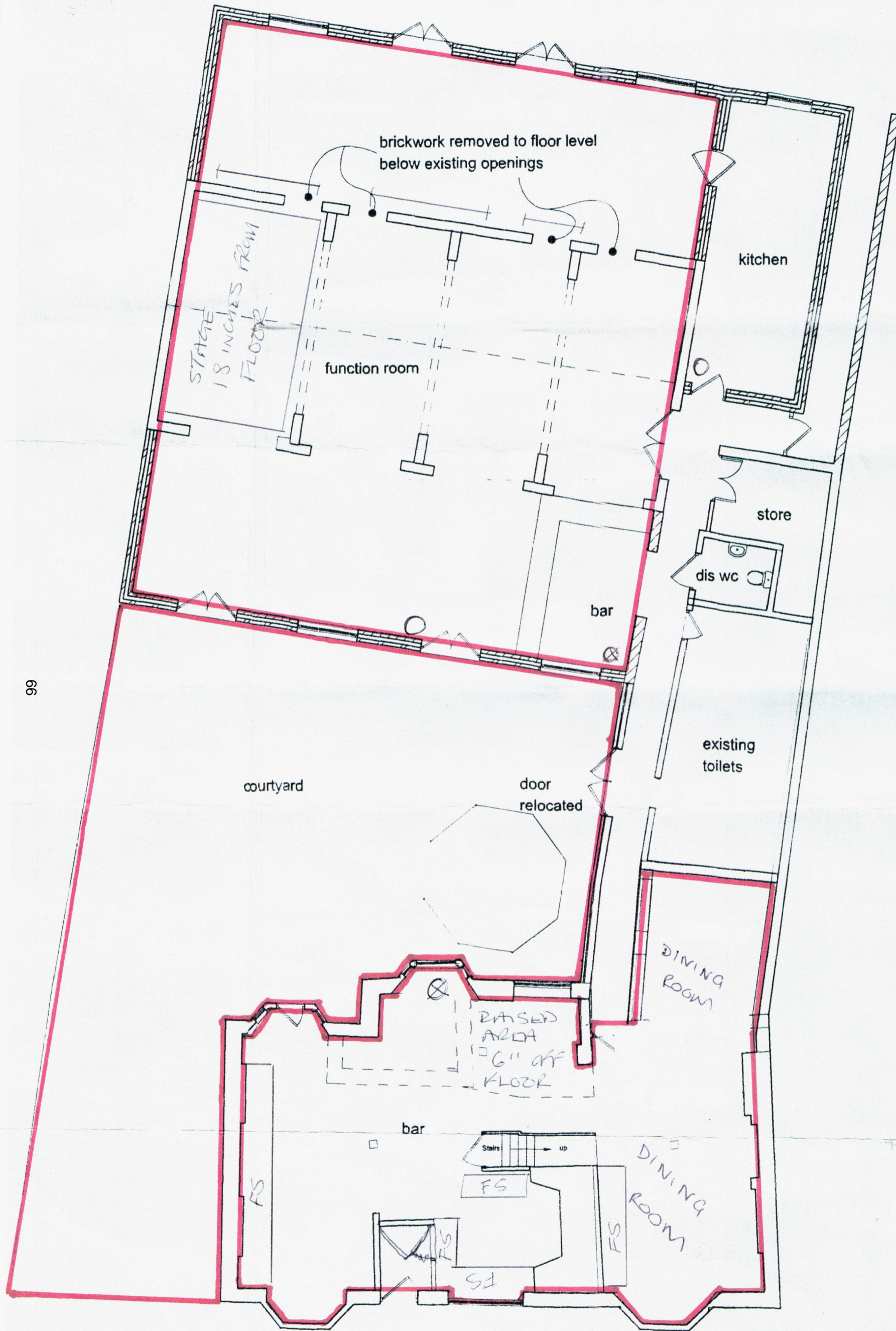
rev..

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Architectural Consultant



Bank Lodge
 Coldwells Road Holmer Hereford HR1 1LH
 01432 276424
 E-mail: johnhipps@ukgateway.net



99

— LICENSABLE ACTIVITIES
 AND CONSUMPTION/SUPPLY
 OF ALCOHOL

— 3 ROOM DIVIDERS WHICH
 CAN BE TEMPORARILY
 FIXED IN PLACE WHEN
 REQUIRED.

