

Agenda

Licensing sub-committee

Date: **Friday 7 June 2019**

Time: **10.00 am**

Place: **Council Chamber, 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:

Caroline Marshall, Democratic Services

Tel: 01432 260249

Email: caroline.marshall3@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format, please call Caroline Marshall, Governance Services on 01432 260249 or e-mail caroline.marshall3@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Licensing sub-committee

Membership

To be confirmed via supplement

Agenda

	Pages
1. APOLOGIES FOR ABSENCE To receive apologies for absence.	
2. NAMED SUBSTITUTES (IF ANY) To receive any details of Members nominated to attend the meeting in place of a Member of the committee.	
3. DECLARATIONS OF INTEREST To receive declarations of interests in respect of Schedule 1, Schedule 2 or Other Interests from members of the committee in respect of items on the agenda.	
4. APPLICATION FOR A GRANT OF A PREMISES LICENCE IN RESPECT OF 'RAZI MINI MARKET, 100 WIDEMARSH STREET, HEREFORD. HR4 9HG - LICENSING ACT 2003 To consider an application for a grant of a premise licence in respect of Razi Mini Market, 100 Widemarsh Street, Hereford. HR4 9HG.	11 - 48
5. APPLICATION FOR A GRANT OF AN OCCASIONAL PREMISES LICENCE IN RESPECT OF SHOBDON FOOD & FLYING FESTIVAL, SHOBDON AIRFIELD, SHOBDON, LEOMINSTER, HEREFORDSHIRE. HR6 9NR - LICENSING ACT 2003 To consider an application for a grant of an occasional premises licence in respect of Shobdon Food and Flying Festival, Shobdon Airfield, Shobdon, Leominster. HR6 9NR.	49 - 90
6. APPLICATION FOR A GRANT OF A PREMISES LICENCE IN RESPECT OF BREDENBURY COURT, BREDENBURY, BROMYARD, HEREFORDSHIRE. HR7 4TD - LICENSING ACT 2003 To consider an application for a grant of a premise licence in respect of 'Bredenbury Court, Bredenbury, Bromyard. Herefordshire. HR7 4TD.	91 - 134
7. APPLICATION FOR A GRANT OF A PREMISES LICENCE IN RESPECT OF HEREFORD COLLEGE OF ARTS, COLLEGE ROAD, HEREFORD. HR1 1EB - LICENSING ACT 2003 To consider an application for the grant of a premise licence in respect of Hereford College of Arts, College Road, Hereford. HR1 1EB.	135 - 182

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•
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HEREFORDSHIRE COUNCIL

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

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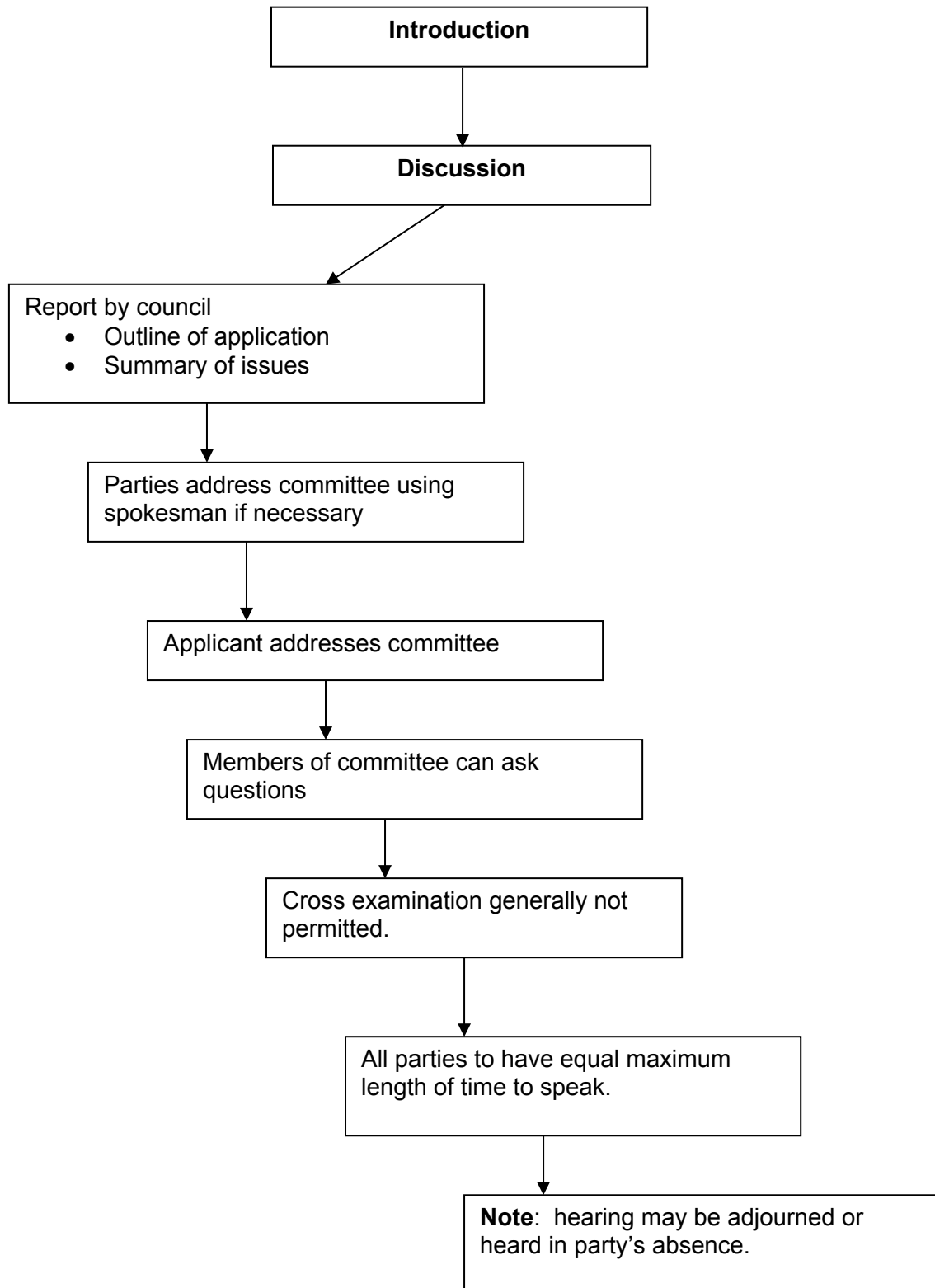
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Licensing Hearing Flowchart





Meeting:	Licensing sub-committee
Meeting date:	7 June 2019
Title of report:	Application for a grant of a premises licence in respect of 'Razi Mini Market, 100 Widemarsh Street, Hereford. HR4 9HG' – Licensing Act 2003
Report by:	Licensing Technical Officer

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Hereford - Widemarsh

Purpose

To consider an application for the grant of a premise licence in respect of Razi Mini Market, 100 Widemarsh Street, Hereford. HR4 9HG

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,
 - b) Grant the licence subject to modified conditions to that of the operating schedule where the sub-committee considers it appropriate for the promotion of the licensing objectives and add mandatory conditions set out in the Licensing Act 2003,
 - c) To exclude from the scope of the licence any of the licensable activities to which the application relates
 - d) To refuse to specify a person in the licence as the premise supervisor, or
 - e) To reject the application.

Reasons for Recommendations

2. Ensures compliance with the Licensing Act 2003.

Key Considerations

Licence Application

3. The application for the grant of a premises licence has received relevant representations and is brought before the sub-committee for determination.
4. The details of the application are:

Applicant	Barzan Shekzade	
Solicitor	Patrick Burke of PMB Licensing	
Type of application: Grant	Date received: 23 March 2019	28 Days consultation ended 19 April 2019

Summary of Application

5. The application (appendix 1) requests the grant of a premises licence to allow the following licensable activities, during the hours shown, as follows:

Sale/Supply of Alcohol (consumption off the premises)
Monday – Sunday 07:00 – 24:00

Summary of Representations

6. Two (2) representations have been received from the responsible authorities (Trading Standards and West Mercia Police). The representations are outright objections to the application. These can be found at appendix 2 and 3 respectively.

Community Impact

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

Equality duty

8. There are no equality issues in relation to the content of this report.
9. This report has human rights implications for both the premises licence holder and the residents from the local neighbourhood. Any of the steps outlined in section 1 of this report may have financial implications for a licensee's business and livelihood and/or may have impact upon the day to day lives of residents living in close proximity to the premises.
10. Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private and family life and his/her home (which includes business premises). This right may be interfered with by the council on a number of grounds including the protection of rights and freedoms of others. The First Protocol – Article 1 – also provides that every person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest and conditions provided for by law. Members must accordingly make a decision which is proportionate to the hearing and endeavour to find a balance between the rights of the applicant, residents and the community as a whole.

Financial implications

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

Legal Implications

12. As relevant representations have been received, the sub-committee must determine the application under Section 3.5.7 (c) of the Herefordshire Council constitution. The representations must relate to the licensing objectives and the sub committee must determine the likely effect of the grant of the premises licences on the promotion of the licensing objectives.
13. The licensing authority must have regard to the promotion of the four licensing objectives namely; the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm in exercising its functions under the Licensing Act 2003. Further regard should be had to the statutory guidance under Section 182 of the Act and the Council's own statement of licensing policy. The options available to the licensing authority are set out in section 1 of this report.
14. The sub-committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the Licensing Authority.
15. 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

Further information on the subject of this report is available from
Emma Bowell – Licensing Technical Officer, Tel no. 01432 261761

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.

16. 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.
17. 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'.

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

Right of Appeal

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

Decision to grant premises licence or impose conditions etc.

- (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).
20. Appeals should be made to the Magistrates Court and must be made within 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against

Risk Management

21. There is little risk associated with the decision at this time as the legislation allows a right of appeal to the Magistrates Court within a period of 21 days of being notified of the decision in writing.

Consultees

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

Appendices

Appendix 1 - Application Form

Appendix 2 – Trading Standards

Appendix 3 – West Mercia Police Representation

Background Papers

None.

PRO 1853
23/3/19 - 19/4/19

Herefordshire
Application for a premises licence
Licensing Act 2003

RECEIVED

21 MAR 2019

BY:

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

* required information

Section 1 of 21

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

System reference

Not Currently In Use

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

Your reference

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

Barzan

* Family name

Shekzade

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Is the applicant:

☐ Applying as a business or organisation, including as a sole trader

☒ Applying as an individual

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

Continued from previous page...

Address

- * Building number or name
- * Street
- District
- * City or town
- County or administrative area
- * Postcode
- * Country

Agent Details

- * First name
- * Family name
- * E-mail
- Main telephone number
- Other telephone number

Include country code.

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

Are you:

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

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

Agent Business

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

Note: completing the Applicant Business section is optional in this form.

- Business name
- VAT number
- Legal status
- Your position in the business
- Home country

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

Continued from previous page...

Agent Business Address

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

Building number or name	<input type="text" value="The Clock House"/>
Street	<input type="text" value="361 High St"/>
District	<input type="text"/>
City or town	<input type="text" value="West Bromwich"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="B70 9QG"/>
Country	<input type="text" value="United Kingdom"/>

Section 2 of 21

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	<input type="text" value="Razi Mini Market"/>
Street	<input type="text" value="100 Widermarsh St"/>
District	<input type="text"/>
City or town	<input type="text" value="Hereford"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="HR4 9HG"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text" value="07779351620"/>
Non-domestic rateable value of premises (£)	<input type="text" value="7,300"/>

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☒ An individual or individuals
- ☐ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ 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

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 21

INDIVIDUAL APPLICANT DETAILS

Applicant Name

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

☒ Yes ☐ No

First name

Family name

Is the applicant 18 years of age or older?

☒ 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.

Continued from previous page...

Current Residential 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

United Kingdom

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

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.

☒ Yes

☐ No

E-mail

pmblicensing@yahoo.com

Telephone number

07779351620

Other telephone number

* Date of birth

dd mm yyyy

* Nationality

Iran

Documents that demonstrate entitlement to work in the UK

Right to work share code

Right to work share code if not submitting scanned documents

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

18 / 04 / 2019
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

Continued from previous page...

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.

We wish to open as a general store and sell alcohol alongside the other products available

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 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes

☒ No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes

☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes

☒ No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☐ Yes

☒ No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing recorded music?

☐ Yes

☒ No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☐ Yes

☒ No

Section 13 of 21

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

[See guidance on regulated entertainment](#)

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

☐ Yes

☒ No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

Section 15 of 21

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

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...

FRIDAY

Start 07:00

End 00:00

Start

End

SATURDAY

Start 07:00

End 00:00

Start

End

SUNDAY

Start 07:00

End 00:00

Start

End

Will the sale of alcohol be for consumption:

☐ On the premises ☒ Off the premises ☐ Both

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

State any seasonal variations

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

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

Barzan

Family name

Shekzade

Date of birth

Continued from previous page...

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)

Birmingham City Council

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 21

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.

None

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 07:00

End 00:00

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...

TUESDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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 21

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)

Continued from previous page...

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

No alcohol or tobacco will ever be purchased from sellers calling at the premise. Exceptions to the condition would be purchases made from authorised representatives who have made prior appointments to visit the store.

- ☒ All alcohol and tobacco products sold at the premises shall have the relevant UK duty paid.
- ☒ Foreign tobacco, which does not comply with relevant UK legislation, shall not be stored and/or sold at the premise.
- ☒ Invoices, or copies of invoices, for all alcohol and tobacco purchases for the sale at the premises, will be retained and kept at the premises, and made available to officers from Trading Standards, the Police or HMRC, upon request
- ☒ A stock control system will be maintained, to enable the licensee and designated premises supervisor to quickly identify where and when alcoholic and tobacco product have been purchased
- ☒ If any spirits purchased for or on behalf of the business have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee and/or designated premises supervisor shall notify the supplier to Hereford Council trading Standard as soon as possible.
- ☒ If any tobacco products purchased for or on behalf of the business does not have UK Duty Paid fiscal mark or are otherwise suspicious, the licensee and/or designated premises supervisor shall notify the supplier to Hereford Council Trading Standards and HMRC as soon as possible.

