

Agenda

Licensing sub-committee

Date: **Thursday 3 November 2022**

Time: **2.15 pm**

Place: **online meeting**

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

For any further information please contact:

Sarah Buffrey

Tel: 01432260176

Email: sarah.buffrey@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format, please call Sarah Buffrey on 01432260176 or e-mail sarah.buffrey@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Licensing sub-committee

Membership

Councillor Paul Andrews

Councillor John Hardwick
Councillor Felicity Norman

Agenda

	Pages
PUBLIC INFORMATION	
THE NOLAN PRINCIPLES	
1. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2. NAMED SUBSTITUTES (IF ANY)	
To receive any details of Members nominated to attend the meeting in place of a Member of the committee.	
3. DECLARATIONS OF INTEREST	
To receive declarations of interests in respect of Schedule 1, Schedule 2 or Other Interests from members of the committee in respect of items on the agenda.	
4. APPLICATION FOR AN OCCASIONAL GRANT OF A PREMISES LICENCE IN RESPECT OF 'GOLDEN WAKE DISTILLERY, ST MARTIN'S AVENUE, HEREFORD. HR2 7RQ- LICENSING ACT 2003	11 - 66
To consider an application for a grant of an occasional premises licence in respect of Golden Wake Distillery under the Licensing Act 2003.	

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YOU HAVE A RIGHT TO: -

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- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- 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.
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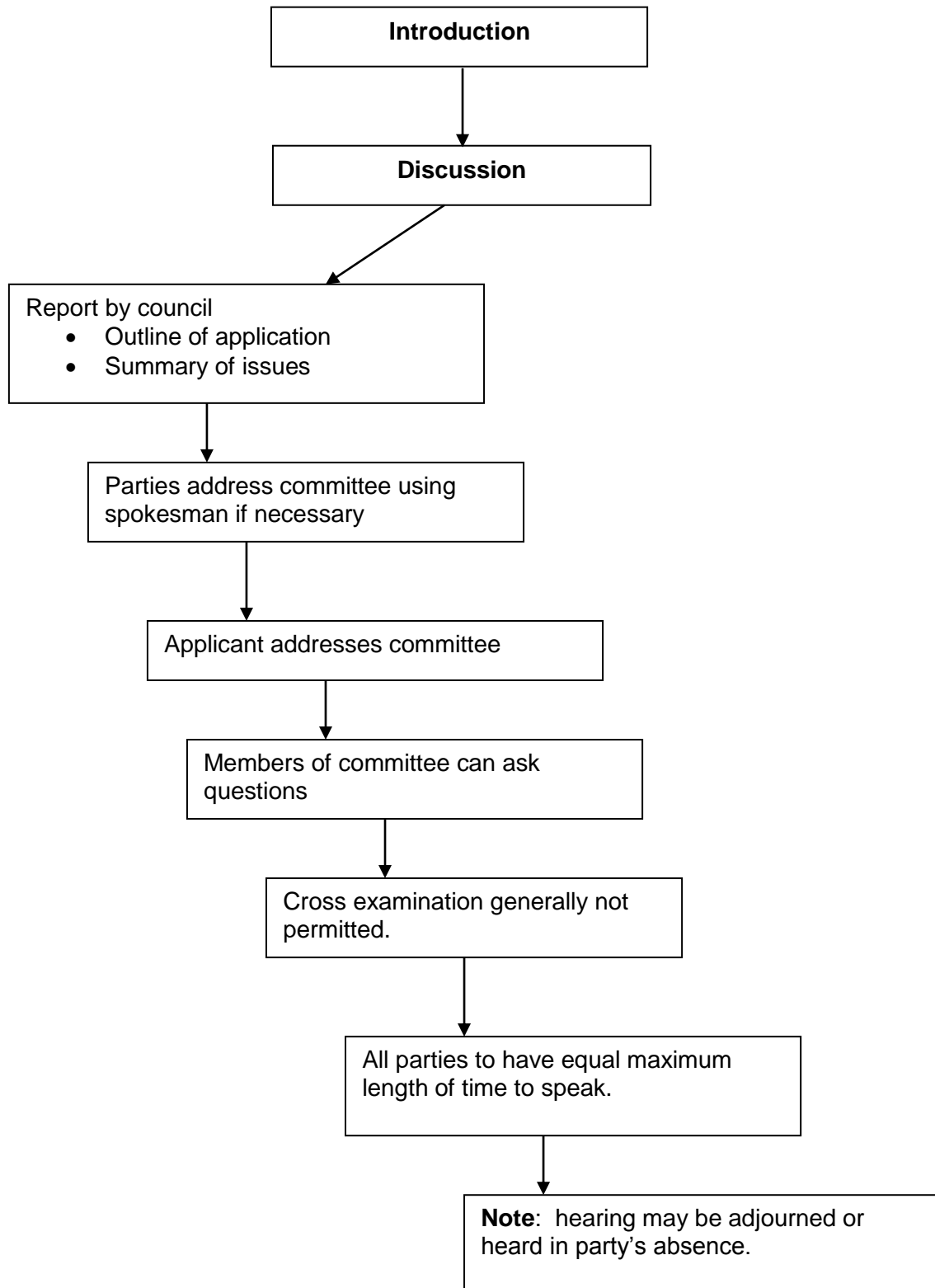
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Licensing Hearing Flowchart