- FORM EXTINGUISHERS
- ⊗ CO2 EXTINGUISHERS
- FS FIXED SEATING

Proposed Plan

Dear Ms Darlington

Matter of Crown and Sceptre Inn - 7 Sherford Street – Bromyard – Herefordshire HR7 4DL

On behalf of Mr Weekers

As an authorised body under the Licensing Act 2003, Herefordshire Council Environmental Health and Trading Standards have received details of your client's application for a premises licence for Crown and Sceptre Inn, 7 Sherford Street, Bromyard, Herefordshire HR7 4DL .

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 the 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 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 your client agrees to these conditions could you email me stating this and copy the email to licensing@herefordshire.gov.uk; or

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

Miss Leah Wilson | 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<mailto:lwilson@herefordshire.gov.uk> | GCSX: lwilson@herefordshire.gcsx.gov.uk<mailto:lwilson@herefordshire.gcsx.gov.uk

>

Council's Homepage www.herefordshire.gov.uk

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

Sent: 29 April 2016 13:06

To: Licensing

Cc: Barnett,Robert; Meek,John

Subject: Crown and Sceptre, Bromyard - new application

NOT PROTECTIVELY MARKED

West Mercia Police are in receipt of an application for a new premises licence for a location known as the **Crown and Sceptre Public House, Sherford Street, Bromyard**. The application is for the licensable activities of the sale/supply of alcohol, regulated entertainment and late night refreshment

The applicant seeks to specify the designated premises supervisor as Pamela Joy JAMES

West Mercia Police do not object to this application. This premises has historically been a licensed premises for a number of years and is located near to residential addresses as such there is a history of recorded noise and nuisance issues.

West Mercia Police therefore have the following representations in order to promote the licensing objectives, it is our view that they are proportionate, achievable and enforceable.

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

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

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

The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in recordable media format, an authorised Herefordshire Trading Standards Officer or the Local Authority on demand.

The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the Designated Premises Supervisor (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. The Premises Licence Holder will employ SIA door staff at times when risk assessment dictates door supervision to be necessary
3. An incident log must be kept at the premises. Incident log records will be retained for a period of 12 months from the date it occurred. It will be made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), an authorised Herefordshire Trading Standards Officer or the Police, which must record the following:
 - (a) all crimes (relevant to the licensing objectives) reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints (relevant to the licensing objectives) 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
4. 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 six 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.
5. The DPS and all other staff shall ensure that no open vessels are taken off the premises by customers.
6. Noise or vibration shall not emanate from the premises so as to cause a nuisance.

7. The Premises Licence Holder or DPS or the responsible person must immediately comply with any request to adjust noise levels/ frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.
8. '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'.
9. No external area at the premises shall be used for licensable activities - including the consumption of alcohol - after 23:00 hours.
10. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of an authorised person' (as defined by Section 13 of the Licensing Act 2003), an authorised Herefordshire Trading Standards Officer or the police. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.
11. 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).
12. No person under the age of 18 years shall be permitted to be on the premises unless under the supervisor of a person of the age of 18 or above, other than a member of staff employed at the premises or a child of the premises licence holder or DPS.

These are the minimum conditions West Mercia Police would wish to see applied to any premises licence granted to this location

Regards

Jim Mooney - on behalf of Inspector R Barnett

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

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and www.westmercia.police.uk



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Warwickshire Police:

www.warwickshire.police.uk/specialconstables

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www.westmercia.police.uk/specialconstables

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Representation made by the Local Authority 4.5.16

I am an officer authorised under the Licensing Act 2003.

I refer to the application made for a new premises licence in respect of 'Crown & Sceptre Sherford Street, Bromyard'.

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

It is noted that a lot of the conditions offered are vague and non-enforceable which goes against the Section 182 Guidance.

The authority therefore seeks the following conditions in order to promote the Licensing Objectives:

Prevention of Crime & Disorder

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 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 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.
2. The Premises Licence Holder or DPS or a person nominated by them in writing for the purpose will employ SIA doorstaff 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 by Section 13 of the Licensing Act 2003) or the Police
3. The Premises Licence Holder or DPS or a person nominated by them 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 Section 13 of the Licensing Act 2003), or the Police or an authorised 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) or the Police, which must record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any incidents of disorder

- (d) seizures of drugs or offensive weapons
- (e) any faults in the CCTV system or searching equipment or scanning equipment
- (f) any refusal of the sale of alcohol
- (g) any visit by a relevant authority or emergency service

5. 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 equivalent course within one month of the date that this condition appears on this licence. Training records shall be kept on the premises and shall be 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.
6. The DPS and all other staff shall ensure that no open containers are taken off the premises.