Protecting Children from Harm

b) The prevention of crime and disorder

1. The CCTV system must be installed and operate internally to cover all areas that licensable activities take place and where alcohol is displayed within any public area.
2. The CCTV unit shall be positioned in a secure part of the licensed premise. Access to the system should be allowed immediately to the Police upon request.
3. A competent trained person in the use of and operation of the CCTV will be in attendance at the premises at all times that licensable activities take place and be able to fully operate the CCTV system to be able to down load in a recognised format any information requested by the Police.
4. The CCTV system clock should be set correctly and maintained (taking account of GMT and BST).
5. A facility will be available for the Police to remove from the CCTV system a copy of any material relevant to any ongoing Police investigation.
6. All CCTV images will be retained for a period of not less than 31 day
7. An incident register of all occurrences and ejections from the premises will be maintained at the premises and all details of public order offences will be recorded.
8. All persons involved in the sale of alcohol ,who are not presonal licence holders, will receive initial and subsequent 6 monthly refresher training by the Designated Premises Supervisor or an appropriately accredited training provider with regards to the law in relation to the sale of alcohol. This will be recorded in a staff training register and will include, signature of the member of staff, the DPS or an appropriately accredited training provider together with the date.
9. At any time when there is no Personal License holder on the premises there must be at least one member of staff on duty inside the premise who has been authorised by the DPS. Any such person should have seen, read and be fully aware of the conditions of the premise licence and take all steps to ensure that such conditions are adhered to whilst they have responsibility for the premise.
10. A record should be kept detailing, the name and address relative to the person left in charge of the premise and the times and dates when the authority to cover exists, in writing.
11. These should be individual entries covering short periods of time only and should not exceed more than a three week period.
12. The authorised person should also sign on each occasion that he/she has physically seen inspected and is fully aware of all the conditions attached to the premise licence. The DPS should sign to acknowledge that they agree to the authorised person being in charge of the premise for any times specified. The records of these matters should be kept fully updated at all times.

All Records shall be retained at the premises for a period of no less than 12 months and made available to responsible authorities on request.

c) Public safety

PROMINENT SIGNS WILL BE DISPLAYED REQUESTING CUSTOMERS TO HAVE REGARD FOR LOCAL RESIDENTS WHEN LEAVING THE PREMISES

Continued from previous page...

d) The prevention of public nuisance

☒ A Challenge 25 policy will be adopted in order to reduce the potential for underage sales of age restricted products including alcohol. If a customer appears to be under 25 years of age and cannot prove that they are eligible to purchase the age restricted item with a valid UK or Ireland Photocard Driving Licence, a valid Passport or PASS accredited proof of age scheme card, they will be refused service.

☒ Challenge 25 posters will be displayed at the premises to reinforce this policy. Posters will be placed at; each till, each area alcohol is stocked and at the point of entry into the store. The posters will be displayed prominently and in sight of customers and staff.

☒ A Refusals Register is to be used to record all incidents when a sale is refused. The register is to be kept in the store at all times unless it is requested by authorised officers of responsible authorities. The Refusal/Challenge Register is to be checked and signed off by the Designated Premises Supervisor every two weeks.

☒ All staff ,WHO ARE NOT PERSONAL LICENSE HOLDERS ,working at the premises involved in the sale of age restricted products including alcohol will receive on-going training and will be refreshed at least every 6 months. This will be recorded in a staff training register and will also include a written test of knowledge. The Training records must be made available to authorised officers of responsible authorities on request. Records shall be retained at the premises.

e) The protection of children from harm

we will operate challenge 25 policy

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

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.

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 (£)

190.00

DECLARATION

Continued from previous page...

* 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.

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

☒ 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

Patrick Burke

* Capacity

Agent for the Applicant

* Date

21 / 03 / 2019
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 TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

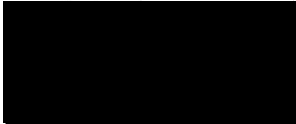
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Consent of individual to being specified as premises supervisor

I Barzan Shekzade



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

New Premise License

By Barzan Shekzade

relating to a premises licence TBA

for

Razi Mini Market

100 Widemarsh Street

Hereford

HR4 9HG

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

Barzan Shekzade

concerning the supply of alcohol at

Razi Mini Market

100 Widemarsh Street

Hereford

HR4 9HG

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number



Personal licence issuing authority

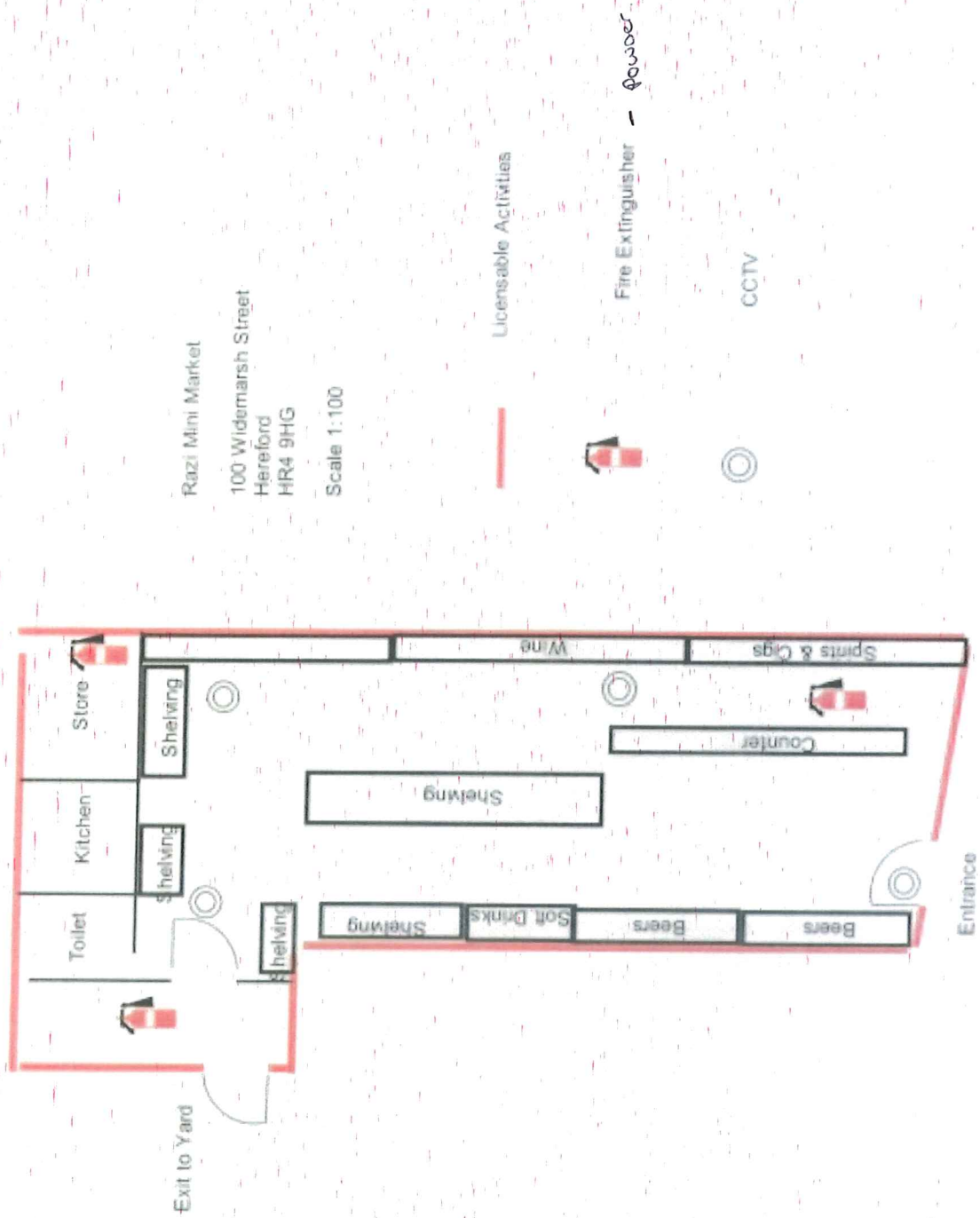
Birmingham City Council

Signed



Name Barzan Shekzade

Date 13/03/19



MEMORANDUM

To : **RESPONSIBLE AUTHORITIES**
From : **LICENSING ASSISTANT**

Tel : **01432 261761**

My Ref : **SE/PR01853**

Date : **17th April 2019**

Your Ref :

**LICENSING ACT 2003
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE
RAZI MINI MARKET, 100 WIDEMARSH STREET, HEREFORD
HR4 9HG**

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

Representation	Industry Guidance
<p>PREVENTION OF CRIME & DISORDER</p> <p>As an authorised body under the Licensing Act 2003, Herefordshire Council Environmental Health and Trading Standards have received details of Barzan Shekzade's application and wish to make a representation.</p> <p>Trading Standards have the responsibility for enforcing the Licensing Act 2003 in respect of the licensing objectives.</p> <p>After having considered this application and associated evidence, Trading Standards OBJECT to this premises being granted a premises licence to sell or supply alcohol.</p> <p>It has been brought to our attention that the applicant Barzan Shekzade has a history of being involved in the sale and supply of illicit tobacco from shops he owns in the Sandwell area (premises license applicant of KNN Mini Market (shop 1) and premises licence holder of Gud Prajs (shop 2)).</p> <p>The evidence shows that we have reason to believe that Barzan Shekzade is not a fit and proper person to hold a premises licence or to uphold the licensing objectives, namely prevention of crime and disorder.</p> <p>On 19 January 2019, Sandwell Trading Standards objected to a premises licence application submitted by Patrick Burke acting as an agent for Barzan Shekzade. This objection is attached as exhibit LW1.</p> <p>Details:</p> <p>26.09.18 – Test purchase of counterfeit Golden Virginia hand rolling tobacco for £3.50 (A photo of the transaction shows Barzan Shekzade as the seller).</p> <p>16.01.19 – 329 packets of illegal tobacco found in concealed box behind counter and in a sports bag concealed on the top of a chiller unit. Criminal investigation is ongoing (shop 1) (Barzan Shekzade was present during the raid).</p>	

16.01.19 – Trading standard officer test purchased counterfeit Richmond cigarettes for £10 (shop 2).

04.01.19 – Trading standards officer test purchased 2 packs of counterfeit Richmond cigarettes for £6 (shop 1).

04.01.19 – Trading standards officer test purchased 2 packs of counterfeit Richmond cigarettes for £6 (shop 2).

This shows Barzan Shekzade is heavily involved with illegal tobacco. Further to the applicant receiving the representation (objection) by Sandwell Trading Standards, Patrick Burke withdrew the premises licence application. Therefore he is fully aware his client is heavily involved in the illegal tobacco trade.

Herefordshire Trading Standards therefore would request that no licence be granted for the named premises due to the evidence put forward and the on-going criminal investigation by Sandwell Trading Standards.

Kind regards

Herefordshire.gov.uk

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

8 St Owens Street
Hereford
HR12PJ



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

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PUBLIC SAFETY	
PREVENTION OF PUBLIC NUISANCE	
PROTECTION OF CHILDREN FROM HARM	

REFERENCES

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

**OFFICER
POSITION
AUTHORITY**

Licensing Act 2003

Representation form from interested parties

Are you a (tick as appropriate):

Responsible authority:	
Police	
Fire	
Environmental health	
Child protection	
Trading standards	X
Planning authority	

Or a

Resident or business operating in the vicinity of premises	
--	--

Your name/organisation name/name of body you represent (see note 3)	Christopher Coxon Trading Standards Officer
Organisation name/name of body you represent (if appropriate) (see note 3)	Sandwell MBC Trading Standards Service
Postal and email address	4 th Floor Court House 335 - 337 High Street West Bromwich B70 8LU chris_coxon@sandwell.gov.uk

Contact telephone number	0121 569 6573
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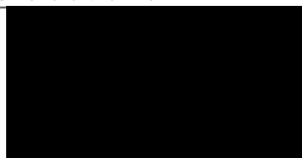
Name of premises you are making a representation about	KNN Mini Market
Address of the premises you are making a representation about	91 Waterloo Road Smethwick B66 4JS

Your representation must relate to one of the four Licensing Objectives (see note 4)

Licensing Objective	Yes or no	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder	Yes	See separate sheets
Public safety	No	
To prevent public nuisance	No	
To protect children from harm	No	

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account	Sandwell Trading Standards request that the Licensing Committee refuse to grant a premise licence.
---	--

Signed:



Date: 16/01/2019

Notes

Date: 16th January 2019

To: The Licensing Committee

From: Christopher Coxon – Sandwell Trading Standards

Subject: **APPLICATION FOR PREMISES LICENCE – KNN Mini Market, 91 Waterloo Road, Smethwick, B66 4JS**

.....

I am writing on behalf of Sandwell Trading Standards, a responsible authority as listed under section 13(4) of the Licensing Act 2003, and I wish to make representations in respect of an application for a premises licence at 91 Waterloo Road, Smethwick, B66 4JS. This representation is made regarding the licensing objective - the prevention of crime.

It is of great concern to Trading Standards that this premise is involved in the sale and supply of illicit tobacco therefore undermining the prevention of crime objective. The history is as follows:

1. On 16th January 2019, Trading Standards visited the premises and found 329 packets of illegal tobacco (321 cigarettes and 8 hand rolling tobacco) in a box concealed behind the counter and a sports bag concealed on top of a chiller unit. The licence applicant, Barzan SHEKZADE, was present at the time. Paperwork was found behind the counter that indicated the amounts of illegal tobacco brands sold. Before the seizure was made, the applicant stated that he had used to sell illegal tobacco from the shop, but stopped doing so after he was arrested by the police, when stolen tobacco was found on the premises. During the course of the visit the applicant lied to officers about the whereabouts of the CCTV and initially stated that the CCTV recorder had been taken by the police, when in fact it was still on the premises and was presumably recording the sales of illegal tobacco. The CCTV will be sent away for forensic examination. A criminal investigation by Trading Standards is ongoing.
2. On 16th January 2019, an undercover Trading Standards Officer was sold 3 packs of counterfeit Richmond cigarettes for £10, from a licensed premise called Gud Prajs, Unit 7, 183 Great Bridge Street, West Bromwich, where the applicant is both the premise licence holder and designated premises supervisor.
3. On 4th January 2019, an undercover Trading Standards Officer was sold 2 packs of counterfeit Richmond cigarettes for £6 from KNN Mini Market.