**The Seven Principles of Public Life
(Nolan Principles)**

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.



Application for an occasional grant of a premises licence in respect of 'Golden Wake Distillery, St Martin's Avenue, Hereford. HR2 7RQ– Licensing Act 2003

Meeting: Licensing sub-committee

Meeting date: 3 November 2022

Report by: Senior Licensing Technical Officer

Classification

Open

Decision type

This is not an executive decision

Wards affected

Hinton & Hunderton

Purpose

To consider an application for a grant of an occasional premises licence in respect of Golden Wake Distillery under the Licensing Act 2003.

Recommendation(s)

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:

- a) The steps that are appropriate to promote the licensing objectives,
- b) The representations (including supporting information) presented by all parties,
- c) The guidance issued to local authorities under Section 182 of the Licensing Act 2003, and
- d) The Herefordshire Council Statement of Licensing Policy 2020 – 2025.

Reasons for Recommendations

Ensures compliance with the Licensing Act 2003

Alternative 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 refuse the application

Key considerations

Licence Application

2. The application for the grant of a premises licence has received relevant representations and is therefore brought before the sub-committee for determination.
3. Herefordshire Council Statement of Licensing Policy 2020 to 2025 states “All representation must be ‘relevant’, for example they must be about the likely effect of the grant of the application”. This followed paragraph 8.57 in the s182 Guidance which uses the same wording.
4. The details of the application are:

Applicant	Paul Kenyon
Agent	Not Applicable at time of application but subsequently the applicant has enlisted assistance from The Licensing Guys

Type of application: Grant	28 day consultation started: 22 July 2022 28 day consultation re-started: 10 August 2022	28 Days consultation ended: 18 August 2022 28 Days consultation ended 6 September 2022
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Summary of Application

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

Sale/Supply of Alcohol (consumption on and off the premises)
Monday – Sunday 10:00 – 22:00

Summary of Representations

- Two (2) representations have been received from responsible authorities, West Mercia Police (appendix 2) and Trading Standards (appendix 3). These conditions have been agreed by the applicant and therefore the representations have been withdrawn.
- 13 relevant representations have been received from members of the public in line with the licensing objectives that the licensing authority have accepted as being relevant. (Appendix 4).
- Seven (7) representations received by the licensing authority from members of the public were rejected as not being relevant
- The Licensing Authority shared with those who have had public representations accepted by the authority as being relevant, a copy of the licence conditions that the applicant has agreed to adhere to (appendix 5). The Licensing Authority have not been notified that these address the concerns of the public that made [relevant] representations.
- The hearing was due to take place on Monday 19 September 2022 but due to the state funeral, this hearing had to be postponed to today's date.

Community impact

- Any decision may have an impact on the local community.

Environmental Impact

12. This report is in relation to a premises license under the Licensing Act 2003 and as such there are minimal environmental impacts for the council.

Equality duty

13. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
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.

Resource implications

17. This report is in relation to a premises license under the Licensing Act 2003 and as such there are minimal resource implications for the council.

Financial implications

18. There are unlikely to be any financial implications for the council as Licensing Authority at this time.

Legal implications

19. 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.
20. 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.
21. 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.
22. 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: -
23. 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.
24. 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.
25. 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'.
26. In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

Right of Appeal

27. Schedule 5 of the Licensing Act 2003 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).

28. 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

29. 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

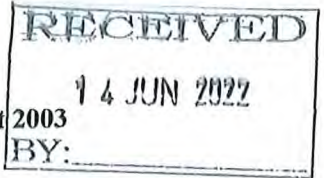
30. All responsible authorities and members of the public living within Herefordshire.