Public Safety

7. All staff shall wear clothing which identifies them as members of staff of the premises.

Electrical & Gas Installations

8. All electrical wiring and distribution systems shall be tested at least once a year and signed off by a competent person whose name is shown within the Local Authority Building Control Part P Competent Persons Register (<http://www.competentperson.co.uk/search.asp>). The sign off certificate shall be produced to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or Police on demand.

Capacity limits

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

Prevention of public nuisance

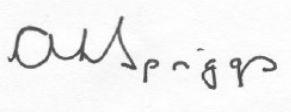
10. Whenever regulated entertainment is provided all doors and windows at the premises shall be kept closed after 2300 except during immediate access and egress.
11. Noise or vibration shall not emanate from the premises so as to cause a nuisance.
12. The Premises Licence Holder or DPS or staff must immediately comply with any request to adjust noise levels/ frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.
13. Loudspeakers shall not be located in the entrance lobby or external to any part of the premises.
14. No music shall be played in the outside area at anytime.
15. The outside area shall not be used for licensable activities or for the consumption of alcohol after 2330 hours.
16. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to any beer garden, patio area, smoking area or similar, requesting the public to respect the needs of local residents and to be quiet.

17. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

Protection of children from harm

18. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of an authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police 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.
19. A written register of refusals will be kept including a description of the people who have been unable to provide required Identification to prove their age. Such records shall be kept for a period of 12 months and will be collected on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.
20. 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).

If the applicant is willing to agree to the above conditions the authority would withdraw its representation.



Fred Spriggs
Licensing Officer

MEMORANDUM

To : **LICENSING OFFICER**

From : **Aris Trezins**

Tel : **01432 261761** My Ref : **ATR/204732/PR01721**

Date : **5 May 2016** Your Ref :

LICENSING ACT 2003
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE
CROWN & SCEPTRE INN Crown & Sceptre Inn, 7 Sherford Street, Bromyard,
Herefordshire, HR7 4DL

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

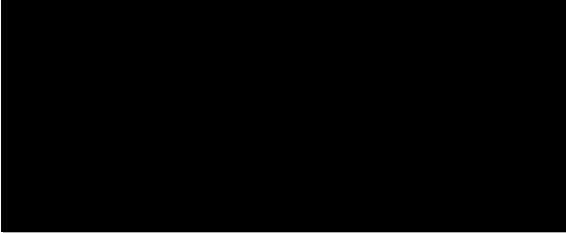
Representation	Industry Guidance
PREVENTION OF CRIME & DISORDER	
PUBLIC SAFETY	
<p>PREVENTION OF PUBLIC NUISANCE</p> <p>Noise or vibration shall not emanate from the premises so as to cause a nuisance.</p> <p>The Premises Licence Holder or DPS must immediately comply with any request to adjust noise levels/ frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.</p> <p>All doors and windows at the premises shall be kept closed after 2300 except during immediate access and egress.</p>	
PROTECTION OF CHILDREN FROM HARM	

REFERENCES

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

A. Trezins

**ARIS TREZINS
ENVIRONMENTAL HEALTH OFFICER
HEREFORDSHIRE COUNCIL**



EH & TS / LICENSING SECTION
RECEIVED
 3 - MAY 2016
 TO:

30th April 2016

Licensing Officer,
 Herefordshire Council,
 Blueschool House,
 PO Box 233,
 HEREFORD HR1 2ZB

LICENCE APPLICATION, CROWN & SCEPTRE, BROMYARD HR7 4DL

Dear Sir

I understand an application has been submitted for a Licence at the above premises.

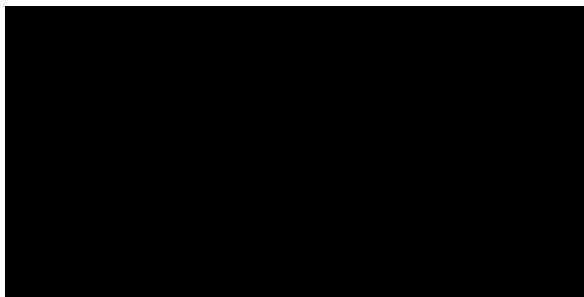
My comments are made under three of the Licensing Objectives. These relate to Public Nuisance, Public Safety, and to Crime and Disorder. In view of a long history of associated disorder in the past, I am especially concerned about noise from the premises and in the street.

