

# Agenda

## Licensing sub-committee

Date: **Friday 5 July 2019**

---

Time: **10.00 am**

---

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

---

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

For any further information please contact:

**Caroline Marshall, Democratic Services**

Tel: 01432 260249

Email: [caroline.marshall3@herefordshire.gov.uk](mailto: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, Democratic Services on 01432 260249 or e-mail [caroline.marshall3@herefordshire.gov.uk](mailto:caroline.marshall3@herefordshire.gov.uk) in advance of the meeting.

# **Agenda for the Meeting of the Licensing sub-committee**

## **Membership**

**Councillor Alan Seldon**

Councillor John Hardwick  
Councillor Tony Johnson

## Agenda

	Pages
<b>1. APOLOGIES FOR ABSENCE</b> To receive apologies for absence.	
<b>2. NAMED SUBSTITUTES (IF ANY)</b> To receive any details of Members nominated to attend the meeting in place of a Member of the committee.	
<b>3. DECLARATIONS OF INTEREST</b> 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.	
<b>4. GRANT OF A PREMISES LICENCE IN RESPECT OF: 'MILA, 102-104 BELMONT ROAD, HEREFORD, HR2 7JS' - LICENSING ACT 2003</b> To consider an application for a grant of a premises licence in respect of: Mila, 102-104 Belmont Road, Hereford, HR2 7JS.	11 - 40
<b>5. APPLICATION FOR A VARIATION OF A PREMISES LICENCE IN RESPECT OF SHOOTERS BAR, GRAFTON HOUSE, BURGESS STREET, LEOMINSTER. HR6 8DE - LICENSING ACT 2003</b> To consider an application for a variation of a premises licence for in respect of Shooters Bar, Grafton House, Burgess Street, Leominster. HR6 8DE	41 - 78



# **The Public's Rights to Information and Attendance at Meetings**

## **YOU HAVE A RIGHT TO: -**

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

## **RECORDING OF THIS MEETING**

•  
Please note that the council will be making an official audio recording of this public meeting. These recordings form part of the public record of the meeting and are made available for members of the public via the council's website.

To ensure that recording quality is maintained, could members and any attending members of the public speak as clearly as possible and keep background noise to a minimum while recording is in operation.

Please also note that other attendees are permitted to film, photograph and record our public meetings provided that it does not disrupt the business of the meeting.

If you do not wish to be filmed or photographed, please identify yourself so that anyone who intends to record the meeting can be made aware.

Please ensure that your mobile phones and other devices are turned to silent during the meeting.

The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

## **Public Transport Links**

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

## **HEREFORDSHIRE COUNCIL**

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

### **FIRE AND EMERGENCY EVACUATION PROCEDURE**

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

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

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

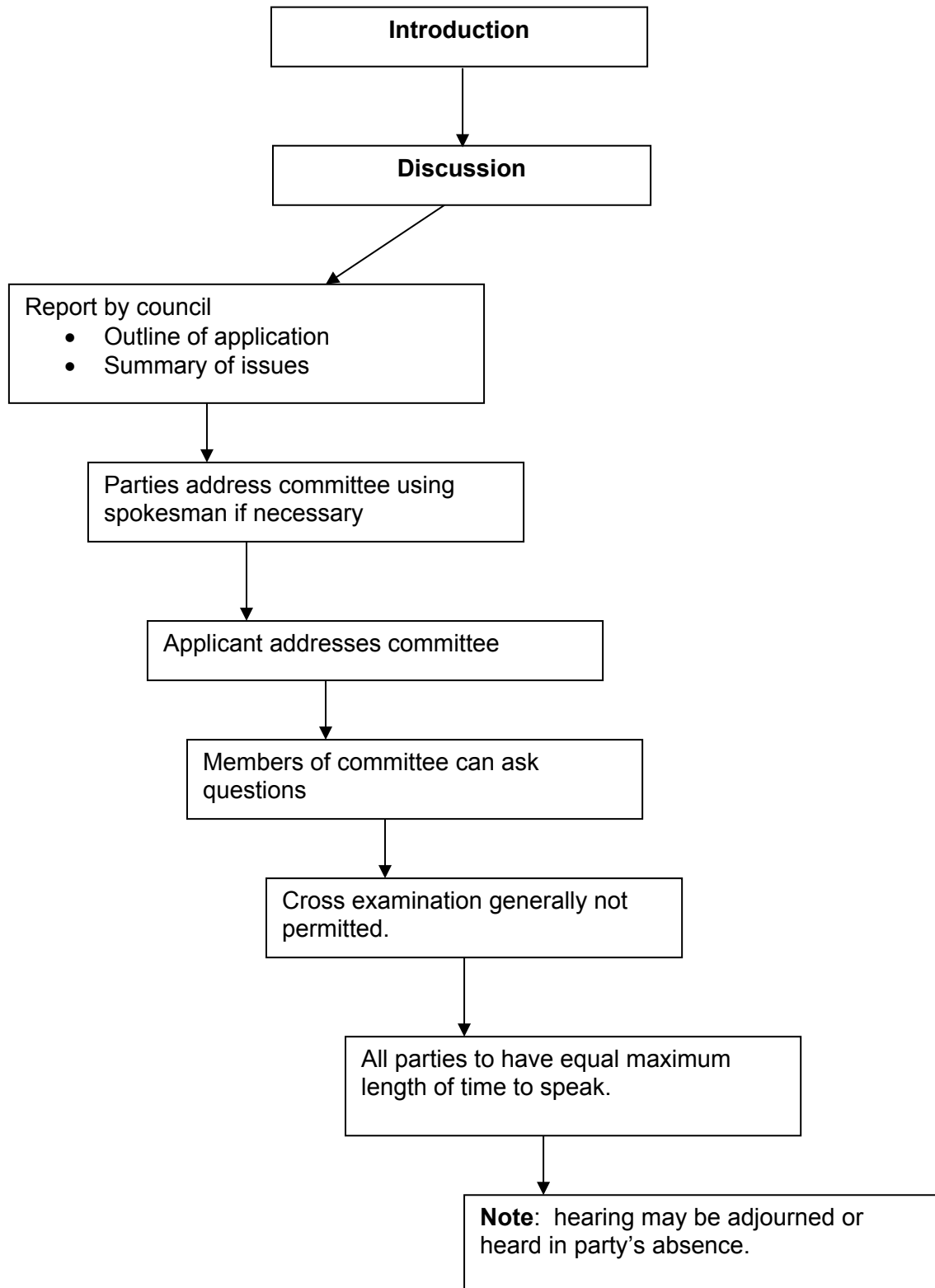
Please do not allow any items of clothing, etc. to obstruct any of the exits.