Appendices

Appendix 1 - Application Form
Appendix 2 – West Mercia Police representation
Appendix 3 – Trading Standards representation
Appendix 4 – Public Representations
Appendix 5 – Conditions Agreed

Background papers

None Identified



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

BY: _____

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/ Paul Kenyon

(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/ 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

Golden Wake Distillery St. Martins Ave., Herefordshire,			
Post town	Hereford	Postcode	HR2 7RQ
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 0	

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; yes

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
1	9	0	7	2	0	2	2

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

DD		MM		YYYY			

Distillery Visitors Centre Taphouse

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)

A

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

B

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

C

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

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
Both					
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

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

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Please give further details here (please read guidance note 4)	Both
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

G

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

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	
Mon				Outdoors	
				Both	
Tue			<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>		
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	
					Outdoors	
Day	Start	Finish	Both			
Mon			Please give further details here (please read guidance note 4)			
Tue						
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)			
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)					
Mon	10.00	22.00						
Tue	10.00	22.00						
Wed	10.00	22.00						
Thur	10.00	22.00				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	10.00	22.00						
Sat	10.00	22.00						
Sun	10.00	22.00						

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	Daryl Flannery
Date of birth	[REDACTED]
Address	[REDACTED]

Postcode	██████████
Personal licence number (if known)	██████████
Issuing licensing authority (if known)	Herefordshire Council

K

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

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	10.00	22.00	
Tue	10.00	22.00	
Wed	10.00	22.00	
Thur	10.00	22.00	
Fri	10.00	22.00	<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)

Sat	10.00	22.00	
Sun	10.00	22.00	

M

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

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

CCTV installed,
 Alarm System in place
 Challenge Age 21 Policy,
 Refuse to serve anyone intoxicated
 No Drug Policy
 No children after 6p.m

b) The prevention of crime and disorder

We will be having CCTV installed as well as an alarm and operate a challenge 21 policy.
 Drug use will not be tolerated on the premises

c) Public safety

We will have CCTV installed along with emergency lighting, fire exit signs and fire extinguishers.

d) The prevention of public nuisance

We will be installing CCTV and operate a challenge 21 policy and will not serve anyone who appears to be intoxicated

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

CCTV in place and a no children policy after 6p.m.
 Anyone under the age of 18 must be accompanied by a responsible adult

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ✓
- I have enclosed the plan of the premises. ✓
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ✓
- I understand that I must now advertise my application. ✓
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).


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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the
--------------------	---

	<p>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).</p> <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	10-6-22
Capacity	OWNER

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

RECEIVED
30 JUN 2022

Consent of individual to being specified as premises supervisor

I DARYL FLANNERY
[full name of prospective premises supervisor]

of



[home address of prospective premises supervisor]

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

PREMISES LICENCE
[type of application]

by

PAUL KENYON
[name of applicant]

relating to a premises licence _____
[number of existing licence, if any]

for

GOLDEN WAKE DISTILLERY
ST. MARTINS AVE.
HEREFORD
HR2 7RQ

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

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

Paul Kenyon

[name of applicant]

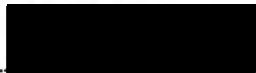
concerning the supply of alcohol at

GOSWOLD WAKE DISTILLERY
ST. MARTIN'S AVE.
HEREFORD
HR2 7RQ

[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



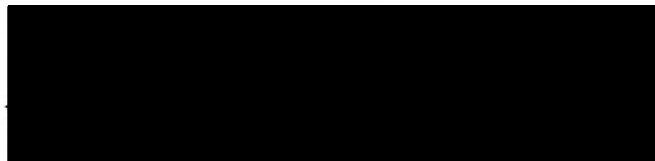
[insert personal licence number, if any]

Personal licence issuing authority

HEREFORDSHIRE Council

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

Signed



Name (please print)