4. On 4th January 2019, an undercover Trading Standards Officer was sold 2 packs of counterfeit Richmond cigarettes from Gud Prajs, Unit 7, 183 Great Bridge Street, West Bromwich.
5. On 26th September 2018, a test purchase was carried out on behalf of trading standards at KNN Mini Market. A pouch of counterfeit Golden Virginia hand rolling tobacco was sold for £3.50. The product was retrieved from under the counter. A photograph of the transaction shows that the applicant to be the seller.
6. Limited Information was received from the police that suggested that a shop on the corner of a road in Smethwick was selling illegal tobacco. Analysis of this information tended to suggest that the shop in question may be KNN Mini Market and so it was included in a planned test purchasing operation.

Illegal tobacco, commonly referred to as illicit tobacco consists of cigarettes and hand rolling tobacco (HRT), that are either counterfeit, fail to comply with the standardised packaging regulations or fail to display the prescribed safety warning markings. Criminal offences are committed under the Trade Marks Act 1994, The Tobacco and Related Products Regulations 2016, The Standardised Packaging of Tobacco Products Regulations 2015.

The sale of illegal tobacco is having a very serious impact on the local economy. Legitimate retailers are struggling to compete with the dishonest traders who operate within the shadow economy. These dishonest traders are making large profits by selling cheap counterfeit products, or evading duty on genuine products. Using the Intelligence Operating Model, the sale and supply of illicit tobacco has been identified as one of Sandwell Trading Standards main priorities to tackle.

Trading Standards believe the applicant is involved in the systematic supply of illegal tobacco in Sandwell. Based on the above, I would kindly ask that this application for a premises licence is rejected by the panel.

Regards


Christopher Coxon
Senior Trading Standards Officer (On behalf of Sandwell Trading Standards)

From: [Mooney, James](#)
To: [Licensing](#)
Cc: [Reynolds, Duncan](#)
Subject: Razi Mini Market, 100 Widemarsh Street, Hereford - premises licence application
Date: 12 April 2019 11:13:16

NOT PROTECTIVELY MARKED

West Mercia Police are in receipt of an application for a new premises licence for a premises called **Razi Mini Market, 100 Widemarsh Street, Hereford**. This application is for the sale/supply of alcohol.

The applicant seeks to specify the designated premises supervisor as Barzan Shekzade.

West Mercia Police OBJECT to this application on the grounds that to grant it will undermine the licensing objectives of the prevention of crime and disorder and the protection of children from harm.

West Mercia Police are in receipt of information with regards to the applicant (who is also the proposed designated premises supervisor) that is of a nature that in our opinion raises concern over his (their) suitability to hold a premises licence.

At this time West Mercia Police will not disclose this information and would disclose sufficient if this matter was to progress to a licensing hearing.

Regards

Jim Mooney - on behalf of Ps 3456 Reynolds

Harm Reduction/Community Safety Dept.,

Harm Reduction Coordinator,

Herefordshire Policing Area

West Mercia Police.

DDI 01432 347102

Switchboard '101' x 4702

james.mooney@westmerciam.pnn.police.uk

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

[#destinationHereford](#)

www.westmerciam.police.uk/maketherightcall

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Meeting:	Licensing sub-committee
Meeting date:	7 June 2019
Title of report:	Application for a grant of an occasional premises licence in respect of Shobdon Food & Flying Festival, Shobdon Airfield, Shobdon, Leominster, Herefordshire. HR6 9NR– Licensing Act 2003
Report by:	Licensing Technical Officer

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Shobdon - Arrow

Purpose

To consider an application for a grant of an occasional premises licence in respect of Shobdon Food and Flying Festival, Shobdon Airfield, Shobdon, Leominster. HR6 9NR.

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,
- b) Grant the licence subject to modified conditions to that of the operating schedule where the sub-committee considers it appropriate for the promotion of the licensing objectives and add mandatory conditions set out in the Licensing Act 2003,
- c) To exclude from the scope of the licence any of the licensable activities to which the application relates
- d) To refuse to specify a person in the licence as the premise supervisor, or
- e) To reject the application.

Reasons for Recommendations

- 2. Ensures compliance with the Licensing Act 2003.

Key Considerations

Licence Application

- 3. The application for a grant of an occasional premises licence has received representation and is brought before the sub committee for determination.
- 4. The details of the application are:

Applicant	Unique Venues Limited	
Solicitor	A H Brooks & Co , Derby House, Derby Street, Leek, Staffordshire, ST13 6JG	
Type of application: Grant	Date received: 12 April 2019	28 Days consultation ended 9 May 2019

Summary of Application

- 5. The application (appendix 1) requests to grant an occasional premises licence to allow the following licensable activities, during the hours shown, as follows:

Friday 5th July 2019 to Sunday 7th July 2019

Plays (Indoors) 5th July 2019 19:00 – 23:00

Live Music (Indoors/Outdoors) 6th July 10:00 – 17:00 & 19:00 – 23:00 and 7th July 10:00 – 17:00

Performance of Dance (Outdoors) 7th July 14:00 – 16:00

Sale/Supply of Alcohol (consumption on the premises) 5th July 2019 19:00 – 23:00
6th July 10:00 – 23:00, 7th July 10:00 – 17:00

Summary of Representations

6. Three (3) representations have been received from the responsible authorities (Environmental Protection, West Mercia Police and Fire Authority). Environmental Protection and West Mercia Police representations have been agreed by the applicant. These can be found at appendix 2 to 3 respectively. The Fire Authority have objected to the application and this can be found at appendix 4.

Community Impact

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

Equality duty

8. There are no equality issues in relation to the content of this report.
9. This report has human rights implications for both the premises licence holder and the residents from the local neighbourhood. Any of the steps outlined in section 1 of this report may have financial implications for a licensee's business and livelihood and/or may have impact upon the day to day lives of residents living in close proximity to the premises.
10. Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private and family life and his/her home (which includes business premises). This right may be interfered with by the council on a number of grounds including the protection of rights and freedoms of others. The First Protocol – Article 1 – also provides that every person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest and conditions provided for by law. Members must accordingly make a decision which is proportionate to the hearing and endeavour to find a balance between the rights of the applicant, residents and the community as a whole.

Financial implications

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

Legal Implications

12. As relevant representations have been received, the sub committee must determine the application under Section 3.5.7 (c) of the Herefordshire Council constitution. The representations must relate to the licensing objectives and the sub committee must determine the likely effect of the grant of the premises licences on the promotion of the licensing objectives.
13. The licensing authority must have regard to the promotion of the four licensing objectives namely; the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm in exercising its functions under the Licensing Act 2003. Further regard should be had to the statutory guidance under Section 182 of the Act and the Council's own statement of licensing policy. The options available to the licensing authority are set out in section 1 of this report.

Further information on the subject of this report is available from
Emma Bowell – Licensing Technical Officer, Tel no. 01432 261761

14. The sub committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the Licensing Authority.
15. 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.

16. 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.
17. 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'.

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

Right of Appeal

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

Decision to grant premises licence or impose conditions etc.

- (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).

20. Appeals should be made to the Magistrates Court and must be made within 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against

Risk Management

21. There is little risk associated with the decision at this time as the legislation allows a right of appeal to the Magistrates Court within a period of 21 days of being notified of the decision in writing.

Consultees

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

Appendices

Appendix 1 - Application Form
Appendix 2 – Environmental Protection representation
Appendix 3 – West Mercia Police representation
Appendix 4 – Fire Authority Objection

Background Papers

None.

Herefordshire
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

☐ Indicate here if 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

Note: completing the Applicant Business section is optional in this form.

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 21

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 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☐ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☒ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ 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

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 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth

dd mm yyyy

* Nationality

Documents that demonstrate entitlement to work in the UK

[Add another applicant](#)

Section 5 of 21

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.

Continued from previous page...

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

The 'premises' comprises of three areas situated in a field adjacent to Shobdon Aero Club's hangar and clubhouse: 1) A Food Marquee in which food and drink producers (some of them selling alcoholic produce) will be housed. 2) Outside the marquees within the field where producers wishing to operate from their own gazebo will be based. 3) Our event Refreshment Marquee in which we will hold evening events on the Friday and Saturday evenings of the Festival at which we hope to operate a bar until 11pm. There will be no more than 400 people at the evening events. We expect 7,000 people in total to attend the Festival during the 10am to 5pm daytime opening hours across the Saturday and Sunday.

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 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☒ Yes

☐ No

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

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of a play take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

We hope to have a two-man comedy duo perform in our Refreshment Marquee on Friday the 5th of July. There performance may include amplified music.

State any seasonal variations for performing plays

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

NA

Non standard timings. Where the premises will be used for the performance of a play 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.

NA

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☐ Yes

☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes

☒ No

Continued from previous page...

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☒ 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 performance of live music take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

During the day (between 1000 and 1700) on Saturday and Sunday of the Festival we have various (as yet not booked) performances from various musical attractions including brass bands, jazz bands and singers. They will perform either inside our Refreshment Marquee or outside on the grass. These performances may be amplified.

On the Saturday night of the Festival we will host a Rat Pack tribute concert inside the Refreshment Marquee which will end no later than 11pm. It will be an amplified performance.

State any seasonal variations for the performance of live music

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

NA

Non-standard timings. Where the premises will be used for the performance of live music 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.

NA

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☐ Yes ☒ No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

Start

End

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...

TUESDAY

Start End

Start End

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the performance of dance take place indoors or outdoors or both?

☐ Indoors ☒ Outdoors ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

We have booked a local Morris Dancing group to perform outside in the field on the Saturday of the Festival. Their performance will not be amplified.

State any seasonal variations for the performance of dance

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

NA

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

Continued from previous page...

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

NA

Section 13 of 21

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

See guidance on regulated entertainment

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

☐ Yes

☒ No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

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

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start 10:00

End 23:00

Start

End

SUNDAY

Start 10:00

End 17:00

Start

End

Will the sale of alcohol be for consumption:

☒ On the premises ☐ Off the premises ☐ Both

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

State any seasonal variations

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

NA

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.

NA

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

Name

First name

Anthony

Family name

Rowlands

Date of birth

dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Personal Licence number
(if known)

Issuing licensing authority
(if known)

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)

NA

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

Section 16 of 21

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.

NA

Section 17 of 21

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.

Continued from previous page...

TUESDAY

Start End

Start End

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations

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

NA

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.

NA

Section 18 of 21

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)

Continued from previous page...

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

Private security on site 24 hours a day.
Close contact with local police and fire service.
Thorough risk assessment involving local police and fire service.
Medics on site throughout.
Strict opening and closing hours.
Rigorous child protection policy.

b) The prevention of crime and disorder

We have private security on site 24 hours a day throughout the weekend. We are also in contact with our local police force.

c) Public safety

Additional policy contact with local police and 101. Festival organisers and members and Herefordshire Aero Club staff will also be monitoring the site and in contact with each other and our central Festival office via radio. We also have St John Ambulance in attendance.

d) The prevention of public nuisance

As above. We are in a secluded part of the village of Shobdon a mile or so away from any residential properties. The Festival closes at 5pm each day. Our evening events close at 11pm.

e) The protection of children from harm

Child protection policy promulgated to staff, volunteers and participants.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

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.

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 (£)

100.00

DECLARATION

1

Continued from previous page...

* 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.

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

[Add another signatory](#)

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

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/herefordshire/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 TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

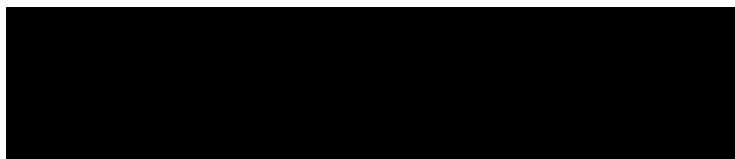
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[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) Next >



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

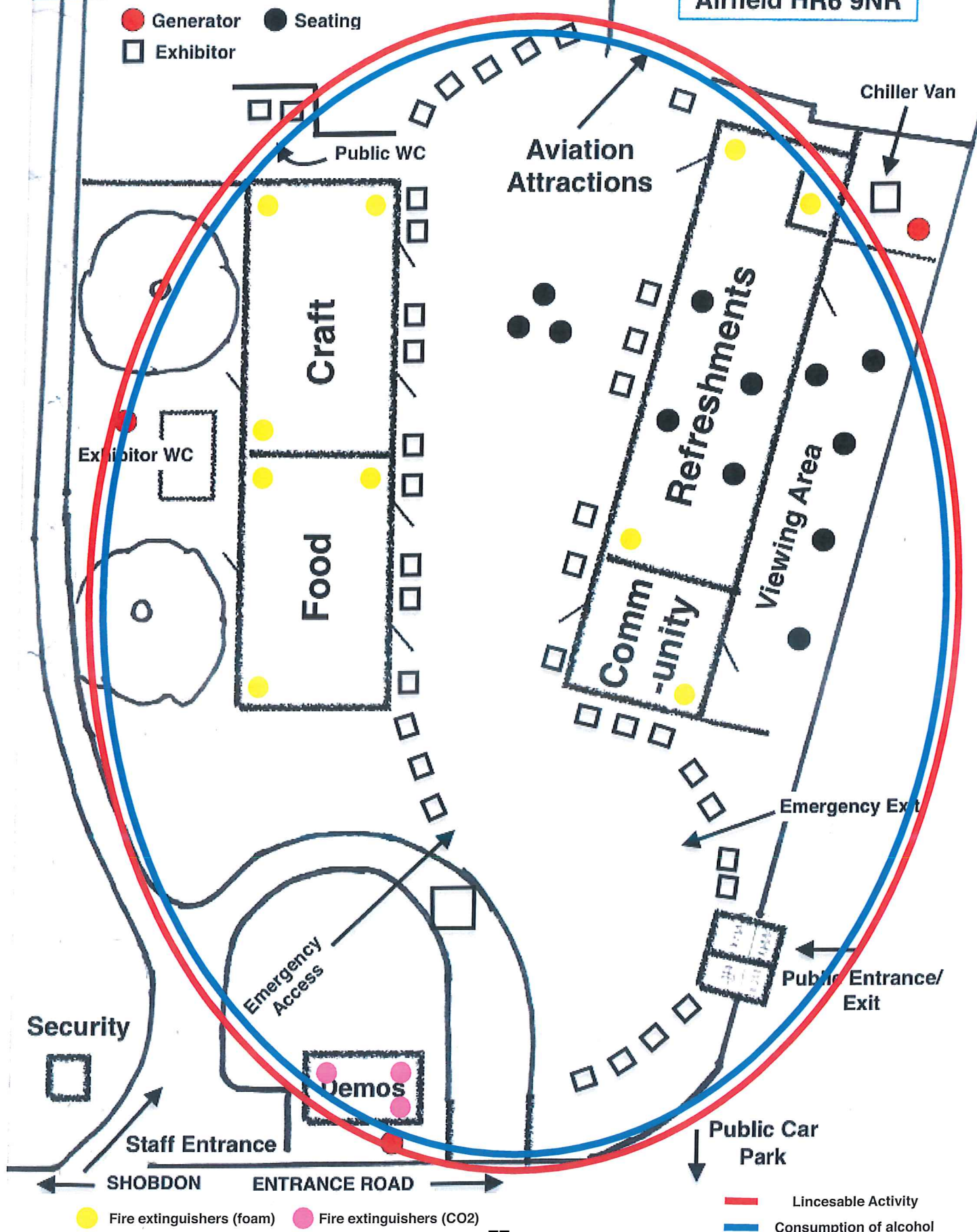
I, **Anthony Rowlands** hereby consents to being named as the premises supervisor in a new licence granted under paragraph 4 of Schedule 8 to the Licensing Act 2003 to **Matt Teale**, where the holder of the licence has consented to the application being made by the applicant for **Shobdon Food Festival 2019, Shobdon Airfield, Shobdon, Leominster, HR6 9NR** if that application is successful.