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





## Licensing Hearing Flowchart







<b>Meeting:</b>	<b>Licensing sub committee</b>
<b>Meeting date:</b>	<b>5 July 2019</b>
<b>Title of report:</b>	<b>Grant of a premises licence in respect of: 'Mila, 102-104 Belmont Road, Hereford, HR2 7JS' - Licensing Act 2003</b>
<b>Report by:</b>	<b>Licensing Technical Officer</b>

## Classification

Open

## Key Decision

This is not an executive decision.

## Wards Affected

Belmont

## Purpose

To consider an application for a grant of a premises licence in respect of: Mila, 102-104 Belmont Road, Hereford, HR2 7JS.

## Recommendation

That:

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

- **The steps that are appropriate to promote the licensing objectives,**
- **The Licensing Authority's application for the review,**
- **The Guidance issued to local authorities under the Licensing Act 2003,**
- **The representations (including supporting information) presented by all parties,**  
and
- **The Herefordshire Council Licensing Policy.**

## Options

1. There are a number of options open to the sub-committee:
  - a) Grant the licence subject to conditions that are consistent with the operating schedule accompanying the application and the mandatory conditions set out in the Licensing Act 2003,
  - b) Grant the licence subject to modified conditions to that of the operating schedule where the 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

3. The licensing authority must take into account any relevant representations made. Relevant representations are those that:
  - relate to one or more of the licensing objectives;
  - have not been withdrawn; and
  - are made by a responsible authority or an interested party
4. The details of the application are:

Applicant	<b>Mr Hersh Mohammad of 102-104 Belmont Road, Hereford. HR2 7JS</b>	
Agent	<b>Anthony Clarke of Secure Licences, 540 Antrim Road, Belfast. BT15 5GJ</b>	
Type of application: <b>Grant</b>	Date received: <b>17 May 2019</b>	28 Days consultation ended <b>13 June 2019</b>

## Summary of Application

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

Sale/Supply of Alcohol (for consumption off the premises)  
Monday – Sunday 08:00 – 24:00

---

Further information on the subject of this report is available from  
Emma Bowell – Licensing Technical Officer 01432 261761

## **Premises History**

6. The premises was first licensed in September 2015 as a Polish convenience store selling alcohol.
7. On 22 November 2016 a joint operation involving West Mercia Police and Herefordshire Council Trading Standards was undertaken which resulted in a large quantity (approx. £¼ of a million) of illegal and non-duty paid cigarettes being seized together with a large quantity of tobacco.
8. Two of the workers at the shop were found to be illegal immigrants and handed over to UK Border and Immigration.
9. As a result the police launched an expedited review on 25 November 2016.
10. The licence was suspended on 29 November 2016 following the expedited review hearing before the sub-committee.
11. A full review hearing was held on 15 December 2016 and the committee revoked the premises licence.
12. A new application was made for a premises licence on 18 February 2017 following the premises having been sold to Hardi Mohammed.
13. Representations were received from West Mercia Police and Trading Standards.
14. Although the representations were agreed the matter was brought before the committee in relation to an issue concerning the lease.
15. The matter appeared before the committee on 10 April 2017 and the outstanding relevant representation was withdrawn following production of the lease.
16. As a result the licence was issued.
17. Following the licence being issued a number of visits to the premises were carried out by both the police and the licensing authority. These were carried out during 2017. On each of the visits the conditions shown attached to the premises licence were found not to be being complied with.
18. As the conditions attached to the licence were not being complied with on a regular basis, the Licensing Authority launched a review of the premises licence on 7 September 2017.
19. A full review hearing was held on 2 November 2017. The sub-committee removed an existing condition relating to obstruction of windows and replaced it with a condition relating to window coverage that was more achievable for promoting the licensing objective of the prevention of crime and disorder.

20. On 25 July 2018 the Licensing Authority received an application to Transfer the premises licence and vary designated premises supervisor (DPS) from Hardi Mohammed to Anita Szporak.
21. On 6 August 2018 the Licensing Authority received an objection from West Mercia Police in relation to the transfer and vary DPS as they had serious concerns that Ms Szporak as the premises licence holder and designated premises supervisor would undermine the licensing objectives.
22. A hearing was held on 5 September 2018, where the sub committee's decision was to refuse the application to transfer the premises licence to Ms Szporak.
23. On the 12 December 2018, a joint Police, HM Revenue and Customs and UK Border Agency operation took place at the premises where a quantity of non-duty paid alcohol was found at the premises.
24. On 11 January 2019 an application to review the premises licence was received from West Mercia Police as a result of the visit on 12 December 2019.
25. Following the application to review, on 5 February 2019 Hardi Mohammed surrendered the premises licence.
26. On 7 February 2019 Hersh Mohammad applied to transfer the premises licence and also to become the DPS. The effect of this was that the premises licence was reinstated.
27. West Mercia Police objected to the transfer and vary DPS as it was their view that to grant the application would undermine the licensing objective of the prevention of crime and disorder.
28. On 7 March 2019 the review of the premises licence was heard by the Licensing Sub-Committee. At that meeting the sub-committee decided to revoke the licence.
29. On 15 March 2019 the Licensing Sub-Committee heard the application for the transfer of the premises licence and the application to vary the DPS. At that meeting the sub-committee decided not to grant the applications, therefore the licence in effect died.

### **Summary of Representations**

30. Two (2) representations have been received from the responsible authorities (Trading Standards and West Mercia Police). These representations are outright objections to the application being granted (appendix 2 and 3).

### **Community Impact**

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

### **Equality duty**

32. There are no equality issues in relation to the content of this report.
33. 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.

34. 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**

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

## **Legal Implications**

36. 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.
37. 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.
38. 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.
39. 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.

40. 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.
41. 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'.