The pub has parking space for four cars, which is minimal. If the function room was in use, I believe Fire Regulations would demand that to keep emergency exits clear, no cars occupy the yard; this is a safety issue. The capacity of the pub's 'function room' was quoted me by a previous landlord as around 170 persons. In the interest of Public Safety, I ask that a Condition is made limiting the capacity of the Premises to a specified number of persons in accordance with the recommendation of the Fire Safety Officer.

In the past, there has been difficulty for customers, pub staff and local residents in finding parking space, and there has been late-night disturbance to residents; further, late-night public disorder has historically been frequent. Given the capacity of the premises, the potential for Public Nuisance and Disorder is therefore a cause for concern, especially in view of the proposed opening hours.

A Statutory Notice of the application is displayed. It gives the proposed hours as from 11.00 daily. From Monday to Wednesday, closing time is given as 23.00. However, from Thursday to Sunday inclusive, the proposed cessation of service is 01.00 next morning; customers would then be leaving for a lengthy period afterwards, implying disturbance until 01.30 or later. Subject to the conduct of the premises, this may be acceptable on Friday night / early Saturday morning, and also on Saturday night / early Sunday morning, but it is not acceptable on Thursday and Sunday nights when residents have to be up next morning for work, school, and so on. I oppose the proposal for opening later than 23.00 on Thursday and Sunday evenings.

CONTINUES.....



2

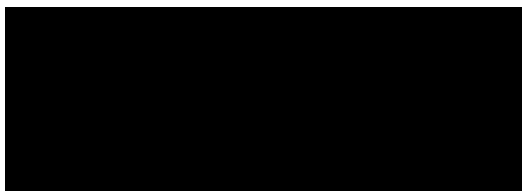
I also oppose the proposal to open throughout the night on New Year's Eve. A one-hour extension of normal hours is proposed for Christmas Eve and Boxing Day; a similar extension at New Year would allow the pub to serve until 2am, implying customer presence for up to an hour after that as people gradually leave. Even on those special occasions, a balance should be maintained which respects local residents.

Apart from the limit on capacity mentioned above, and in addition to my comments regarding Licensed hours, I ask that Conditions are imposed as follows:

1. *All windows and doors are closed when amplified music is played indoors, whether live or recorded.*
2. *No amplified music to be played in the outside area of the premises, either the terrace and garden or the courtyard.*
3. *Noise from recorded and live music to be inaudible at the nearest noise sensitive location after 23:00 (Sundays to Thursdays) and 12 midnight on other evenings, **this condition to be strictly observed.***
4. *Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect local residents and to leave the premises quietly.*
5. *The outdoor area (terrace and beer garden) not to be used for the consumption of alcohol after 23:00 (Sundays to Thursdays) and 12 midnight on other evenings.*
6. *That, to limit Public Nuisance and Crime and Disorder, any ticketed event conforms with regulations governing the required number of Certificated professional security staff under SIC regulations.*
7. *That smokers are required to use the inner courtyard area between the pub and the function room rather than the area around the pub front door.*
8. *That the Licensee conforms with conditions laid down in the Licensing Act regarding his responsibility for the behaviour of his customers once they leave the premises.*

Thank you for your attention to this matter.

Yours faithfully,



Chris Barltrop

EH & TS / LICENSING SE
RECEIVED

5 - MAY 2016

TO:

29th April, 2016

Licence Application, Crown & Sceptre,
Bromyard, MK7 4DL

Dear Sir,

This letter is in response to
the extension hours requested by Mr.
Ludovic Webers of the Crown &
Sceptre Public House, Sherford St.,
Bromyard, MK7 4DL.

We strongly object to the
extra opening hours for Thurs-
day 11am - 1am the following
day, especially the request ~~the~~
~~request~~ for the extra hours over
the Xmas period & extended hours
over New Year's Eve, 11pm - 11am
Jan. 1st 2017. Parking is also

a problem because of limited
space at the Pub and double
yellow lines outside, i.e. noise
pollution which goes on at
least an hour after closing
time by people drunk in
the street.

Thanking you,
Yours faithfully





Meeting:	Regulatory Sub-Committee
Meeting date:	1st June 2016
Title of report:	APPLICATION FOR A NEW PREMISES LICENCE IN RESPECT OF 'KUBUS POLSKI SKLEP, 22 EIGN GATE, HEREFORD, HR4 0AB' – LICENSING ACT 2003
Report by:	FRED SPRIGGS - LICENSING OFFICER

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Central

Purpose

To consider an application for a new premises licence in respect of the 'Kubus Polski Sklep, 22 Eign Gate, Hereford, HR4 0AB'.