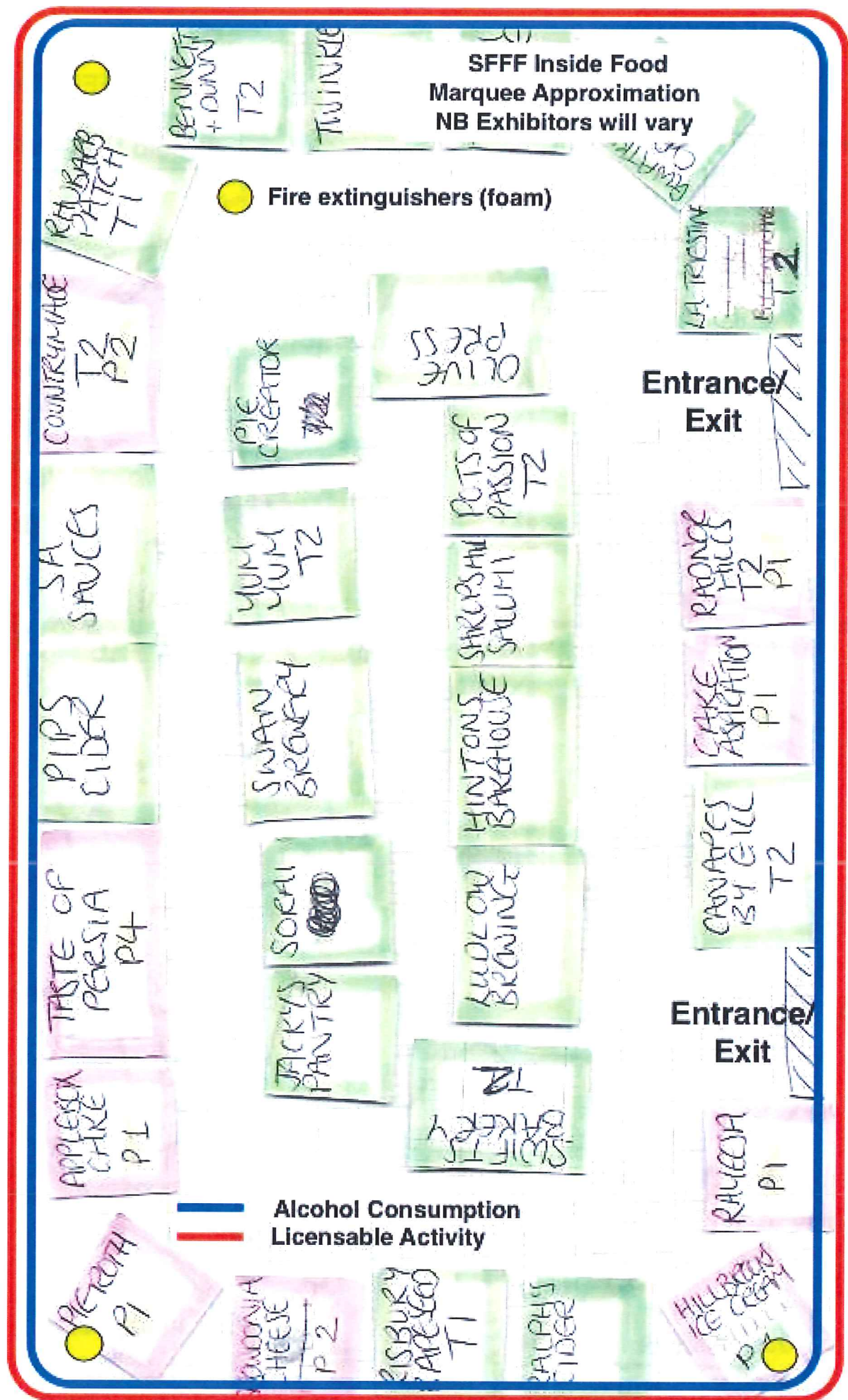


02.04.2019

Dated _____

**Shobon FFF Site
Map Shobdon
Airfield HR6 9NR**





MEMORANDUM

To : LICENSING OFFICER
From : Richard Roberts
Tel : 01432 261668 **My Ref : RRO/279652/**
Date : 16 April 2019 **Your Ref :**

LICENSING ACT 2003
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE
Shobdon Food & Drink Festival Shobdon Airfield, Shobdon, Leominster,
Herefordshire, HR6 9NR

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

Representation	Industry Guidance
PREVENTION OF CRIME & DISORDER	
PUBLIC SAFETY	
PREVENTION OF PUBLIC NUISANCE <ul style="list-style-type: none"> Noise or vibration shall not emanate from the premises so as to cause a nuisance. 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. 	Herefordshire Council's Model Conditions and the Licensing Objectives
PROTECTION OF CHILDREN FROM HARM	

REFERENCES

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

A handwritten signature in blue ink, appearing to read 'RR', with a stylized flourish at the end.

**RICHARD ROBERTS
PUBLIC PROTECTION OFFICER
HEREFORDSHIRE COUNCIL**

From: [Mooney, James](#)
To: [Licensing](#)
Cc: [Reynolds, Duncan](#)
Subject: Shobdon Food and Flying Festival - occasional licence application.
Date: 08 May 2019 10:25:07

NOT PROTECTIVELY MARKED

West Mercia Police are in receipt of an application for an occasional licence for a premises known as **Shobdon Food and Flying Festival, Shobdon Airfield, Shobdon, Leominster**. The application is for the licensable activities of the sale/supply of alcohol and regulated entertainment. The applicant seeks to specify the designated premises supervisor as Anthony Rowlands.

West Mercia Police do not object to this application and would seek to promote the licensing objectives by applying the following conditions through formal representation.

1. The Premises Licence Holder or a nominated deputy (in writing) must be on this licensed premises when licensable activities are undertaken and be available to the Responsible Authorities and the Licensing Authority at all times when Licensable activities are taking place. Details of the Premises Licence Holder or his deputy who is on duty when licensable activities are undertaken shall be recorded, on this premises, at the time. These records shall be made available to the Licensing Authority or a Responsible Authority on demand. Such record shall be kept for a period of 12 months after the end of licensable activities. This information post event must be provided to the Licensing Authority or a Responsible Authority within 24 hours of the request.
2. The name and contact details of the Premises Licence Holder's deputy(s) will be provided to the Safety Advisory Group (SAG) in writing no later than 7 days prior to the event.
3. At all times there shall be one personal licence holder on this premises for each 2 bars which are open for the sale and supply of alcohol.
4. Written information provided of details of the personal licence holder who is on duty and their areas of responsibilities when licensable activities are undertaken on this premises. This will be made available to the Licensing Authority and or other responsible authority during the period of the event on demand. Such record shall be kept for a period of 12 months after the end of licensable activities. This information must be provided to the Licensing Authority or a Responsible Authority within 24 hours of the request.
5. The names and contact details of the personal licence holders will be provided to the SAG no later than 7 days prior to the event each year.
6. The premises licence holder shall have in place an Event Management Plan (EMP). The first draft of the EMP will be produced 2 months (or such lesser period as agreed with the SAG) prior to the first day of the event and will be submitted to the Licensing Authority and all the Responsible Authorities.
7. The final EMP will be submitted to the Licensing Authority and all the Responsible Authorities 14 days prior to the start of the Festival. This must meet with the agreement of all the responsible authorities. No change shall take place to this document without

the consent of the Licensing Authority.

8. The premises licence holder must provide and EMP to the satisfaction of the SAG. The EMP will be a working document providing details of how the Festival is to be conducted and how safety issues, identified in the event risk assessment, are to be addressed. The EMP will include an event risk assessment and provide specific details on the following areas (where applicable):

- Health and Safety Responsibilities
- Venue and Site Design
- Fire Safety
- Major Incident Planning (Emergency planning)
- Communication
- Crowd Management (including steward and security numbers and their roles)
- Transport
- Management Structures
- Barriers
- Electrical Installations and Lighting
- Food and Alcohol
- Water
- Merchandising and Special Licensing
- Amusements,
- Attractions and Promotional displays
- Sanitary Facilities
- Waste Management
- Sound: Noise and Vibration
- Special Effects, Fireworks and Pyrotechnics
- Camping
- Facilities for People with disabilities
- Medical, Ambulance and First Aid Management
- Information and Welfare
- Children - including Lost Children's Policy
- Performers
- TV and Media

The event must take place in accordance with the Final EMP produced for the event following approval by the Licensing Authority.

Prevention of Crime & Disorder

9. West Mercia Police and the Premises Licence Holder will agree 28 days prior to the first day of the event all issues they required to be reported immediately to them during the duration of the event. This agreement will be provided to the Licensing Authority at least 14 days prior to the first day of the event.

10. A special policing services request will be made by the Premises Licence Holder to West Mercia Police, this will be submitted at least 2 months prior to the first day of the event.

Security and Steward Numbers of Personnel

11. Written information shall be provided, 2 months prior to the start of the event, of the number of Security Industry Authority (SIA) Security personnel to be employed on site, during the period the premises is licensed for licensable activities.

12. Written information shall be provided, 2 months prior to the start of the event of the number of personnel to be employed as Stewards during the period the premises is licensed for licensable activities.

13. 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. The register shall be made available on demand for inspection by Police, Licensing Authority or an authorised officer of the Security Industries Authority.

No person under the age of 18 years will be employed as stewarding personnel.

No person under the age of 21 years will be employed as SIA badged staff.

No security staff or stewards are to consume or be under the influence of alcohol or drugs whilst working. They shall be fit to carry out the duties required of them.

Security Uniforms and Security Logs

14. All security and stewarding personnel will be readily identifiable by means of a tabard bearing a job title and a conspicuous unique personal identification number. This identification number will be displayed prominently on the front and rear and will be at least 30mm high and the width of the written number shall be at least 10 mm.

No person shall perform the role of stewarding personnel without wearing a tabard.

No person shall perform the role of security personnel without wearing a tabard.

15. All staff shall be trained prior to undertaking any sale of alcohol on the premises.

The training shall include:

- Drugs Awareness
- Conflict resolution
- Selling to under age person
- Selling to drunks

Such training will be recorded and records shall be kept at the premises which will be produced to an authorised officer the licensing authority or the police on demand

16. An incident log must be kept at the premises, and made immediately available on request to an authorised officer of the Council or the Police, which must record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) seizures of drugs or offensive weapons
- (g) any visit by a relevant authority or emergency service

17. Secure and safe systems are to be in place for the storage of items seized. These systems are to include secure methods of storing any drugs or weapons seized or found and procedures for handing the items over to the responsible authority where required. In addition records of seizure are to be kept in the incident book and made available to the Licensing Authority on demand or to the police on authority of the operational commander during the duration of the event or to any authorised person of West Mercia Police post event.

Transport

18. A Traffic Management Plan (TMP) will be drawn up for the event and will be provided to relevant agencies no later than 28 days prior to the event. Such plan shall be agreed by the Safety Advisory Group. The TMP will cover all aspects of vehicle and pedestrian access to and egress from the site during the 'load in and load out as well as for the event itself.

Prevention of Public Nuisance

19. A noise management plan must be agreed in writing with the Licensing authority **28 days** prior to the proposed start of the event. Such a management plan must include amongst other matters, the methodology to be used to measure and assess noise levels, identify monitoring points, provide details of background noise levels, maximum permitted noise levels, reporting and recording procedures, procedures to receive, investigate and respond to complaints about noise, actions to be taken should the permitted noise levels be exceeded.

Protection of Children from Harm

Under 16s

20. Any unaccompanied person under the age of 16 years found on the Licensed Premises will be accompanied to the Welfare Tent or designated safe place. This task will be undertaken by at least 2 members of staff.

No unaccompanied person under the age of 16 years shall be permitted on the Licensed Premises.

Data Baring Service - DBS - (or other relevant legislation) Check

21. Any personnel whose role involves the looking after of children or vulnerable adults shall have a current DBS (or other relevant legislation, dated within the 9 month period proceeding the first day of the event).

No person shall be involved in this role unless the DBS (or relevant legislation) shows 'None Recorded' against the following categories:

- Police Record of Convictions, Cautions, Reprimands and Warning
- Information from the list held under Section 142 of the Education Act 2002
- ISA Children's Barred List Information
- ISA Vulnerable Adults Barred List Information
- Other relevant information disclosed at the Chief Police Officer(s) discretion

The name, date of birth and address together with a copy of the DBS shall be supplied to the Licensing Authority 2 weeks prior to the first day of the event.