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

## Right of Appeal

43. 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).
44. 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

45. 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

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

## Appendices

- Appendix 1 - Application to grant a premises licence  
Appendix 2 - Trading Standards Representation  
Appendix 3 - West Mercia Police 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 Mr Hersh Mohammad

*(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 Mila Polski Sklep 102-104 Belmont Road			
Post town	HEREFORD	Postcode	HR2 7JS
Telephone number at premises (if any)		07474 140114	
Non-domestic rateable value of premises		£3350	

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i as a limited company/limited liability partnership  please complete section (B)
  - ii as a partnership (other than limited liability)  please complete section (B)
  - iii as an unincorporated association or  please complete section (B)
  - iv other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

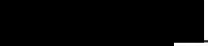


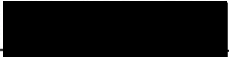


\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <b>MOHAMMAD</b>			First names <b>HERSH OMAR</b>		
Date of birth:		I am 18 years old or over	<input checked="" 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)**

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 postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					

<b>E-mail address (optional)</b>	
----------------------------------	--

**(B) OTHER APPLICANTS**

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start? **12.06.2019**

DD	MM	YYY
1	2	0 6 2 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><b>Retail continental convenience shop in a residential area.</b></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

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

**B**

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

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					



**E**

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

**F**

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

**G**

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

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> 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	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 4)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
Fri					
Sat			<b>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</b> (please read guidance note 6)		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Wed					
Thur			<b>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</b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption –</b> <b>please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	08.00	00.00			
Tue	08.00	00.00			
Wed	08.00	00.00			
Thur	08.00	00.00			
Fri	08.00	00.00			
Sat	08.00	00.00			
Sun	08.00	00.00			

**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 <b>Mr Hersh Omar Mohammad</b>	
Date of birth: [REDACTED]	
Address:- [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

**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

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	08.00		<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)
Tue	08.00		
Wed	08.00		
Thur	08.00		
Fri	08.00		
Sat	08.00		
Sun	08.00		

**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)**

- 1: A tamper-proof digital colour CCTV system will be installed and maintained at the premises.
- 2: The system will run and record continuously for 24 hours a day, 7 days per week and recorded footage will be stored for a minimum of 28 days.
- 3: The system will provide a clear head and shoulders view to an evidential quality on the customer entry.
- 4: Recorded footage will be provided to a representative of any responsible authority on request.
- 5: Such footage will be provided in an immediately viewable format and will include any software etc. which is required to view the footage.
- 6: Any discs, portable drives or other storage media onto which footage is transferred will be provided by the premises and sufficient stock of such storage media will be kept on the premises at all times.
- 7: The Designated Premises Supervisor will ensure that the CCTV system is checked at least once every week by a suitably trained member of staff. This check will include the
  - a) the cameras are in operation
  - b) the hard drive is in working order
  - c) the downloading and recordings are working
  - d) and the accuracy of the time & date.
- 8: A written record of these checks will be kept, including a signature of the person carrying out the check. This written record will be kept on the premises at all times and made available to a representative of any responsible authority on request.
- 9: The premises are secured with roller shutters at the front when closed with a security door at the rear.

**Purchasing records to be kept**

- 10: All purchases of alcohol and tobacco products will be made from reputable wholesalers and all purchases will be recorded. These records will be made available on request to the police or authorised officer

**b) The prevention of crime and disorder**

- 11: Spirits of high ABV will be sold behind the counter.
- 12: When the DPS is not on duty a contact telephone number will be available at all times.

**Incident Book**

- 13: An incident book will be kept on the premises and be made available for inspection by responsible authorities. The incident book will be used to record the following:

- (i) Any incident of violence or disorder on or immediately outside the premises
- (ii) Any other crime or criminal activity on the premises
- (iii) Any refusal to serve alcohol to persons who are drunk
- (iv) Any refusal to serve alcohol to under 18's or anyone who appears to be under 18
- (v) Any call for police assistance to the premises
- (vi) Any ejection from the premises
- (vii) Any first aid/other care given to a customer



**Refusals Book**

13: A refusals book will be kept at the premises and will be used to record all refusals to sell alcohol for any reason. Where other age restricted products are sold at the premise, any refusals to sell such items to underage persons or persons who appear underage will be recorded. The details to be recorded will be as follows:

- (i) Time, day & date of refusal
- (ii) Item refused
- (iii) Name & address of customer (if given)
- (iv) Description of customer
- (v) Details of i.d. offered (if shown)

The refusals book will be made available for inspection by responsible authorities on request.

**c) Public safety**

No risk has been assessed under the Licensing Act 2003

**d) The prevention of public nuisance**

14: The Management will monitor the exterior of the premises with the CCTV and use their best endeavours to disperse any persons who appear to be congregating outside the premises.

**e) The protection of children from harm**

15: A "Challenge 25" policy shall be operated at the premises at all times.

16: The only forms of ID that shall be accepted (at the discretion of the Management) as proof of age are a valid passport, a valid photographic driving licence, a PASS approved proof of age card, HM Services Warrant Card or other reliable photo I.D. that is approved using the Home Office guidelines

17: Signage for "Challenge 25" scheme shall be displayed at the premises.

18: A documented training programme shall be introduced for all staff in a position to sell and serve alcohol. The programme shall be made available for inspection at the request of Trading Standards, Licensing Authority Officers and Police. A written record shall be kept of the content of training.

**Checklist:**

**Please tick to indicate agreement**

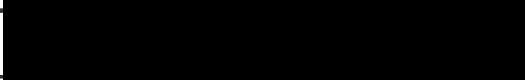
- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor,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

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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[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).</li> <li>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)</li> </ul>
Signature	
Date	14 <sup>th</sup> May 2019
Capacity	Agent on behalf of the applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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) <b>Anthony Clarke</b> <b>Secure Licences</b> <b>540 Antrim Road</b>			
Post town	<b>Belfast</b>	Postcode	<b>BT15 5GJ</b>
Telephone number (if any)	<b>07388 441 720</b>		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) <b>securelicences@gmail.com</b>			