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 Statement of Licensing Policy 2015 - 2020.

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.

Reasons for Recommendations

- 2. Ensures compliance with the Licensing Act 2003.

Key Considerations

3. Licence Application

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

Summary of Application

- 4. The details of the application are:

Applicant	Agnieszka Gizak 22 Eign Gate, Hereford, HR4 0AB	
Solicitor	N/K	
Type of application: New	Date received: 7th April 2016	28 Days consultation ended 4th May 2016

- 5 The application requests that:
Supply of Alcohol (Off premsies)
0800 – 2200 All days

Non Standard Timings: None

Summary of Representations

- 6. **Two (2)** Representations has been received from the Responsible Authorities (Trading Standards and the Police). The police object to the licence being granted and Trading Standards have requested conditions which have not been agreed. The representations can be found at appendix b & c.

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:

Decision to grant premises licence or impose conditions etc.

- 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).

Risk Management

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

Consultees

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

Appendices

- a. Application Form
- b. Police Representation
- c. Trading Standards Representation

Background Papers

None.

PRO1720



Herefordshire
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 19

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

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

Include country code.

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

Are you:

- 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

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

* Business name If your business is registered, use its registered name.

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

* Legal status

Continued from previous page...

* Your position in the business

Home country

The country where the headquarters of your business is located.

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

Section 2 of 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

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

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 19

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes
- No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Agnieszka

Family name

Gizak

Is the applicant 18 years of age or older?

- Yes
- No

Continued from previous page...

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as in section one?

Yes

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

Add another applicant

Section 5 of 19

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

Provide a general description of 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.

Grocery shop situated in established and popular commercial location.

Although the supply of alcohol is planned there is no intention to allow consumption in the premises or to provide the place for consumption.

Continued from previous page...

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

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

- Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

- Yes No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

- Yes No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

- Yes No

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

- Yes No

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

- Yes No

Section 13 of 19

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

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

Continued from previous page...

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

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.

Continued from previous page...

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

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

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

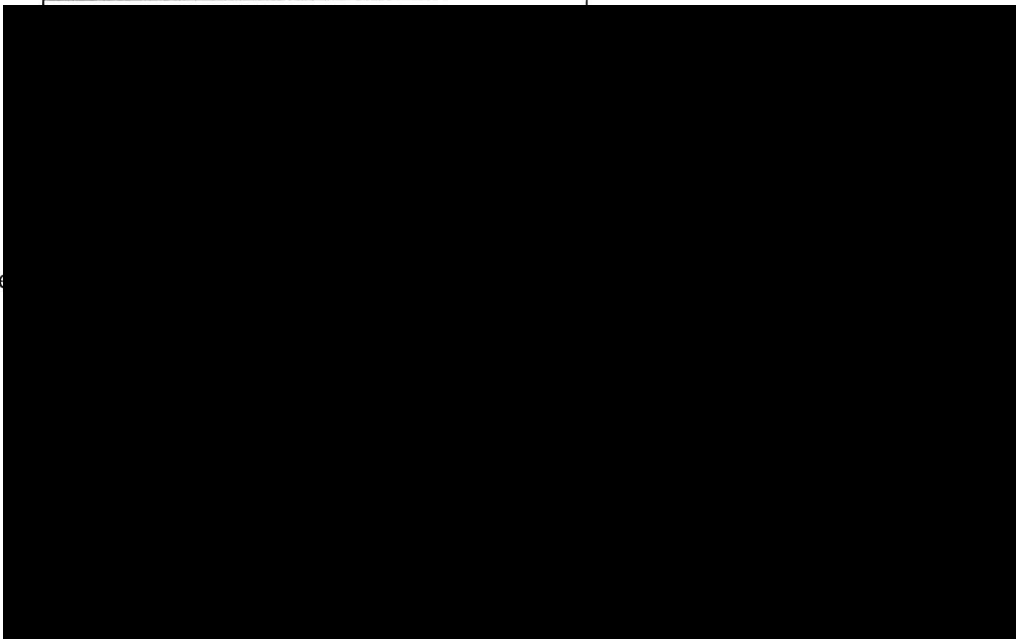
County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)



Continued from previous page...

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19

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

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 etc gambling machines etc.