Lost Children Policy

22. The goal of the Lost Children Policy is to reunite each lost child with its parents or guardians. However if there is any evidence or suspicion of abuse or neglect of children, then this must be reported to the appropriate authority.

Age Verification

23. 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 Licensing Authority or 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 once every 5 metres behind any bar advertising the scheme operated.

24. In conjunction with point (23) above, proof of the attainment of 18 years of age will be required through production of a full or provisional photo card driving licence, by a passport, PASS recognised card or by a national identity card with a hologram photo prior to any alcohol sale taking place or entry to age restricted areas.

25. Bar staff must ask for proof of age ID whenever the customer appears to be under 18. If there is any doubt as to the age of the customer they will be refused service.

26. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed stating that: *'It is an offence to purchase or attempt to purchase alcohol if you are under the age of 18 - Section 149 Licensing Act 2003.'*

27. A register of refusals will be kept by each bar with the names of people who have been unable to provide required Identification to prove their age. These records will be made available to the Licensing Authority on request.

28. The Designated Premises Supervisor will brief bar security staff in the arena and the bars that they should take reasonable steps to monitor the final destination of the drinks and where it would appear that supply is being made to a person under the age of 18 years take steps to prevent the consumption by that person.

29. The Designated Premises Supervisor, the bar manager and other bar supervisors will monitor the performance of the serving staff to ensure adherence to the licensing laws.

30. Any underage persons who are found arriving at or on the Licensed Premises with alcohol will have the alcohol confiscated by security.

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 Ps 3456 Reynolds

Harm Reduction/Community Safety Dept.,

Harm Reduction Coordinator,

Herefordshire Policing Area

West Mercia Police.

DDI 01432 347102

Switchboard '101' x 4702

Headquarters

Hindlip Park
Worcester
WR3 8SP

Tel 0345 122 4454**Fax** 01905 357 466**Web** www.hwfire.org.uk**Email** info@hwfire.org.uk

West District Community Risk Department
Hereford Police Station, Bath Street, Hereford, HR1 2HT



Appendix 4
HEREFORD & WORCESTER
HWFR
FIRE AND RESCUE SERVICE

LACT2

Chief Fire Officer / Chief Executive
Nathan Travis BA(Hons) MPA

Herefordshire Aero Club Ltd
Shobdon Airfield
Shobdon
Leominster
HR6 9NR

For the attention of Mr M Teale
Sent via email:- shobdonfoodfestival@gmail.com

Your reference

My reference

Please ask for

Telephone

Email

Date

W5202801/SF/kl

Steve Fellows

01432 347344

lconsult@hwfire.org.uk

08 May 2019

Dear Sirs

Fire Precautions**Licensing Act 2003****Regulatory Reform (Fire Safety) Order 2005****Herefordshire Aero Club Ltd, Shobdon Airfield, Shobdon, Leominster, HR6 9NR**

Further to the application dated 2019 for the grant of a premises licence in respect of the above premises, this Authority objects to the granting of the said application on the grounds of public safety. The matter(s) giving rise to this objection are detailed on the attached Schedule.

However, should the matters be satisfactorily rectified and this Authority given at least five working days notice prior to the date of the hearing, the objection will be withdrawn.

A copy of our Service privacy notice is enclosed for your information.

Yours faithfully

Authorised Fire Safety Inspecting Officer
on behalf of Hereford and Worcester Fire Authority

cc: licensing@herefordshire.gov.uk

FIRE PRECAUTIONS

LICENSING ACT 2003

Herefordshire Aero Club Ltd, Shobdon Airfield, Shobdon, Leominster, HR6 9NR

SCHEDULE

The Fire Risk Assessment (HAZ040 Food & Flying Festival Weekend) as specified in the Event Management Plan should be forwarded to this Authority. It should include Occupancy Calculations, Exit Widths and Density Figures for all marquees and enclosures.

PRIVACY NOTICE	Business Fire Safety	Version 0.01
AUTHOR	Group Commander – Fire Safety	
DATE	08/05/19	

•	Who is collecting my information?			
	<i>Hereford & Worcester Fire and Rescue Service</i>			
•	Where did you get my information?			
	<i>Collected from the individual / business</i>			
•	What information is being collected?			
	<i>Your address, contact details</i>			
•	Why are you collecting this information?			
	<i>To maintain a record of your businesses compliance with Fire Safety legislation</i>			
•	What are the legal reasons (legitimate grounds) for collecting my personal data?			
	<i>To ensure compliance with the Regulatory Reform (Fire Safety) Order 2005</i>			
•	What will my information be used for?			
	<i>Required to conduct planned inspections or post fire examinations, provide advice, guidance and to enforce fire safety regulations</i>			
•	How will my information be stored to guarantee security?			
	<i>On a secure database within the Community Risk Department</i>			
•	Who will have access to my information?			
	<i>Members of the Community Risk Department</i>			
•	Will my information be shared with anyone other than the Fire and Rescue Service?			
	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
•	If YES, then how will this be done?			
	<i>By secure email</i>			
•	If YES, who with?			
	<i>Care Quality Commission, Health and Safety Executive, Environment Agency, Immigration, local councils/authorities, Worcestershire Regulatory Services (Trading standards)</i>			
•	Do I have the right to ask for my information to be erased?			
	<i>No – Fire safety information required whilst business is live</i>			
•	Do I have the right to object to my information being used?			
	<i>No – It is a legal requirement for businesses to supply Fire Safety data</i>			

•	Do I have the right to ask for my data to be provided in a universally recognised electronic format e.g. CSV file?
	<i>Yes – Please contact the Business Fire Safety Team for copies of your information</i>
•	How long will you keep my information for?
	<i>7 years</i>
•	How will my information be disposed of?
	<i>Electronic records deleted and all paper files shredded securely by the Business Fire Safety Team</i>
•	Who do I contact if I have any questions?
	<i>Group Commander Cadman, Fire and Rescue Service, Worcester Fire Station, McKenzie Way, Worcester, WR4 9GN</i>
•	How do I make a complaint?
	<p>Step 1: Please submit your issue via the Service's complaints system on website www.hwfire.org.uk</p> <p>Step 2: If you are not satisfied with the outcome of the internal review, you may raise a concern directly with the Information Commissioner, Wycliffe House, Water Lane, Wilmslow, SK9 5AF, Tel: 0303 123 1113 (alternatively 01625 545745) or E-mail: casework@ico.org.uk</p>



Meeting:	Licensing sub-committee
Meeting date:	7 June 2019
Title of report:	Application for a grant of a premises licence in respect of Bredenbury Court, Bredenbury, Bromyard, Herefordshire. HR7 4TD– Licensing Act 2003
Report by:	Licensing Technical Officer

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Bredenbury - Hampton

Purpose

To consider an application for a grant of a premise licence in respect of 'Bredenbury Court, Bredenbury, Bromyard. Herefordshire. HR7 4TD.

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,
 - b) Grant the licence subject to modified conditions to that of the operating schedule where the sub-committee considers it appropriate for the promotion of the licensing objectives and add mandatory conditions set out in the Licensing Act 2003,
 - c) To exclude from the scope of the licence any of the licensable activities to which the application relates
 - d) To refuse to specify a person in the licence as the premise supervisor, or
 - e) To reject the application.

Reasons for Recommendations

2. Ensures compliance with the Licensing Act 2003.

Key Considerations

Licence Application

3. The application for a grant of the premises licence has received relevant representations and is brought before the sub-committee for determination.
4. The details of the application are:

Applicant	Unique Venues Limited	
Solicitor	A H Brooks & Co , Derby house, Derby Street, Leek, Staffordshire, ST13 6JG	
Type of application: Grant	Date received: 5 April 2019 Consultation re-started 19 th April 2019	28 Days consultation ended 16 May 2019

Summary of Application

5. The application (appendix 1) requests the grant of a premises licence to allow the following licensable activities, during the hours shown, as follows:

Live Music (Indoors/Outdoors), Recorded Music (Indoors/Outdoors), Performance of Dance (Indoors/Outdoors), Anything Similar to Regulated Entertainment (Indoors/Outdoors), Sale/Supply of Alcohol (consumption on and off the premises)

Monday – Sunday 09:00 – 24:00
Late Night Refreshment (Indoors/Outdoors)

Monday – Sunday 23:00 – 00:15

Non-Standard Timings for all licensable activities
Christmas Eve, Boxing Day, New Year's Eve until 02:00

Summary of Representations

6. Three (3) representations have been received from the responsible authorities (Trading Standards, Environmental Protection and West Mercia Police). These representations have been agreed by the applicant. These can be found at appendix 2 to 4.

One (1) public representation has been received and accepted as relevant by the authority on the grounds of previous noise nuisance. This can be found at appendix 5.

Community Impact

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

Equality duty

8. There are no equality issues in relation to the content of this report.
9. This report has human rights implications for both the premises licence holder and the residents from the local neighbourhood. Any of the steps outlined in section 1 of this report may have financial implications for a licensee's business and livelihood and/or may have impact upon the day to day lives of residents living in close proximity to the premises.
10. Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private and family life and his/her home (which includes business premises). This right may be interfered with by the council on a number of grounds including the protection of rights and freedoms of others. The First Protocol – Article 1 – also provides that every person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest and conditions provided for by law. Members must accordingly make a decision which is proportionate to the hearing and endeavour to find a balance between the rights of the applicant, residents and the community as a whole.

Financial implications

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

Legal Implications

12. As relevant representations have been received, the sub-committee must determine the application under Section 3.5.7 (c) of the Herefordshire Council constitution. The representations must relate to the licensing objectives and the sub-committee must

determine the likely effect of the grant of the premises licences on the promotion of the licensing objectives.

13. The licensing authority must have regard to the promotion of the four licensing objectives namely; the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm in exercising its functions under the Licensing Act 2003. Further regard should be had to the statutory guidance under Section 182 of the Act and the Council's own statement of licensing policy. The options available to the licensing authority are set out in section 1 of this report.
14. The sub-committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the Licensing Authority.
15. 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.

16. 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.
17. 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'.

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

Right of Appeal

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

Decision to grant premises licence or impose conditions etc.

- (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).

- 20. Appeals should be made to the Magistrates Court and must be made within 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against

Risk Management

- 21. There is little risk associated with the decision at this time as the legislation allows a right of appeal to the Magistrates Court within a period of 21 days of being notified of the decision in writing.

Consultees

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

Appendices

Appendix 1 - Application Form

Appendix 2 – Trading Standards representation

Appendix 3 – Environmental Protection representation

Appendix 4 – West Mercia Police representation

Appendix 5 – Public representation

Background Papers

None.

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 Unique Venues Limited

(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			
Bredenbury Court			
Post town	Bredenbury	Postcode	HR7 4TD

Telephone number at premises (if any)	01885 227010
Non-domestic rateable value of premises	£40,000.00

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- | | | | |
|----|--|-------------------------------------|-----------------------------|
| a) | an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual * | | |
| | i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| | ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| | iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| | iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) | a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) | a charity | <input type="checkbox"/> | 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 (by ticking yes to one box below):

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		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

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		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential 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 UNIQUE VENUES LIMITED
Address Dodford Manor Dodford Northamptonshire NN7 4SR
Registered number (where applicable) 08803129
Description of applicant (for example, partnership, company, unincorporated association etc.) Company

Telephone number (if any)
E-mail address (optional) ben@ensarb.com

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
0	1	0	5	2	0	1	9

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

DD		MM		YYYY			

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>A country barn wedding venue, capable of hosting wedding parties up to 200 guests which includes 7 bed and breakfast rooms for wedding guests.</p>

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

a) plays (if ticking yes, fill in box A)

☐

b) films (if ticking yes, fill in box B)

☐

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri					
Sat			<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 6)		
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		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 4)			
Mon						
Tue						
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)			
Thur						
Fri						
Sat			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			
Fri			<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 6)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri					
Sat			<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 6)		
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Amplified and unamplified music for use as a background and performance use.			
Mon	9.00	24.00				
Tue	9.00	24.00	State any seasonal variations for the performance of live music (please read guidance note 5) Christmas Eve, Boxing Day and New Year's Eve start 9.00am Finish 02.00			
Wed	9.00	24.00				
Thur	9.00	24.00	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 6) As above			
Fri	9.00	24.00				
Sat	9.00	24.00				
Sun	9.00	24.00				

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Amplified and unamplified background music and discos for use in conjunction with functions.		
Mon	9.00	24.00			
Tue	9.00	24.00			
Wed	9.00	24.00	State any seasonal variations for the playing of recorded music (please read guidance note 5) Christmas Eve, Boxing Day and New Year's Eve Start 9.00am Finish 02.00		
Thur	9.00	24.00			
Fri	9.00	24.00			
Sat	9.00	24.00	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 6) As above		
Sun	9.00	24.00			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) Performances/exhibitions of various dance styles for use in conjunction with function.		
Mon	9.00	24.00			
Tue	9.00	24.00			
Wed	9.00	24.00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5) Christmas Eve, Boxing Day, New Year's Eve Start 9.00am Finish 02.00.		
Thur	9.00	24.00			
Fri	9.00	24.00			
Sat	9.00	24.00	<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 6) As above		
Sun	9.00	24.00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors <input type="checkbox"/>
Mon	9.00	24.00		Outdoors <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
Tue	9.00	24.00	Please give further details here (please read guidance note 4) Any similar form of entertainment not covered by (e), (f) and (g)	
Wed	9.00	24.00		
Thur	9.00	24.00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5) Christmas Eve, Boxing Day and New Year's Eve Start 9.00am Finish 0200.	
Fri	9.00	24.00		
Sat	9.00	24.00	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6) As above	
Sun	9.00	24.00		

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Hot and cold food served on the premises as part of a function.		
Mon	23.00	00.15			
Tue	23.00	00.15			
Wed	23.00	00.15	State any seasonal variations for the provision of late night refreshment (please read guidance note 5) Christmas Eve, Boxing Day and New Year's Eve Start 9.00 Finish 02.00		
Thur	23.00	00.15			
Fri	23.00	00.15			
Sat	23.00	00.15	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 6) As above		
Sun	23.00	00.15			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	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 5) Christmas Eve, Boxing Day and New Year's Eve Start 9.00 Finish 02.00		
Mon	9.00	24.00			
Tue	9.00	24.00			
Wed	9.00	24.00			
Thur	9.00	24.00	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 6) As above		
Fri	9.00	24.00			
Sat	9.00	24.00			
Sun	9.00	24.00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Nigel Frederick Chaplin	
Date of birth	[REDACTED]
Address	
[REDACTED]	
[REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known)	
[REDACTED]	
Issuing licensing authority (if known)	
Stafford Borough Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	<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 6)
Mon	00.00	24.00	
Tue	00.00	24.00	
Wed	00.00	24.00	
Thur	00.00	24.00	
Fri	00.00	24.00	
Sat	00.00	24.00	
Sun	00.00	24.00	

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

The premises will only be used for “pre-booked” functions. As such the premises are not open to the general public in the traditional sense. All guests will be invited and the numbers of guests will be limited.

b) The prevention of crime and disorder

- (a) The capacity of the premises will be monitored and managed by the management team to ensure the safety of all occupants.
- (b) Persons who appear to be under the age of 18 will be challenged to prove they are over 18 years of age.
- (c) Code of good practice scheme will be considered and where considered appropriate adopted and staff trained accordingly.
- (d) Glasses and bottles will not be allowed to be removed from the premises.
- (e) Tables will be cleared regularly.