**Consent of individual to being specified as premises supervisor**

I: *[name of prospective premises supervisor]* Mr Hersh Mohammad

*[home address of prospective supervisor]* \_\_\_\_\_

of: \_\_\_\_\_

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

New premises Licence under s17 of the Licensing Act 2003

*[type of application]*

by

*[name of applicant]*

Mr Hersh Mohammad

relating to a premises licence

TBA

*[number of existing licence, if any]*

for

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

Mila Polski Sklep, 102-104 Belmont Road, Hereford, HR2 7JS

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

Mr Hersh Mohammad

*[name of applicant]*

concerning the supply of alcohol at

Mila Polski Sklep, 102-104 Belmont Road, Hereford, HR2 7JS

*[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**

*[insert personal licence number, if any]*

**Personal licence issuing authority**

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

Signed

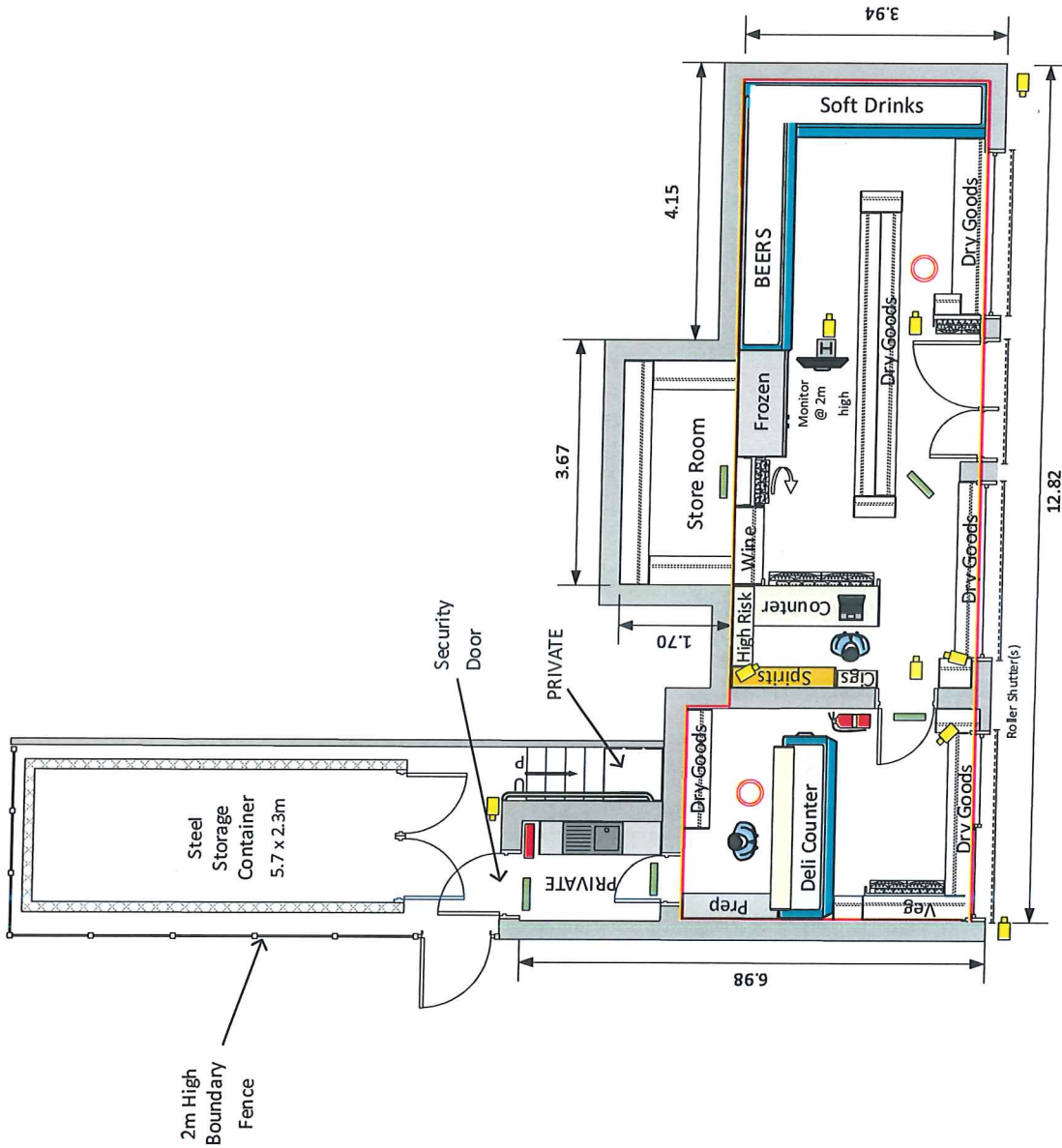
Name *(please print)*

Mr Hersh Mohammad

Date

10<sup>th</sup> May 2019

Licensable Area



LEGEND	
Fire Exit	
Camera	
Fire Extn. Water	
Monitor	
Smoke Detector	
Fire Sounder	

Premises Address  
**102-104 Belmont Road  
 Hereford  
 HR2 7JS**

Name of Premises  
**MILA POLSKI SKLEP**

**Drawing Purpose**  
**PREMISES LICENCE APPLICATION**

**Drawing Details**  
 The purpose of this drawing is for the submission of a Premises Licence Application.  
 All measurements have been drawn in millimetres.  
 This drawing is not to be used for the intention of any building, shop fitting or construction purposes.

## Trading Standards Representation

### **PREVENTION OF CRIME & DISORDER/ PROTECTION OF CHILDREN FROM HARM**

Trading Standards have the responsibility for enforcing the Licensing Act 2003 in respect of the licensing objectives.

As an authorised body under the Licensing Act 2003, Herefordshire Council Environmental Health and Trading Standards have received details of Hersh Mohammad's application and wish to make a representation.

After having considered this application and associated evidence, Trading Standards wish to **OBJECT** to this premises being granted a premises licence to sell or supply alcohol.

The premises at 102-104 Belmont Road, Hereford, HR2 7JS has previously been subject of Trading Standards investigations in relation to illicit tobacco. The premises history shows a persistent pattern of breaches of the Licensing Act 2003; as well as illicit trading of tobacco, alcohol and illegal immigration where offences have been committed in contravention of various legislation.

The evidence shows that we have reason to believe that Hersh Mohammad is not a fit and proper person to hold a premises licence or to uphold the licensing objectives as he was responsible for the business at the time when smuggled alcohol was found on his premises. He was also responsible and present in the store when food injurious to human health was seized by trading standards.

Hersh Mohammad has had an application refused previously and it is the opinion of trading standards that Hersh Mohammad has not been able to prove, nor has he offered conditions on the application, to show, that the premises can be run in a way that promotes the four licensing objectives.

Further evidence will be produced should the committee require it.

Regards  
Trading Standards

**Herefordshire.gov.uk**

---

Trading Standards  
Environmental Health and Trading Standards  
Economy, Communities and Corporate Directorate  
Hereford Council

8 St Owens Street  
Hereford  
HR12PJ



## West Mercia Police Representation

West Mercia Police are in receipt of an application for a premises called Mila, Belmont Road, Hereford.

The application is for the licensable activity of the sale/supply of alcohol.

The application is in the name of Hersh Mohammed who is also applying to be the designated supervisor.

West Mercia Police OBJECT to this application on the grounds to grant it will undermine the licensing objective - in particular that of the prevention of crime and disorder.

This premises has a long history of being connected to criminal activity. The applicant has previously applied to have the premises licence transferred into his name.

This was subject to a Police objection due to his involvement in the premises at the time non duty paid alcohol was found (this matter resulted in the premises licence being revoked). As a result of the Police objection to transfer the licence into the name of Hersh Mohammed the matter was brought to a licensing hearing.

The application to transfer was refused.

NO appeal against this decision was made to the licensing authority.

If this matter progresses to a hearing further information to support the Police objection will be provided.

Regards

Harm Reduction/Community Safety Dept.,

Herefordshire Policing Area

West Mercia Police.