We intend to supply an alcohol products, but we are going to adopt, challenge 25 policy and policy of proof of age cards
- We will be trying to protect children from exposure to strong language
- staff allowed to sell alcohol is provided with a training
- we will always require the production of proof of age when alcohol is purchased by customer looking under 25 years of age
- all the spirits 40% or above will be located behind the counter

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations

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

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

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

Section 18 of 19

LICENSING OBJECTIVES

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

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

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

We demonstrate consideration for underage drinking, violent & antisocial behaviour, crime and disorder, prevention and also for public safety and protecting children from harm. To promote all this objectives we are provided with the equipment (including CCTV systems, fire alarms and procedures) necessary to reduce and control incidents of crime and disorder. We also provide the required training procedures for our staff

b) The prevention of crime and disorder

- CCTV operating inside the premises, where the images are retained form minimum of 30 days and can be provided in viewable format upon request
- avoidance of irresponsible alcohol drink promotions
- avoidance of supplying any alcohol products to customers being visibly under the influence of alcohol
- proof of age policy and challenge 25 policy will be applied
- there is no intention to provide drinking areas

Continued from previous page...

- use of signs to make people aware of CCTV operation

c) Public safety

- providing the satisfactory means of escape in case of fire
- use of fire action notices
- fire alarms installed in the premises
- first aid equipment available
- adequate lighting in the absence of a daylight

d) The prevention of public nuisance

-we will not carry on any activities which may cause any nuisance to the people living, working and sleeping in vicinity (like noise, bad smells etc.) and we will make an effort to keep our premises and neighbouring area clean and tidy.
We also ensure that any act of anti-social behaviour related to our premises will be monitored, reported (if we can't stop it ourselves) and pacified.
We also don't intend to provide any place for alcohol consumption

e) The protection of children from harm

We intend to supply an alcohol products, but we are going to adopt, challenge 25 policy and policy of proof of age cards
-We will be trying to protect children from exposure to strong language
-staff allowed to sell alcohol is provided with a training
-we will always require the production of proof of age when alcohol is purchased by customer looking under 25 years of age
-all the spirits 40% or above will be located behind the counter

Section 19 of 19

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.
Premises Licence 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 you are required to pay a higher fee.

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

Continued from previous page...

If you operate a large event 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

Agnieszka Gizak

* Capacity

business owner

* Date

22 / 03 / 2016
dd mm yyyy

Add another signatory

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/herefordshire/apply-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	<input type="text" value="KUBUS POLSKI SKLEP"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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HEREFORDSHIRE
COUNCIL

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

I, AGNIESZKA GIZAK.....[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 KUBUS POLSKI SKLEP.....[insert
full name of applicant] ~~in respect of the application to convert an existing justices'~~
~~licence held by the applicant/~~ where the holder of the licence has consented to
the application being made by the applicant [delete as applicable] for KUBUS POLSKI SK
22 EIGN GATE HEREFORD
HR4 0AB.....[Insert name and
address of the existing licensed premises] if that application is successful.