- (f) Police Crime Reductions Officers recommendations will be considered and implemented where appropriate.
- (g) CCV with a 30 day back up will cover all public areas.
- (h) No drinks promotions.

c) Public safety

- (a) Dispersal of customers will be monitored by the management team and appropriate steps will be taken where necessary to minimise disruption.
- (b) Regular Fire Risk Assessments will be undertaken and recommendations implemented.
- (c) Staff will be trained on Health and Safety and support manuals prepared for continual use.

d) The prevention of public nuisance

- (a) Signage will be displayed to support 2(a) above.
- (b) Automatic sound cut off at midnight.
- (c) Premises renovated to include noise emission measures which exceed Building Regulation Standards.
- (d) External sound monitoring as required.

e) The protection of children from harm

- (a) Children will only be allowed on the premises if accompanied by adult guests.
- (b) The presence of children in the bar area will be discouraged.

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. ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15). ☐

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).
--------------------	--

	<ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	[Redacted]
Date	26 / 3 / 19
Capacity	Solicitor for the Applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). 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 14)			
A.H. BRACKS & Co DERBY HOUSE, DERBY STREET			
Post town	LEEK	Postcode	ST13 6JG
Telephone number (if any)	01538 383201		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
greta.williams@ahbracks.co.uk			

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. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. 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.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. 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.
 8. 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'.
 9. 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.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.
 - 15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the

person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:

- (i) working e.g. employment contract, wage slips, letter from the employer,
- (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
- (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
- (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

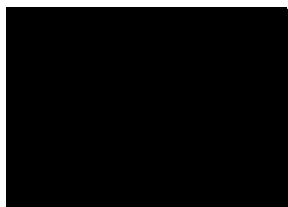
Consent of individual to being specified as premises supervisor

Nigel Frederick Chaplin

I

[full name of prospective premises supervisor]

of



[home address of prospective premises supervisor]

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

Premises Licence

[type of application]

by

Unique Venues Limited

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

Bredenbury Court
Bredenbury
HR7 4TD

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

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

Unique Venues Limited

[name of applicant]

concerning the supply of alcohol at

Bredenbury Court, Bredenbury HR7 4TD

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

[REDACTED]

[insert personal licence number, if any]

Personal licence issuing authority

Stafford Borough Council

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

Signed

[REDACTED]

Name (please print)

NIGEL FREDERICK CHAPLIN

Date

4/3/2019

From: Wilson, Leah <LWilson@herefordshire.gov.uk>
Sent: 15 April 2019 13:34
To: 'ben' <ben@ >
Cc: Licensing <licensing@herefordshire.gov.uk>
Subject: Bredenbury Court Premises Licence Application

Dear Unique Venues Ltd

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 Bredenbury Court, Bredenbury, Herefordshire, HR7 4TD.

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 in addition to those already specified on the application:

1. All staff engaged in the sale of alcohol to be trained in responsible alcohol retailing to the minimum standard of BIIAB level 1 or any equivalent training course within 1 month of commencing employment at the premises. Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence. No person shall be authorised to sell or supply alcohol until this training is completed. Refresher training will be conducted at 12 monthly intervals. Training records shall be kept on the premises and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.
2. A written or electronic register of refusals will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months. It will be collected and reviewed on a weekly basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.
3. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any sale area advertising the scheme operated.

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

Kind regards
Leah Wilson

Leah Wilson
Trading Standards Officer
Environmental Health and Trading Standards
Economy, Communities and Corporate Directorate
Hereford Council
01432 260163
lwilson@herefordshire.gov.uk

8 St Owens Street
Hereford
HR12PJ

MEMORANDUM

To : LICENSING OFFICER

From : Richard Roberts

Tel : 01432 261668 My Ref : RRO/279215/

Date : 18 April 2019 Your Ref :

LICENSING ACT 2003
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE
Bredenbury Court, Bredenbury, Bromyard, Herefordshire, HR7 4TD

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

Representation	Industry Guidance
PREVENTION OF CRIME & DISORDER	
PUBLIC SAFETY	
PREVENTION OF PUBLIC NUISANCE <ul style="list-style-type: none"> Noise or vibration shall not emanate from the premises so as to cause a nuisance 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. windows in the public areas at the premises shall be kept closed after 2300hrs. All external doors to the public areas shall be kept closed after 2300 except during immediate access and egress 	Herefordshire Council's Model conditions and Licensing Objectives
PROTECTION OF CHILDREN FROM HARM	

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REFERENCES

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

A handwritten signature in blue ink, appearing to read 'RR', with a stylized flourish at the end.

**RICHARD ROBERTS
PUBLIC PROTECTION OFFICER
HEREFORDSHIRE COUNCIL**

NOT PROTECTIVELY MARKED

West Mercia Police are in receipt of an application for a premises licence for a location known as **Bredenbury Court, Bredenbury, Nr Bromyard**. This application 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 Nigel Chaplin.

West Mercia Police do not object to this application.

The applicant has put forward a series of steps that appear as statements in order to promote the licensing objectives. It is the view of the Police that very few of these are worded in a manner that makes them enforceable.

In order to promote the licensing objectives, West Mercia Police has the following representations which in our opinion are proportionate for a venue of this type, achievable and enforceable.

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises, fire exits, outside areas, and all areas where the sale/ supply of alcohol occurs. Equipment MUST be maintained in good working order , be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand. The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in recordable media format, an authorised Herefordshire Trading Standards Officer or the Local Authority on demand. The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded. In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Police on contact number '101' immediately

- 2.The Premises Licence Holder or DPS or a person nominated by them in writing for the purpose will employ SIA door staff on a risk assessed basis. The risk assessment shall be in writing and shall be made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police

- 3.All existing staff shall be trained within one month of the date this condition appears on this licence. All new staff shall be trained within one month of taking up employment. All existing staff to be trained within three months of this condition appearing on this licence. All staff shall be re-trained six monthly thereafter. The training shall included:
 Drugs Awareness
 Conflict resolution
 Selling to under age person
 Selling to drunks
 Training records shall be kept on the premises which shall show the area of training covered, the date of the training, the name of the person and shall be signed by the trainer and trainee. This shall be produced to the police, an authorised Herefordshire Trading Standards Officer or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) on demand.

4. 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.

5. 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) any faults in the CCTV system or searching equipment or scanning equipment (if fitted)
- (f) any refusal of the sale of alcohol
- (g) any visit by a relevant authority or emergency service

6. No open containers containing alcohol will be removed from the premises.

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

8. 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.

9. 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.

10. 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-dance, 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 location.

Regards

Jim Mooney - on behalf of Ps 3456 Reynolds
Harm Reduction/Community Safety Dept.,
Harm Reduction Coordinator,
Herefordshire Policing Area
West Mercia Police.
DDI 01432 347102
Switchboard '101' x 4702

james.mooney@westmercia.pnn.police.uk
[In Herefordshire we protect people from harm](#)
[#destinationHereford](#)
www.westmercia.police.uk/maketherightcall

The information contained is shared under the provisions of the Crime and Disorder Act. It is shared between appropriate agencies for the purpose of reducing and dealing with criminal and anti-social behaviour. Once in the hands of a new agency it is the responsibility of that agency to protect the information under its own Data Protection Provisions.

From: xxxxxx <xxxxxxxxxx>
Sent: 06 May 2019 17:52
To: Licensing <licensing@herefordshire.gov.uk>
Subject: bredenbury court

Dear Sir/Madam

Since seeing the licencing notice for unique venues at Bredenbury court, I have tried to find it on site to make an objection.

It details the sale and consumption of alcohol both inside and outside the premises till 00:00hrs or 02:00am. The venue is in a residential area with primary school nearby. The A49 is already a busy road with many accidents from here to Bromyard. The exits difficult to leave from. The venue will be serving some 200 guests, mostly unfamiliar with the road.

The venue also only has enough accommodation for 20% of the people, which leaves 180 approx persons entering and leaving the venue.

The previous weddings held on the premises when it was a school was noisy till early morning and did not have the windows or industrial kitchen which this does.

Public transport is very poor and taxis to charry the inebriated in the quantity needed does not exist in this area.

My daughter and son have to walk the A49 daily to Bromyard to catch the bus. The increase in danger is concerning.

The aspect of the venue too is very exposed enabling noise to travel.

I think as no locals are employed at the venue and this is a 365 venue the noise and anticipated dangers will only as more days are booked. Bredenbury is a very quiet place. Occasional noise is tolerable but daily, allowing no peace to the area till the small hours of the morning when most residents would need to or rather be asleep is a nuisance.

Yours sincerely

xxxxxxxxxxxxx

Sent from [Mail](#) for Windows 10



Meeting:	Licensing sub-committee
Meeting date:	7 June 2019
Title of report:	Application for a grant of a premises licence in respect of Hereford College of Arts, College Road, Hereford. HR1 1EB – Licensing Act 2003
Report by:	Licensing Technical Officer

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Hereford - College

Purpose

To consider an application for the grant of a premise licence in respect of Hereford College of Arts, College Road, Hereford. HR1 1EB

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,
 - b) Grant the licence subject to modified conditions to that of the operating schedule where the sub-committee considers it appropriate for the promotion of the licensing objectives and add mandatory conditions set out in the Licensing Act 2003,
 - c) To exclude from the scope of the licence any of the licensable activities to which the application relates
 - d) To refuse to specify a person in the licence as the premise supervisor, or
 - e) To reject the application.

Reasons for Recommendations

2. Ensures compliance with the Licensing Act 2003.

Key Considerations

Licence Application

3. The application for the grant of a premises licence has received representations and is brought before the sub-committee for determination.
4. The details of the application are:

Applicant	Hereford College of Arts	
Solicitor	Not applicable	
Type of application: Grant	Date received: 5 April 2019	28 Days consultation ended 2 May 2019

5. Summary of Application

The application (appendix 1) requests the grant of a premises licence to allow the following licensable activities, during the hours shown, as follows:

Plays (Indoors), Films (Indoors), Live Music (Indoors/Outdoors), Recorded Music (Indoors/Outdoors), Performance of Dance (Indoors/Outdoors), Anything Similar to Regulated Entertainment (Indoors/Outdoors), Sale/Supply of Alcohol (for consumption on and off the premises)

Monday – Saturday 12:00 – 23:00

Summary of Representations

6. One (1) representations has been received from the responsible authorities (Environment Protection) which has not been agreed and can be found at appendix 2

Nine (9) Public representations have been received, eight (8) being accepted as relevant by the authority (appendix 3) and one (1) being rejected as not relevant.

Community Impact

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

Equality duty

8. There are no equality issues in relation to the content of this report.
9. This report has human rights implications for both the premises licence holder and the residents from the local neighbourhood. Any of the steps outlined in section 1 of this report may have financial implications for a licensee's business and livelihood and/or may have impact upon the day to day lives of residents living in close proximity to the premises.
10. Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private and family life and his/her home (which includes business premises). This right may be interfered with by the council on a number of grounds including the protection of rights and freedoms of others. The First Protocol – Article 1 – also provides that every person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest and conditions provided for by law. Members must accordingly make a decision which is proportionate to the hearing and endeavour to find a balance between the rights of the applicant, residents and the community as a whole.

Financial implications

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

Legal Implications

12. As relevant representations have been received, the sub-committee must determine the application under Section 3.5.7 (c) of the Herefordshire Council constitution. The representations must relate to the licensing objectives and the sub-committee must determine the likely effect of the grant of the premises licences on the promotion of the licensing objectives.
13. The licensing authority must have regard to the promotion of the four licensing objectives namely; the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm in exercising its functions under the Licensing Act 2003. Further regard should be had to the statutory guidance under Section 182 of the Act and the Council's own statement of licensing policy. The options available to the licensing authority are set out in section 1 of this report.

14. The sub-committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the Licensing Authority.
15. 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.

16. 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.
17. 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'.

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

Right of Appeal

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

Decision to grant premises licence or impose conditions etc.

- (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).

20. Appeals should be made to the Magistrates Court and must be made within 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against

Risk Management

21. There is little risk associated with the decision at this time as the legislation allows a right of appeal to the Magistrates Court within a period of 21 days of being notified of the decision in writing.

Consultees

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

Appendices

Appendix 1 - Application Form
Appendix 2 – Environmental Protection Representation
Appendix 3 – Public representations

Background Papers

None.



**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 Hereford College of Arts

(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 Hereford College of Arts College Road			
Post town	Hereford	Postcode	HR1 1EB
Telephone number at premises (if any)		01432 273359	
Non-domestic rateable value of premises		£177,000	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | | |
|--|--------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | 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 X 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 (by ticking yes to one box below):

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		
Date of birth over		I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Surname		First names	
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
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 Hereford College of Arts c/o Timothy Williams
Address Hereford College of Arts Folly Lane Hereford HR1 1LT
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.) College of further education – exempt charity
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	05	2019

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

DD		MM		YYYY			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)
 College provides higher education and further education courses for students in music, performing arts and the arts. The areas to be licensed are the café and main hall, as well as the courtyard area outside between the café and main hall.