DDI 01432 347102

Switchboard '101' x 4702

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

[#destinationHereford](#)

[www.westmercia.police.uk/maketherightcall](http://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.**







<b>Meeting:</b>	<b>Licensing sub-committee</b>
<b>Meeting date:</b>	<b>5 July 2019</b>
<b>Title of report:</b>	<b>Application for a variation of a premises licence in respect of 'Shooters Bar, Grafton House, Burgess Street, Leominster. HR6 8DE' – Licensing Act 2003.</b>
<b>Report by:</b>	<b>Licensing technical officer</b>

## Classification

Open

## Key Decision

This is not an executive decision.

## Wards Affected

Leominster South

## Purpose

To consider an application for a variation of a premises licence for in respect of Shooters Bar, Grafton House, Burgess Street, Leominster. HR6 8DE.

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

Applicant	Shooters Bar Ltd of Grafton House, Burgess Street, Leominster. HR6 8DE	
Agent	Nick Semper, Semper Fidelis Consultancy, Rural Enterprise Centre, Vincent Carey Road, Rotherwas Business Park, Hereford. HR2 6FE	
Type of application:  Variation	Date received:  16 May 2019	28 Days consultation ended  13 June 2019

### Summary of Application

5. The application (appendix 1) requests to vary premise to include:

#### Live Music (Indoors)

Sunday – Wednesday 11:00 – 24:00

Thursday – Saturday 11:00 – 01:00

Recorded Music (Indoors)

Sunday – Wednesday 11:00 – 24:00

Thursday 11:00 – 02:00

Friday – Saturday 11:00 – 03:15

Non-Standard Timings: Christmas Eve, Boxing Day, New Year's Eve and Bank Holiday Sundays 11:00 – 03:15

Late Night Refreshment (Indoors)

Thursday 23:00 – 02:30

Friday – Saturday 23:00 – 03:45

Non Standard Timings: Christmas Eve, Boxing Day, New Year's Eve and Bank Holiday Sundays 23:00 – 03:45

Sale/Supply of Alcohol (consumption on and off the premises)

Sunday – Wednesday 10:00 – 24:00

Thursday 10:00 – 02:00

Friday – Saturday 10:00 – 03:30

Non Standard Timings: Christmas Eve, Boxing Day, New Year's Eve and Bank Holiday Sundays 10:00 – 03:30

Opening Hours

Sunday – Wednesday 10:00 – 00:30

Thursday 10:00 – 02:30

Friday – Saturday 10:00 – 04:00

Non Standard Timings: Christmas Eve, Boxing Day, New Year's Eve and Bank Holiday Sundays 10:00 – 04:00

**Current Licence**

6. A copy of the current licence is attached at Appendix 2. It authorises:

Indoor Sporting Events

Sunday - Thursday - 10:00 - 23:30

Friday - Saturday 10:00 - 02:00

Non-Standard Timings:

Bank Holiday Sunday 11:00 – 02:00

Recorded Music

Sunday - Thursday - 10:00 - 23:30

Friday - Saturday 10:00 – 03:15

Non-Standard Timings:

Christmas Eve until 02:30

Boxing Day, New Years Eve & Bank Holiday Sundays until 03:15

Live Music; Performance of Dance;

Sunday - Thursday - 11:00 - 23:30

Friday – Saturday 11:00 - 01:00

Non-Standard Timings

Bank Holiday Sunday 11:00 – 01:00

### Supply/Sale of Alcohol

Sunday – Thursday - 10:00 - 23:00

Friday – Saturday 10:00 - 03:00

### Non-Standard Timings:

Christmas Eve until 02:00

Boxing Day, New Years Eve & Bank Holiday Sundays until 03:00

### Opening Hours:

Sunday – Thursday 10:00 - 23:30

Friday – Saturday 10:00 – 03:30

### Non-Standard Timings:

Christmas Eve until 02:30

Boxing Day, New Years Eve & Bank Holiday Sundays until 03:30

### **Premises History**

7. The premises was first licenced in 2005 and was known as Re-Rack.
8. On 30 March 2011 an application to grant a premises licence was received and the premises was re-named as Shooters Bar. The licence was granted on 28<sup>th</sup> June 2011.
9. On 5<sup>th</sup> November 2018 a transfer application was received to transfer the name of the licence holder to Shooters Bar Ltd. The licence was issued on 29<sup>th</sup> November 2018.
10. On 16<sup>th</sup> January 2019, an application was received to vary the premises supervisor (DPS) into the name of Jonathan Rudge. The licence was issued on 4<sup>th</sup> February 2019.

### **Summary of Representations**

11. One (1) representation has been received from the responsible authorities (environmental health) which can be found at Appendix 3.
12. Two (2) further relevant representations have been received one from a member of the public (appendix 4) and one from the ward councillor (appendix 5). The representations made are relevant to prevention of public nuisance.

### **Community Impact**

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

### **Equality duty**

14. There are no equality issues in relation to the content of this report.
15. 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.

16. 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**

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

## **Legal Implications**

18. As relevant representations have been received, the sub committee must determine this application in accordance with section 3.5.7 (e) of the Herefordshire Council constitution. The relevant representations are representations which relate to the likely effect of the grant of the application on the promotion of the licensing objectives. In determining the application, the sub committee must consider whether the granting of the variation would have the effect of promoting or damaging the licensing objectives.
19. The four licensing objectives are 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.
20. 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.
21. 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.

22. 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.
23. 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'.

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

## **Right of Appeal**

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

An appeal may be made within 21 days to the Magistrates Court by the police or any person who has made a relevant representation and also by the premises licence holder once notified of the licensing authority's decision.

## **Risk Management**

27. 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**

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

## **Appendices**

Appendix 1 - Application Form  
Appendix 2 - Current Licence  
Appendix 3 - Representation from Environmental Health  
Appendix 4 – Public representation  
Appendix 5 – Local Ward Councillor representation

## **Background Papers**

None.

**Herefordshire**  
**Application to vary a premises licence**  
**Licensing Act 2003**

For help contact  
[licensing@herefordshire.gov.uk](mailto:licensing@herefordshire.gov.uk)  
 Telephone: 01432 261761

\* required information

**Section 1 of 18**

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 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.

**Applicant Business**

Is the applicant's business registered in the UK with Companies House?  Yes  No

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

Registration number

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Legal status

**Continued from previous page...**

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

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

Include country code.