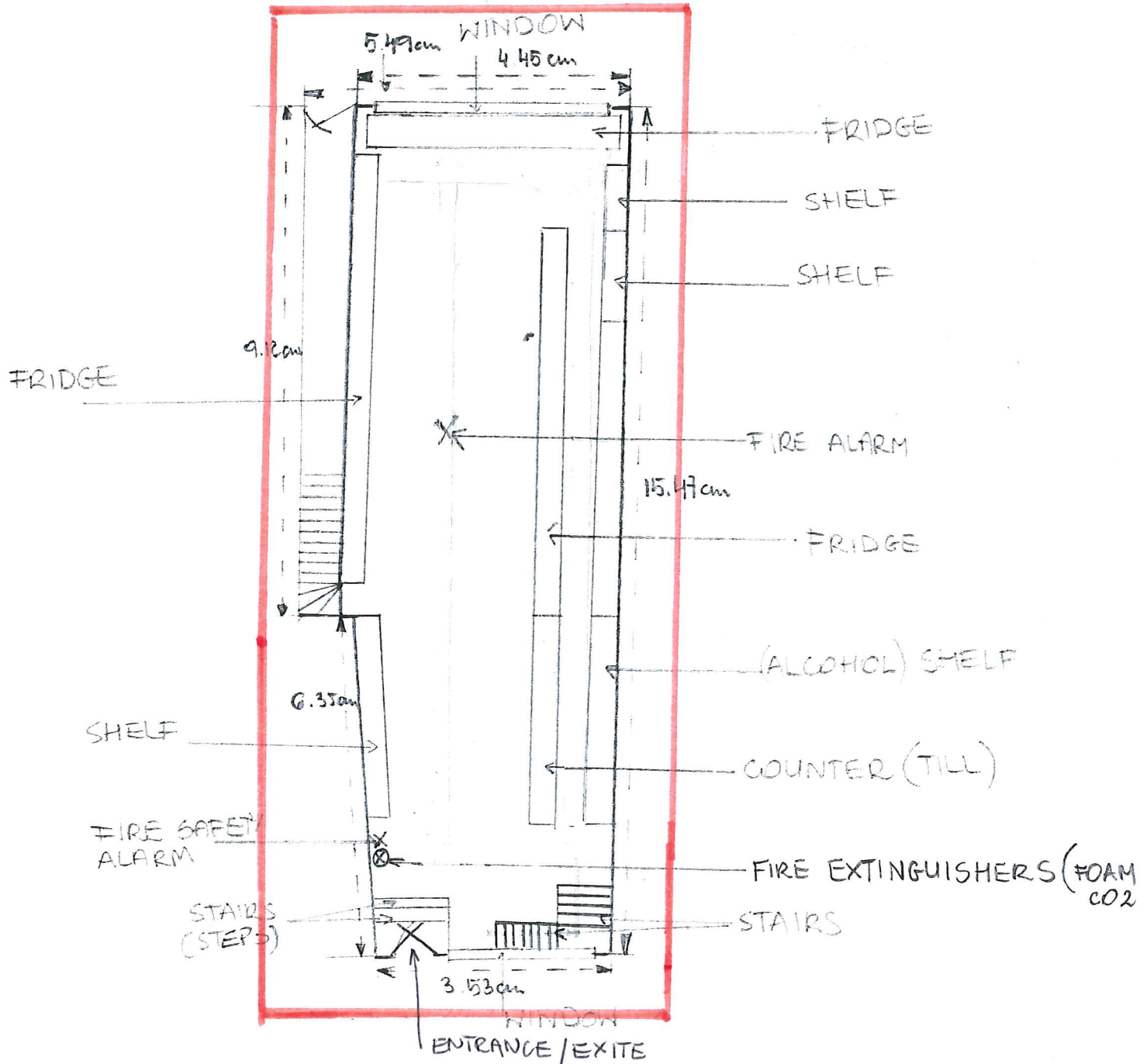
[REDACTED]

Dated 22.03.2016

GROUND FLOOR LAYOUT AT 22 EIGN GATE,
HEREFORD,
HR4 0AB

KURBUŚ POLSKI SKLEP

SCALE 1:100



— RED LINE FOR LICENSABLE ACTIVITY

⊗ FIRE EXTINGUISHERS (FOAM, CO2)