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A) X
- b) films (if ticking yes, fill in box B) X
- 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) X
- f) recorded music (if ticking yes, fill in box F) X
- g) performances of dance (if ticking yes, fill in box G) X
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) X

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

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

In all cases complete boxes K, L and M

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)		
Mon	12:00	23:00			
Tue	12:00	23:00			
			State any seasonal variations for performing plays (please read guidance note 5)		
Wed	12:00	23:00			
Thur	12:00	23:00			
			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 6)		
Fri	12:00	23:00			
Sat	12:00	23:00			
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="checked" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	12:00	23:00			
Tue	12:00	23:00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed	12:00	23:00	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Thur	12:00	23:00			
Fri	12:00	23:00			
Sat	12:00	23:00			
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			
Fri			<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 6)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed					
Thur			<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 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input checked="" type="checkbox"/>
Mon	12:00	23:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	12:00	23:00			
Wed	12:00	23:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	12:00	23:00			
Fri	12:00	23:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	12:00	23:00			
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	X
Mon	12:00	23:00	<u>Please give further details here</u> (please read guidance note 4)			
Tue	12:00	23:00				
Wed	12:00	23:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)			
Thur	12:00	23:00				
Fri	12:00	23:00	<u>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</u> (please read guidance note 6)			
Sat	12:00	23:00				
Sun						

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	X
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon	12:00	23:00				
Tue	12:00	23:00				
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)			
Wed	12:00	23:00				
Thur	12:00	23:00				
			<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 6)			
Fri	12:00	23:00				
Sat	12:00	23:00				
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon	12:00	23:00		Outdoors	<input type="checkbox"/>
				Both	X
Tue	12:00	23:00	<u>Please give further details here</u> (please read guidance note 4)		
Wed	12:00	23:00			
Thur	12:00	23:00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri	12:00	23:00			
Sat	12:00	23:00	<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 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri					
Sat			<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 6)		
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	X
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Mon	12:00	23:00			
Tue	12:00	23:00			
Wed	12:00	23:00			
Thur	12:00	23:00	<u>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</u> (please read guidance note 6)		
Fri	12:00	23:00			
Sat	12:00	23:00			
Sun					

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Luke Titley	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) Herefordshire Council	

□□□□

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

Nil

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	12:00	23:30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Tue	12:00	23:30	
Wed	12:00	23:30	
Thur	12:00	23:30	
Fri	12:00	23:30	
Sat	12:00	23:30	
Sun			

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 10)

b) The prevention of crime and disorder

1. 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 complaints received
 - (d) any incidents of disorder
 - (e) seizures of drugs or offensive weapons
 - (f) any refusal of the sale of alcohol
 - (h) 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 package equivalent to BIIAB level 1 within one month of the date that this condition appears on this licence. (Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the 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.
3. Capacity limits
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.

c) Public safety

First aid

4. A First Aid Kit capable of treating for 21-50 people shall be kept fully stocked at the premises and kept behind the bar. Such kit shall contain:
- 1 x Guidance Leaflet
 - 60 x Washproof Plasters
 - 6 x Eye Pads with Bandage
 - 8 x Triangular Bandages
 - 12 x Safety Pins
 - 16 x Assorted Sterile Dressings
 - 20 Moist Wipes
 - 3 Pairs Disposable Gloves

Electrical & Gas Installations

5. All electrical wiring and distribution systems shall have a current safety certificate and be 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.

d) The prevention of public nuisance

6. Noise or vibration shall not emanate from the premises so as to cause a nuisance.
7. 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.

e) The protection of children from harm

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) 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.
9. 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 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.
10. 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).

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. ☒
- ☐
[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to
--------------------	---

	<p>be entitled to live and work in the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	3 rd April 2019
Capacity	Finance Director

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). 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 14)			
<p>Tim Williams Hereford College of Arts Folly Lane</p>			
Post town	Hereford	Postcode	HR1 1LT
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

- 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.
- In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening

from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;

- any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. 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.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. 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.
 8. 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'.
 9. 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.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.

- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

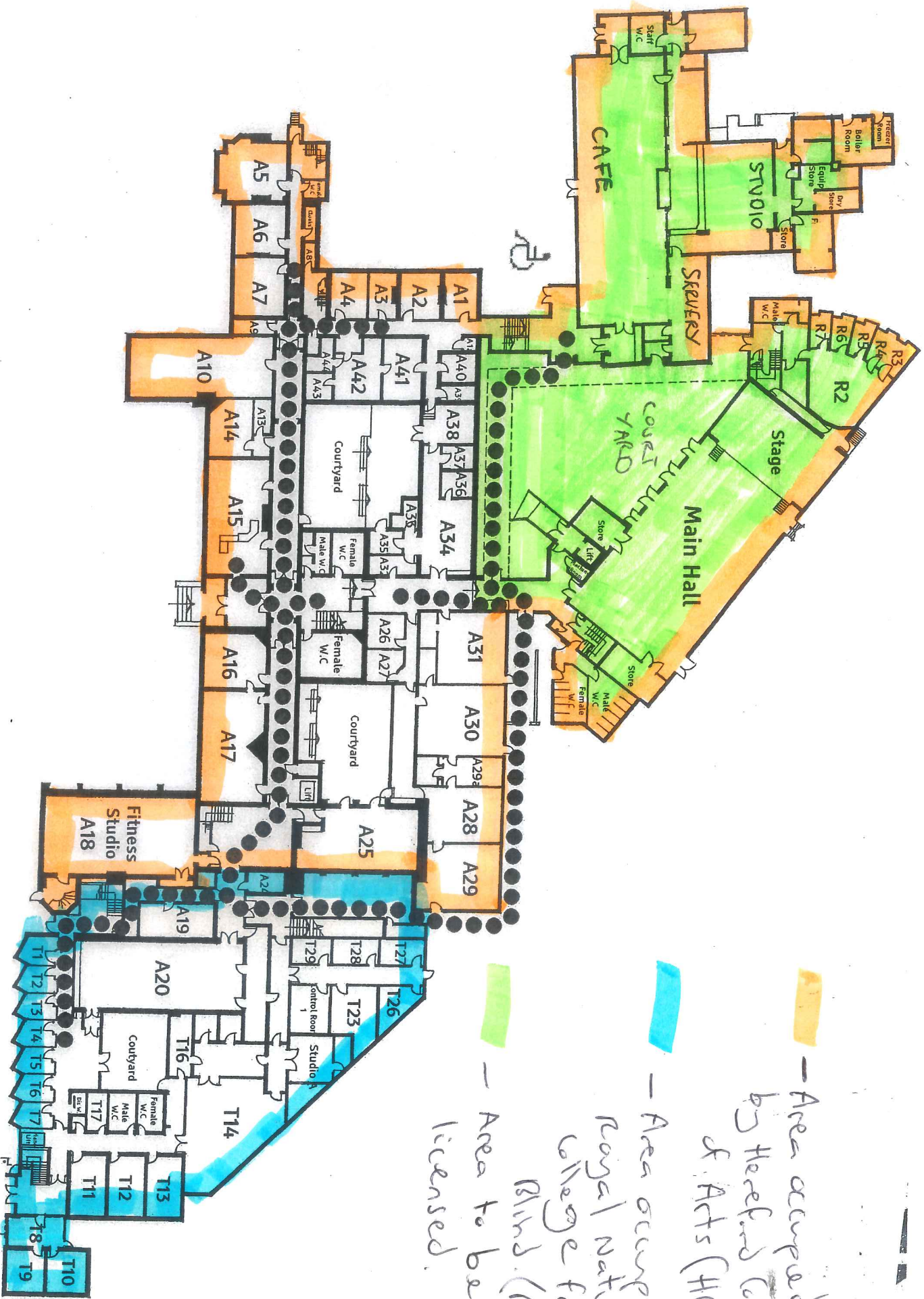


Form of consent given by the person whom the applicant wishes to be the premises supervisor

I, ...LUKE...TITTLE...[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 ...HEREFORD COLLEGE OF ARTS...[insert full name of applicant] where the holder of the licence has consented to the application being made by the applicant [delete as applicable] for ...HEREFORD COLLEGE OF ARTS, COLLEGE ROAD, HERFORD, HM 1EB...[Insert name and address of the existing licensed premises] if that application is successful.



Dated 21.3.2019

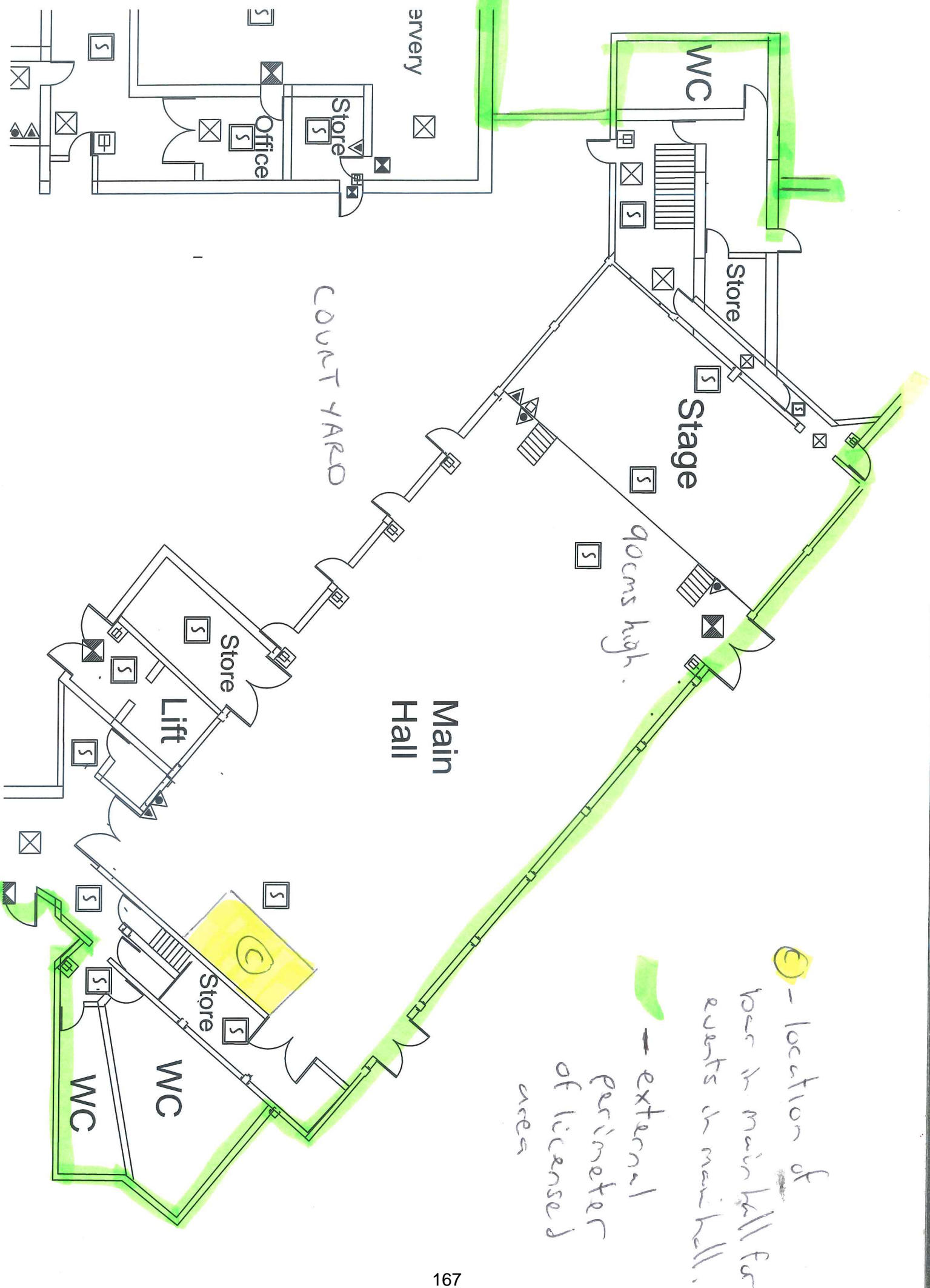


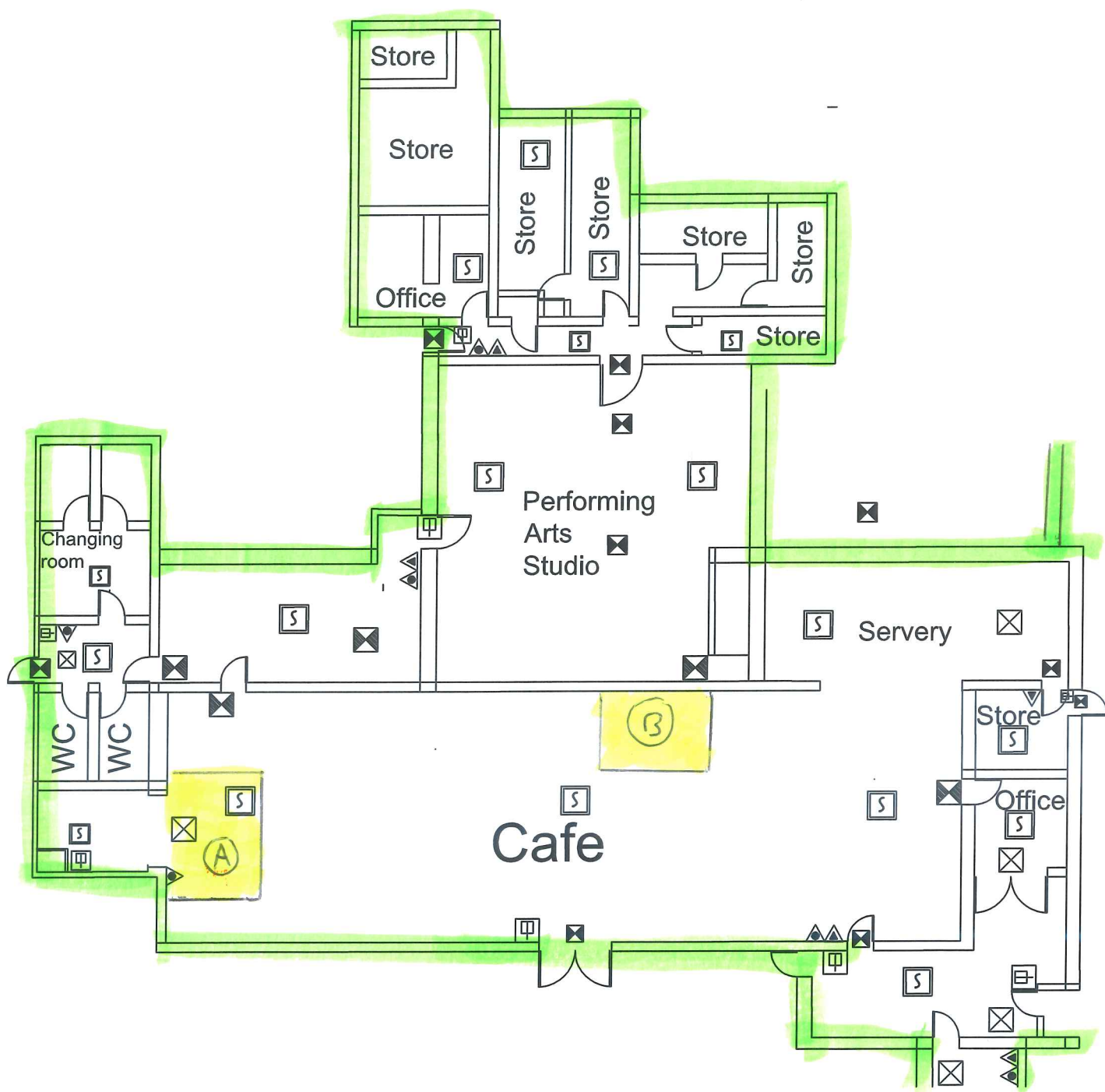
Disabled Access Routes

- Area occupied by Hereford College of Arts (HCA)

- Area occupied by Royal National College for the Blind (RNC)

- Area to be licensed.