Other telephone number

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

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

Is your business registered outside the UK?  Yes  No

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status



*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Business Address**

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 18**

**APPLICATION DETAILS**

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

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

\* Premises Licence Number

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

8,900

### Section 3 of 18

#### VARIATION

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

Yes

No

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

Yes

No

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

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

#### Describe Briefly The Nature Of The Proposed Variation

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

This application refers to a successful Town Centre Bar and Sports Club. Our intention is to seek:

1. Sun - Wed: Additional half hour of Live & Recorded Music, Sale of Alcohol, and an additional hour of Opening Hours.
2. Thursday: Additional one and half hours for live music and two and half hours of recorded music, Late Night Refreshment until 02:30hrs, and extended sale of alcohol until 02:00hrs.
3. Fri - Sat: Sale of Alcohol extended until 03:30hrs, Late Night Refreshment until 03:45hrs and end of Opening Hours until 04:00hrs. All food to be prepared and served to pre-existing clientele already within the premises.
4. The Fri - Sat hours also to be broadly replicated on Christmas Eve, Boxing Day, New Year's Eve and Bank Holiday Sundays.

4. We also seek a change to the Condition regarding Responsible Alcohol Retailing from a limited BIIAB / Level 1 to a similar course that encompasses specific training around awareness of customer vulnerabilities pertinent to the NTE.

### Section 4 of 18

#### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

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

Yes

No

### Section 5 of 18

#### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

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

**Section 6 of 18**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

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

Yes

No

**Section 7 of 18**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

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

Yes

No

**Section 8 of 18**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

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

Yes

No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

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 live music take place indoors or outdoors or both?

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

- Indoors       Outdoors       Both

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.

As per current licence.

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.

As per current licence.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

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

As per current licence.

## Section 9 of 18

### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

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

- Yes       No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="03:15"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="03:15"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors       Outdoors       Both

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

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

As per current licence.

State any seasonal variations for playing recorded music.

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

As per current licence.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, 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.

Christmas Eve, Boxing Day, New Year's Eve and Bank Holiday Sundays until 03:15hrs.

**Section 10 of 18**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

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

- Yes  No

**Section 11 of 18**

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

[See guidance on regulated entertainment](#)

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

- Yes  No

**Section 12 of 18**

**PROVISION OF LATE NIGHT REFRESHMENT**

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

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

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

Continued from previous page...

THURSDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="02:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="03:45"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="03:45"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors       Outdoors       Both

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

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

Service of light snacks from within the ground floor of the building.

State any seasonal variations.

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

n/a

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

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

Christmas Eve, Boxing Day, New Year's Eve and Bank Holiday Sundays until 03:45hrs.

Continued from previous page...

## SUPPLY OF ALCOHOL

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

- Yes  No

### Standard Days And Timings

MONDAY

Start

End

Start

End

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

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 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.



Continued from previous page...

As per current licence.

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

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

Christmas Eve, Boxing Day, New Year's Eve and Bank Holiday Sundays until 03:30hrs.

### Section 14 of 18

#### ADULT ENTERTAINMENT

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

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

n/a

### Section 15 of 18

#### HOURS PREMISES ARE OPEN TO THE PUBLIC

##### Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

**Continued from previous page...**

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:30"/>
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.

As per current licence.

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

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

Christmas Eve, Boxing Day, New Year's Eve and Bank Holiday Sundays until 04:00hrs.

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

Removal of requirement that all staff engaged in the sale of alcohol to be trained to minimum standard of BIIAB Level 1 etc and replaced with:  
All bar staff engaged in the sale of alcohol to be trained in Responsible Alcohol Retailing to include awareness re Substance Abuse, CSE & Sexual Abuse, Mental Health, Vulnerability and Conflict Management. All new staff shall be trained within one month of taking up employment. All staff should be retrained six monthly thereafter. Training records shall be kept on the premises which shall show the name of the training course attended, the date of the training, the name of the trainer. Such training records shall be produced to the Police, an authorised Trading Standards Officer or an 'authorised person' as defined by s13 of the Licensing Act 2003 on request.

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

**Continued from previous page...**

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

**Section 16 of 18**

**LICENSING OBJECTIVES**

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

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

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

As per current licence, but with the revised condition below which covers the delivery of every Licensing Objective by entry level staff engaged in the sale of alcohol.

b) The prevention of crime and disorder

Removal of requirement that all staff engaged in the sale of alcohol to be trained to minimum standard of BIIAB Level 1 etc to:  
All bar staff engaged in the sale of alcohol to be trained in Responsible Alcohol Retailing to include awareness re Substance Abuse, CSE & Sexual Abuse, Mental Health, Vulnerability and Conflict Management. All new staff shall be trained within one month of taking up employment. All staff should be retrained six monthly thereafter. Training records shall be kept on the premises which shall show the name of the training course attended, the date of the training, the name of the trainer. Such training records shall be produced to the Police , an authorised Trading Standards Officer or an 'authorised person' as defined by s13 of the Licensing Act 2003 on request.

c) Public safety

Removal of requirement that all staff engaged in the sale of alcohol to be trained to minimum standard of BIIAB Level 1 etc to:  
All bar staff engaged in the sale of alcohol to be trained in Responsible Alcohol Retailing to include awareness re Substance Abuse, CSE & Sexual Abuse, Mental Health, Vulnerability and Conflict Management. All new staff shall be trained within one month of taking up employment. All staff should be retrained six monthly thereafter. Training records shall be kept on the premises which shall show the name of the training course attended, the date of the training, the name of the trainer. Such training records shall be produced to the Police , an authorised Trading Standards Officer or an 'authorised person' as defined by s13 of the Licensing Act 2003 on request.

d) The prevention of public nuisance

Removal of requirement that all staff engaged in the sale of alcohol to be trained to minimum standard of BIIAB Level 1 etc to:  
All bar staff engaged in the sale of alcohol to be trained in Responsible Alcohol Retailing to include awareness re Substance Abuse, CSE & Sexual Abuse, Mental Health, Vulnerability and Conflict Management. All new staff shall be trained within one month of taking up employment. All staff should be retrained six monthly thereafter. Training records shall be kept on the premises which shall show the name of the training course attended, the date of the training, the name of the trainer. Such training records shall be produced to the Police , an authorised Trading Standards Officer or an 'authorised person' as defined by s13 of the Licensing Act 2003 on request.

e) The protection of children from harm

Removal of requirement that all staff engaged in the sale of alcohol to be trained to minimum standard of BIIAB Level 1 etc to:  
All bar staff engaged in the sale of alcohol to be trained in Responsible Alcohol Retailing to include awareness re Substance

*Continued from previous page...*

Abuse, CSE & Sexual Abuse, Mental Health, Vulnerability and Conflict Management. All new staff shall be trained within one month of taking up employment. All staff should be retrained six monthly thereafter. Training records shall be kept on the premises which shall show the name of the training course attended, the date of the training, the name of the trainer. Such training records shall be produced to the Police, an authorised Trading Standards Officer or an 'authorised person' as defined by s13 of the Licensing Act 2003 on request.