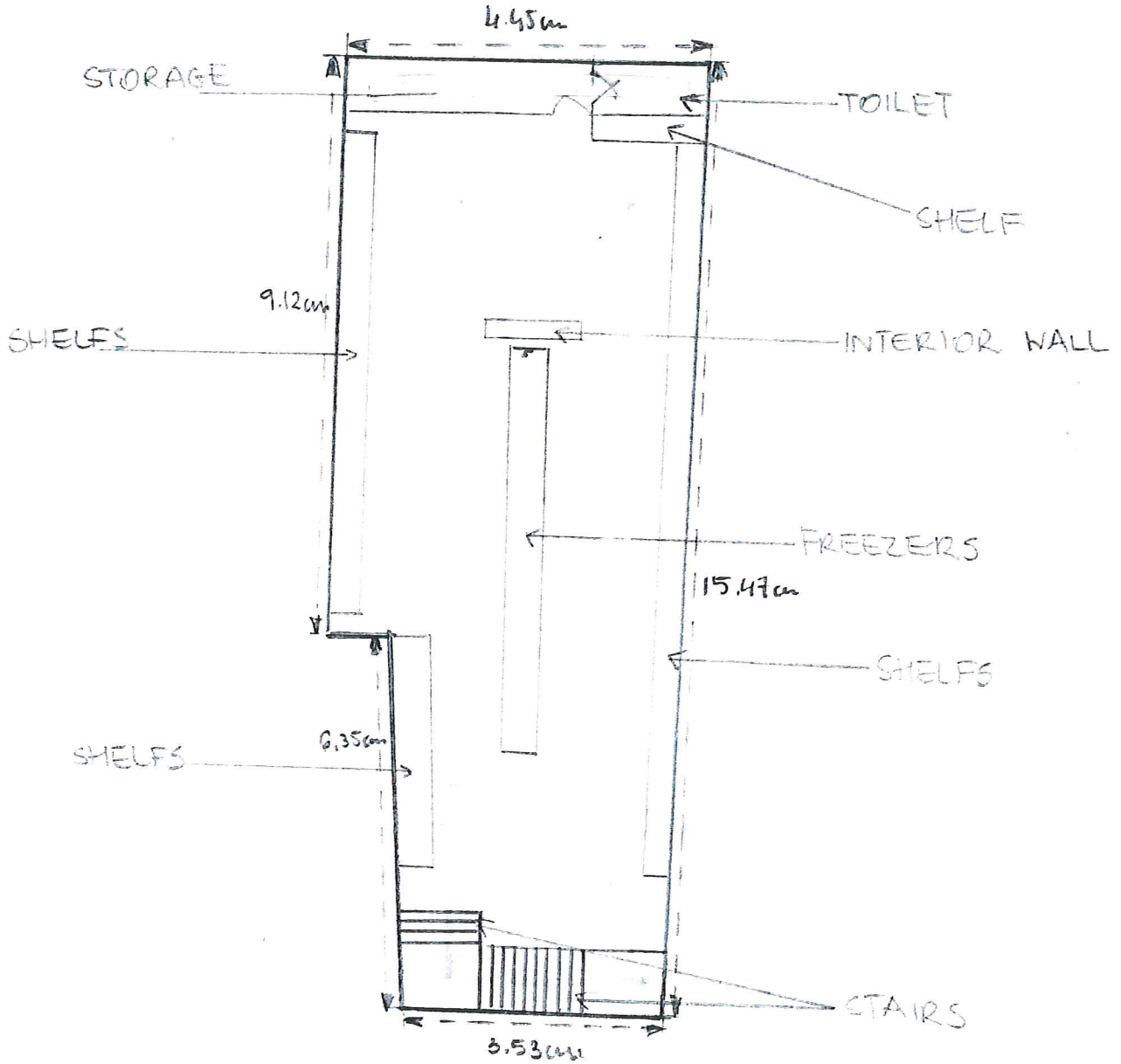
X FIRE SAFETY

▨ STAIRS

X DOOR

BASEMENT FLOOR LAYOUT AT 22 EIGN GATE,
HEREFORD.
HR4 0AB

SCALE 1:100



NOT PROTECTIVELY MARKED

West Mercia Police are in receipt of an application for a premises licence for a location known as **Kubus Polski Skelp, 22 Eign Gate, Hereford**. The applicant is for the licensable activity of the sale/supply of alcohol.

The application seeks to specify the designated premises supervisor as Agnieszka GIZAK. She is also the applicant for the premises licence

West Mercia Police **OBJECT** to this application on the grounds to grant it will undermine the licensing objectives.

This premises is an established premises and was licensed for similar activities until November 2015. At that time the then premises licence holder informed the Licensing Authority that they wished to surrender the premises licence. However it appears that due to an oversight, his information was not passed to the police at the time and they only became aware of it at a later date.

In January 2016, the police attended the premises as a result of noticing that the shop name had changed. They spoke to the applicant for this matter - Agnieszka GIZAK - who informed them she was the manager and was in the process of taking over the lease. At this time alcohol was openly on display.

On the 17 March 2016, during discussions with the authority, the police became aware that the premises licence had been surrendered in November 2015. The police attended the address and found alcohol openly on display. Telephone conversations took place with Ms GIZAK, who clearly indicated that the business was still being run and owned by the previous licence holder and that she had not taken over the lease. She said that there was an 'alcohol licence' still in place. As a result of further conversations Ms GIZAK admitted that she ran the shop and after strong advice she removed all alcohol that was openly on display for sale.

The concern West Mercia Police have is that there is uncertainty with regards to who actually owns the premises and is ultimately responsible for the potential licensable activities that are proposed. It is the view of the police that the applicant for this application - Ms GIZAK - has misinformed the police and she has undertaken unlicensed licensable activities when in a position of authority for a period of at least 4 months.

Therefore the police feel to grant this application will undermine the licensing objectives.

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

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[#destinationHereford](#)

View our new Warwickshire Police and West Mercia Police websites at: www.warwickshire.police.uk
and www.westmercia.police.uk



Make the difference

For more information about becoming a Special Constable, please visit,

Warwickshire Police:

www.warwickshire.police.uk/specialconstables

West Mercia Police:

www.westmercia.police.uk/specialconstables

Dear Ms Gizak

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 Kubus Polski Sklep, 22 Eign Gate HR4 0AB.

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 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 to contact 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.