Ⓐ - Location of bar normally.

Ⓑ - Location of bar if a music event is being held. Bands will be located where the bar is normally.

— external perimeter of licensed area.



Dry powder extinguisher

S22

fire exit sign



Heat detector



fire blanket

S12

fire action notice



fire alarm call point

VP

Vision panel



Smoke detector



Emergency Light (self contained)



Fire alarm sounder



CO2 extinguisher



Foam extinguisher



Water extinguisher



Smoke detector with sounder



Emergency Light (central battery)

MEMORANDUM

To : LICENSING OFFICER

From : Josie Warren-McCauley

Tel : 01432 260158 My Ref : JWM/279275/PR01857

Date : 16th April 2019 Your Ref :

LICENSING ACT 2003
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE
Hereford College of Arts College Road, Hereford, Herefordshire, HR1 1EB

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> <ul style="list-style-type: none"> Noise or vibration shall not emanate from the premises so as to cause a nuisance The Premise Licence Holder, or DPS must immediately comply with any request to adjust noise levels /frequency spectra made by a 'authorised person' (as defined by section 13 of the Licencing Act 2003) or the Police. Windows (in the public areas) at the premises shall be kept closed after 23:00hrs. All external doors (to the public areas) shall be kept closed after 23:00hrs except during immediate access and egress Live or Recorded music, provision of plays or dance shall be restricted to the area marked on the premises plan. No external area at the premises shall be used after 23:00hrs for licencable activities. 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. 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 	

PROTECTION OF CHILDREN FROM HARM	

REFERENCES

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

**JOSIE WARREN-MCCAULEY
TECHNICAL OFFICER
HEREFORDSHIRE COUNCIL**

HEREFORDSHIRE COUNCIL
Licensing Act 2003

02 MAY 2019

**REPRESENTATION FORM – INTERESTED
PARTIES**

Please return this form, and any additional information within the statutory period to:
**The Licensing Section,
Herefordshire Council,
8 St Owen Street,
Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk**

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:	Contact Telephone No:
[REDACTED]	[REDACTED]
Address:	E-mail address:
[REDACTED]	[REDACTED]
Please state your interest in the premises you are making a representation about: eg local resident/local business	
local resident	

Name & Address of premises you are making a representation about:

Hereford College of Arts, College Road,
Hereford

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:

To Prevent Crime & Disorder

① outdoor music events, entertainment and the sale/supply of alcohol is not appropriate at this location because it is

Public Safety

in a residential area with houses, nursing homes and estates on its border. I strongly object on three counts (1-3).

To Prevent Public Nuisance

③ If the above events took place it would be a nuisance to residents from a noise, increased traffic, pollution, disturbance points of view. An event last summer (2018, until 1am) was disruptive with music, noise and refuse collections.

To 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 261761

24/04/2019

RECEIVED

02 MAY 2019

HEREFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM – INTERESTED
PARTIES

Please return this form, and
any additional information
within the statutory period to:
The Licensing Section,
8 St Owen Street, Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk

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]
Address: [REDACTED]	E-mail address: [REDACTED]
Please state your interest in the premises you are making a representation about: eg LOCAL RESIDENT	
Name & Address of premises you are making a representation about: HEREFORD COLLEGE OF ARTS, COLLEGE RD, HEREFORD	

**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:

To Prevent Crime & Disorder
Public Safety
To Prevent Public Nuisance Excess noise levels during events including late night music have been a long-term problem
To Protect Children from Harm

Date: April 30th 2019

Representation Form – Interested Parties
Suggested Conditions

RECEIVED
2 MAY 2019

Premise: HEREFORD COLLEGE
OF ART

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

Public Safety

Prevent Public Nuisance

Needs to be a system of monitoring noise levels - especially in Summer when windows are open. More communication between the college + Residents is needed - e.g. what are plans for licence?

Protect Children from Harm

[REDACTED]

Date: 30th April 2019

If you have any queries about this form or are unsure of when the statutory period ends please contact the
Licensing Helpline on 01432 261761

HEREFORDSHIRE COUNCIL

Licensing Act 2003

REPRESENTATION FORM – INTERESTED PARTIES

02 MAY 2019

Please return this form, and any additional information within the statutory period to:
The Licensing Section,
Herefordshire Council,
8 St Owen Street,
Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk

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:	Contact Telephone No:
Address:	E-mail address:
Please state your interest in the premises you are making a representation about: eg local resident/local business LOCAL RESIDENT	
Name & Address of premises you are making a representation about: HEREFORD COLLEGE OF ARTS COLLEGE RD HEREFORD	

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 PAST EXPERIENCE DEMONSTRATES THAT UNDER AGE DRINKING WILL TAKE PLACE POSSIBLY DRUG TAKING AND MOST CERTAINLY DRUNKEN BRAWLS. THESE STUDENTS ARE VERY YOUNG, SO SHOULD WE ENCOURAGE DRINKING? No!!</p>
<p>Public Safety</p>
<p>To Prevent Public Nuisance PAST EXPERIENCE FROM WHEN THE BIND COLLEGE ALLOWED MUSIC, ALCOHOL AND VARIOUS FUNCTIONS INCLUDING WEDDINGS TO TAKE PLACE THERE WAS UNPRECEDED LOUD MUSIC, SWEARING, SHOUTING SINGING AND FIGHTS. THE POLICE HAD TO BE CALLED ON SEVERAL OCCASIONS</p>
<p>To Protect Children from Harm OVER A VERY SHORT PERIOD OF TIME. THERE ARE MANY FAMILY HOUSE CLOSE TO COLLEGE AND THE NOISE WOULD INFRINGE RIGHTS TO OUR FAMILY LIFE.</p>

Signed:
Date:

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

30 APRIL 2019

HEREFORDSHIRE COUNCIL
Licensing Act 2003

Please return this form, and any additional information within the statutory period to:
The Licensing Section,
Herefordshire Council,
8 St Owen Street,
Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk

RECEIVED

26 APR 2019

REPRESENTATION FORM – INTERESTED
PARTIES

BY: 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	Contact Telephone No.
Address:	E-mail address:
Please state your interest in the premises you are making a representation about: LICENCE APPLICATION: PLAYS (INDOOR), FILMS (INDOOR) LIVE/RECORDED MUSIC (INDOOR/OUTDOORS), DANCE PERFORMERS (INDOOR/OUTDOORS), SALE/SUPPLY OF ALCOHOL CONSUMPTION ON AND OFF THE PREMISES	
Name & Address of premises you are making a representation about: HEREFORD COLLEGE OF ARTS, COLLEGE ROAD, HEREFORD	

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:

To Prevent Crime & Disorder

FACILITATING OUTDOOR DRINKING WITHOUT THE CONSTRAINTS OF OUTDOOR DRINKING BY-LAWS IN CITY CENTRE AND BODY SECURITY

Public Safety

DE FACTO CREATION OF MAJOR ENTERTAINMENT VENUE IN TOTALLY INAPPROPRIATE RESIDENTIAL SETTING ON A SIX-NIGHTLY BASIS.
DISCARDED CIGARETTES COULD SET LIGHT TO TREE LINE.

To Prevent Public Nuisance

NIGHTLY HIGH NOISE LEVELS, PLUS ENCOURAGING CONSUMPTION OF ALCOHOL AT LEVELS MORE APPROPRIATE TO HEREFORD CITY CENTRE.

To Protect Children from Harm

LANGUAGE CLEARLY AUDIBLE FROM COLLEGE GROUNDS LATE AT NIGHT WHEN EXISTING EVENTS HELD.
IT FOLLOWS THAT EXTENSION OF HOURS WILL BE SOUGHT FOR EVENTS IF INITIAL APPLICATION APPROVED

ATTRACTING LATE-NIGHT ANTI-SOCIAL BEHAVIOUR

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

RECEIVED

01 MAY 2019

HEREFORDSHIRE COUNCIL
Licensing Act 2003

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.

Please return this form, and
any additional information
within the statutory period to:
**The Licensing Section,
Herefordshire Council,
8 St Owen Street,
Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk**

Your Name:	[REDACTED]	Contact Telephone No:	[REDACTED]
Address:	[REDACTED]	E-mail address:	[REDACTED]
		Please state your interest in the premises you are making a representation about:	
		LIVE OPPOSITE	
Name & Address of premises you are making a representation about:			
HEREFORD COLLEGE OF ARTS COLLEGE ROAD HEREFORD			

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:

To Prevent Crime & Disorder
NOISE WHEN PEOPLE LEAVE AND DURING WHEN DRINK AND MUSIC ARE TOGETHER
Public Safety
To Prevent Public Nuisance
LOUD MUSIC AND DRINKING LATE AT NIGHT, CAUSING DISTURBING RESIDENTS WHEN BLIND COLLEGE HAD LOUD MUSIC, WE WERE UNABLE TO HAVE OUR WINDOWS OPEN WHEN WE WENT TO BED.
To Protect Children from Harm

Date: 30/04/19

ELI REPRE – 1 Representation Form – Interested Parties

If you have any queries about this form
or are unsure of when the statutory
period ends please contact the
Licensing Helpline on 01432 261761

1



Representation Form – Interested Parties
Suggested Conditions

Premise: HCA 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

Public Safety

WE HAVE PROBLEMS WITH PARKING ON A DAY TO DAY BASIS.

Prevent Public Nuisance

Protect Children from Harm

Date: 30/04/19

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

Further info -

HEREFORDSHIRE COUNCIL
Licensing Act 2003



REPRESENTATION FORM – INTERESTED
PARTIES

Please return this form, and
any additional information
within the statutory period to:
**The Licensing Section,
Herefordshire Council,
8 St Owen Street,
Hereford,
HR1 2PJ**
licensing@herefordshire.gov.uk

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]
Address: [REDACTED]	E-mail address: [REDACTED]
	Please state your interest in the premises you are making a representation about: eg local resident/local business LOCAL RESIDENT
Name & Address of premises you are making a representation about: HEREFORD COLLEGE OF ARTS , COLLEGE ROAD , HEREFORD	

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:

To Prevent Crime & Disorder Due to the excessive amounts of alcohol we have witnessed aggressive behaviour and noise and are concerned of the disruption this will cause.
Public Safety
To Prevent Public Nuisance We strongly object to a license to operate at the above premises due to previous experience of excessive noise, antisocial behaviour and aggressive behaviour . When this premises has been used for events in the past year we have been subjected to loud music, very bad language and threatening behaviour into the early hours of the morning.
To Protect Children from Harm We have small children that should not be subject to this sort of behaviour and disruption especially late into the night.

[REDACTED]

Date. 25/4/15

HEREFORDSHIRE 4 Representation Form - Interested Parties

If you have any queries about this form
or are unsure of when the statutory
period ends please contact the
Licensing Helpline on 01432 261761

HEREFORDSHIRE COUNCIL
Licensing Act 2003

**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.

Please return this form, and any additional information within the statutory period to:
**The Licensing Section,
Herefordshire Council,
8 St Owen Street,
Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk**

Your Name: [REDACTED]	Contact Telephone No. [REDACTED]
Address: [REDACTED]	E-mail address: [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: Hereford College of Arts, College Road, Hereford.	

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:

To Prevent Crime & Disorder: Due to the sale of alcohol until 23:00 hrs it is our experience at Gardener Hall, within the same Complex, that these issues don't end at 23:00 hrs more likely to go on until at least midnight with a lack of enforcement from staff. Due to the sale of alcohol at these functions arrests have been made in the past for public disorder, hence my objection to this application.
Public Safety
To Prevent Public Nuisance Due to the sale of alcohol until 23:00 hrs it is our experience at Gardener Hall, within the same Complex, that these issues don't end at 23:00 hrs more likely to go on until at least midnight with a lack of enforcement from staff. Due to the sale of alcohol at these functions arrests have been made in the past for public disorder, hence my objection to this application.
To Protect Children from Harm

Signed:

Date: 29/04/19

If you have any queries about this form or are unsure of when the statutory period ends please contact the
Licensing Helpline on 01432 261761



Representation Form – Interested Parties Suggested Conditions

Premise: Hereford College of Arts, College Road.
Your name: Paul Evans

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
Remove Alcohol Licence
Public Safety
Prevent Public Nuisance
Reduce finishing hours to 22:00 hrs
Protect Children from Harm

Signed

Date: 29/04/19

If you have any queries about this form or are unsure of when the statutory period ends please contact the
Licensing Helpline on 01432 261761