## **Section 17 of 18**

### **NOTES ON REGULATED ENTERTAINMENT**

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 18 of 18**

**PAYMENT DETAILS**

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

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

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

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

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

Continued from previous page...

**Address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**DECLARATION**

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

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

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

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/herefordshire/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, 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.**

**LICENSING ACT 2003  
Part A - Premises Licence****Premises licence number - PR00695 (App to Vary DPS)****Part 1 - Premises details**

Postal address of premises, or if none, Ordnance Survey map reference or description

**Shooters Bar Ltd  
Grafton House  
Burgess Street  
Leominster  
HR6 8DE**Telephone number: **01568 615755**

Where the licence is time limited the dates:

**Not Applicable**

Licensable activities authorised by the licence

**Indoor sporting events  
Recorded music (Indoors)  
Live music (Indoors)  
Performance of dance (Indoors)  
Sale/Supply of alcohol (for consumption on and off the premises)**

The times the licence authorises the carrying out of licensable activities

**Indoor Sporting Events****Sunday - Thursday - 10:00 - 23:30****Friday - Saturday 10:00 - 02:00****Non-Standard Timings:****Bank Holiday Sunday 11:00 – 02:00****Recorded Music****Sunday - Thursday - 10:00 - 23:30****Friday - Saturday 10:00 – 03:15****Non-Standard Timings:****Christmas Eve until 02:30****Boxing Day, New Years Eve & Bank Holiday Sundays until 03:15****Live Music; Performance of Dance;****Sunday - Thursday - 11:00 - 23:30****Friday – Saturday 11:00 - 01:00****Non-Standard Timings****Bank Holiday Sunday 11:00 – 01:00****Supply/Sale of Alcohol****Sunday – Thursday - 10:00 - 23:00****Friday – Saturday 10:00 - 03:00****Non-Standard Timings:****Christmas Eve until 02:00****Boxing Day, New Years Eve & Bank Holiday Sundays until 03:00**

The opening hours of the premises

**Sunday – Thursday 10:00 - 23:30**

**Friday – Saturday 10:00 – 03:30**

**Non-Standard Timings:**

**Christmas Eve until 02:30**

**Boxing Day, New Years Eve & Bank Holiday Sundays until 03:30**

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

**For consumption on and off the premises**

## Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

**Shooters Bar Ltd**

**Grafton House**

**Burgess Street**

**Leominster**

**Herefordshire**

**HR6 8DE**

**01568 615755**

Registered number of holder, for example company number, charity number (where applicable)

**Not applicable**

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

**Jonathan Raymond Francis Rudge**

**XXXXXXXXX**

**XXXXXXXXX**

**XXXXXXXXX**

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

**Licence Number – XXXXXX**

**Issuing Authority – Herefordshire Council**

## Annex 1 - Mandatory conditions

### Irresponsible Drinks Promotions

Licensing Section, Herefordshire Council  
8 St Owen Street, Hereford. HR1 2PJ



1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

**Free Drinking Water**

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

**Age verification**

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.

**Small Measures**

4. The responsible person must ensure that—
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

**Below Cost Price**

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

**Mandatory conditions where licence authorises supply of alcohol**

No supply of alcohol may be made under the premises licence-

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

**Door supervision**

Each individual required to carry out a security activity must be licensed by the Security Industry Authority

**Annex 2 - Conditions consistent with the operating Schedule****Licensing objectives****General****Prevention of Crime & Disorder**

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

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

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

The Premises Licence Holder must ensure at all times the designated premises supervisor (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.

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

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

**Licensing Section, Herefordshire Council**

**8 St Owen Street, Hereford. HR1 2PJ**

## Appendix 2

names and addresses of the door supervisors, their badge numbers and shall be signed by the door supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), or the Police or an authorised officer of the SIA.

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

All bar staff engaged in the sale of alcohol to be trained in Responsible Alcohol Retailing to the minimum standard of BIIAB level 1 or any other training recognised and agreed with Trading Standards. (All existing staff shall be trained within one month of the date that this condition appears on this licence. All new staff shall be trained within one month of taking up employment. All staff shall be re-trained six monthly thereafter. Training records shall be kept on the premises which shall show the name of the training course attended, the date of the training, the name of the person undertaking the training and shall be produced to the police, an authorised Herefordshire Trading Standards Officer or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) on demand.

A last entry time of 01:00hrs for all customers. (save for 'Late Night Workers' who will provide written information that they have come from a place of work which has concluded after last entry time). There shall be no re-entry to premises allowed after this time.

Signage in not less than 32 font shall be clearly displayed prominently at the point of access to the premises in relation to the Admission Policy, Age Policy, Drug Policy, and Dress Policy.

The DPS and all other staff shall ensure that no open vessels are taken off the premises by customers.

### **Public Safety**

#### First aid

A HSE Compliant Industrial High Response First Aid Kit 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

All electrical wiring and distribution systems shall be tested at least once a year and signed off by a competent person whose name is shown within the Local Authority Building Control Part P

**Licensing Section, Herefordshire Council  
8 St Owen Street, Hereford. HR1 2PJ**

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.

Any and all gas appliances (except cellar gas) used in the premises must be tested at least once a year and signed off by a competent person whose name appears within the current Gas Safety register (GSR). 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.

### **Prevention of Public Nuisance**

All windows will be kept shut after 22:00 hours when amplified sound is provided on the premises.

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

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.

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

The outside area at the front of the premises shall be clearly defined and separated from any public car park by way of a substantial but demountable barrier, additionally -

- (a) Any furniture used in the outside area shall be substantial and removed from the area when the area is not in use.
- (b) The premises licence holder will ensure that empty glasses, plates etc. are removed from the area within 15 minutes of the end of their use in order to ensure safety and hygiene in the area.
- (c) The outside area shall be covered by the premises CCTV system and meet the same criteria as specified in that condition.
- (d) There shall be no use of the area for licensable activities and consumption of alcohol after 2100hrs on all days of the year.
- (e) The outside area shall be suspended in accordance with any request made by a police officer of the Rank of Inspector or above where, in their opinion, any of the 4 licensing objectives may be threatened should it remain
- (f) No live or recorded music to be played in the outside area of the premises.

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.**

Young persons under the age of 18 years are not allowed on the premises, unless accompanied and supervised by a person over the age of 18 years. However additionally children under the

age of 18 (accompanied) will not be allowed on the premises as follows:  
(a) after 2230 hours on all nights.

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

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

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).

### **Annex 3 - Conditions attached after a hearing by the licensing authority**

### **Annex 4 - Plans**

Drawing Number: 805/01 dated May 2011

**LICENSING ACT 2003  
Part B - Premises licence summary****Premises licence number - PR00695 (App to Vary Premises Licence)****Premises details**

Postal address of premises, or if none, ordnance survey map reference or description

**Shooters Bar Ltd  
Grafton House  
Burgess Street  
Leominster  
HR6 8DE**Telephone number: **01568 615755**

Where the licence is time limited the dates

**Not Applicable**

Licensable activities authorised by the licence

**Indoor sporting events  
Recorded music (Indoors)  
Live music (Indoors)  
Performance of dance (Indoors)  
Sale/Supply of alcohol (for consumption on and off the premises)**

The times the licence authorises the carrying out of licensable activities

**Indoor Sporting Events****Sunday - Thursday - 10:00 - 23:30****Friday - Saturday 10:00 - 02:00****Non-Standard Timings:****Bank Holiday Sunday 11:00 – 02:00****Recorded Music****Sunday - Thursday - 10:00 - 23:30****Friday - Saturday 10:00 – 03:15****Non-Standard Timings:****Christmas Eve until 02:30****Boxing Day, New Years Eve & Bank Holiday Sundays until 03:15****Live Music; Performance of Dance;****Sunday - Thursday - 11:00 - 23:30****Friday – Saturday 11:00 - 01:00****Non-Standard Timings****Bank Holiday Sunday 11:00 – 01:00****Supply/Sale of Alcohol****Sunday – Thursday - 10:00 - 23:00****Friday – Saturday 10:00 - 03:00****Non-Standard Timings:****Christmas Eve until 02:00****Boxing Day, New Years Eve & Bank Holiday Sundays until 03:00**

The opening hours of the premises

**Sunday – Thursday 10:00 - 23:30**

**Friday – Saturday 10:00 – 03:30**

**Non-Standard Timings:**

**Christmas Eve until 02:30**

**Boxing Day, New Years Eve & Bank Holiday Sundays until 03:30**

Name, (registered) address of holder of premises licence

**Shooters Bar Ltd**

**Grafton House**

**Burgess Street**

**Leominster**

**HR6 8DE**

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

**For consumption on and off the premises**

Registered number of holder, for example company number, charity number (where applicable)

**Not applicable**

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

**Jonathan Raymond Francis Rudge**

State whether access to the premises by children is restricted or prohibited

**Young persons under the age of 18 years are not allowed on the premises, unless accompanied and supervised by a person over the age of 18 years. However additionally children under the age of 18 (accompanied) will not be allowed on the premises as follows:**

**(a) after 2230 hours on all nights**

**The premises shall operate a Challenge 25 Policy**

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





## MEMORANDUM

To : LICENSING OFFICER

From : Environmental Health Officer

Tel : 01432 260918 My Ref : ABO/282075/PR0695

Date : 23 May 2019 Your Ref :

**LICENSING ACT 2003**  
**APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE**  
**Shooters Bar Ltd Pool Club, Grafton House, Burgess Street, Leominster,**  
**Herefordshire, HR6 8DE**

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 I wish to raise concerns as these premises have a history of problems as regards noise nuisance; also they are currently under investigation for renewed complaints about unacceptable levels of music noise late at night. We have approached the applicant's agent with the view to arrange a site visit to discuss noise controls. The applicant may consider it advisable to have a professional noise assessment undertaken to demonstrate how this will be done.. Until such time that it is demonstrated that noise emission levels will be properly controlled, I will maintain an objection to the application to extend licensing hours.	
PROTECTION OF CHILDREN FROM HARM	

### REFERENCES

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

**ENVIRONMENTAL HEALTH OFFICER**

**HEREFORDSHIRE COUNCIL**



**PUBLIC REP – received via email**

I have just learned that Shooters Bar, Burgess Street, Leomister has applied for a variation to their licence to extend opening times into the early hours all through the week

This place is not only a blot on the landscape but causes a massive nuisance in the town with teenage drinkers vandalising business premises on the way home in the early hours of the morning

Their language and behaviour is quite frankly unbelievable, fuelled purely by consumption of alcohol to excess

As a resident in the town I am quite frankly shocked that such an application can be considered given both the current noise levels and vandalism

If anything the place needs to have greater restrictions applied to the licence. Seeing some of the clientele walking in the town and gathering outside the premises at the weekend you would also have to question the age of the people they are serving alcohol to

On a Friday, Saturday night and even on Sunday's well into the early hours (2am and beyond) loud thumping bass music can be heard. You cannot even sleep with windows open and I am some ..... away from the premises. Heaven only knows how the more local residents, of which there are many, put up with it. The place literally reverberates and the tin roof structure simply serves as an amplifier

You are often greeted in the morning with heaps of vomit

I think you need to seek feedback from local traders and also the Police and town council before you grant any variation

Please acknowledge this objection

Many thanks

KR



**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.**

Appendix 5  
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**

<b>Your Name: Cllr Jenny Bartlett</b>	<b>Contact Telephone No.</b>
<b>Address:</b>	<b>E-mail address:</b> <b>Jenny.bartlett@herefordshirecouncil.gov.uk</b>
	<b>Please state your interest in the premises you are making a representation about</b> <b>Herefordshire Council Ward member for Leominster East</b>
<b>Name &amp; Address of premises you are making a representation about:</b>  <b>Shooters Bar Leominster</b>	

**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><b>To Prevent Crime &amp; Disorder</b> I have received verbal reports from the landlord of the Black Swan and from residents on West Street about drunken behaviour on West Street. (See Mr R Webb-Davies representation on planning application P190558 for most recent documentation). Shooters Bar was referenced in objections to The Duckers as contributing to drunken behaviour on West Street. Letters etc. will be on file from that application. I have contacted the Safer Neighbourhoods police team for clarification on whether the verbal report of the chain saw incident at Shooters Bar recently has any truth in it. As yet I have received no acknowledgement of my email from the police. This application needs advice from the police before it is considered by the licensing committee.</p>
<p><b>Public Safety</b> See comments above about police and alleged violent behaviour.</p>
<p><b>To Prevent Public Nuisance</b> See comments above about documented drunken behaviour</p>
<p><b>To Protect Children from Harm</b></p>

Signed: Jenny Bartlett  
Date:13-06-2019

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**



## Representation Form – Interested Parties Suggested Conditions

**Premise: \_Shooters Bar Leominster\_ Your name: \_Cllr Jenny Bartlett\_**

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.

<p><b>To Prevent Crime and Disorder</b> No sale of alcohol for consumption off site</p>
<p><b>Public Safety</b> No sale of alcohol for consumption off site</p>
<p><b>Prevent Public Nuisance</b> No sale of alcohol for consumption off site</p>
<p><b>Protect Children from Harm</b></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**