DARYL FLANNERY

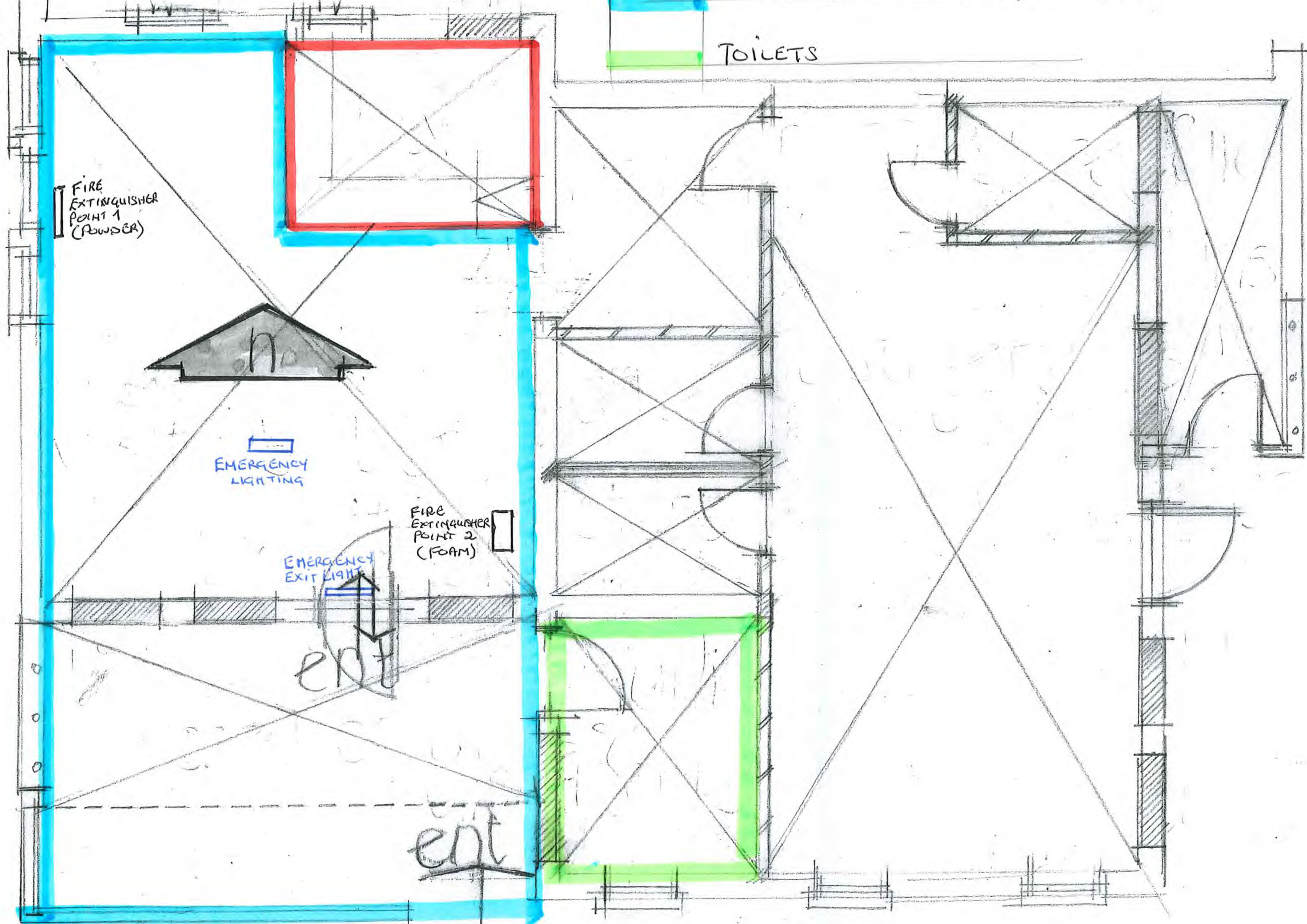
Date

21/6/22

37

37

- █ LICENSABLE ACTIVITY AREA
- █ AREA ALCOHOL TO BE CONSUMED
- █ TOILETS



golden
wake
distillery

06.07.22 as proposed

1.50m
~~23.6.22~~
 now 06.7.22

West Mercia Police Rep – Golden Wake Distillery

I am an officer authorised under the Licensing Act 2003.

I refer to the application made for a review of a premise licence in respect of Golden Wake Distillery

If the applicant agrees to the below conditions being put onto the premises licence, West Mercia Police will withdraw their objection

General

The Prevention of Crime and Disorder

An incident log must be kept at the premises, and made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police, which must record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) any refusal of the sale of alcohol
- (f) any visit by a relevant authority or emergency service

Public Safety

A First Aid Kit capable of treating for 21-50 people shall be kept fully stocked at the premises and kept on the premises. 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

Prevention of Public Nuisance

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.

The Protection of Children from Harm

No person under the age of 16 shall be permitted on the premises unless accompanied by an adult aged 21 or over.

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

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).

Regards

MATES/Licensing/Dedicated Football Officer/Covid Bronze Officer
Harm Hub Hereford Police Station

From: Trading Standards
Sent: 21 July 2022 14:40
To: Paul Kenyon
Cc: Licensing <licensing@herefordshire.gov.uk>
Subject: Golden Wake Distillery, HR2 7RQ

Hello Paul,

As discussed earlier on the phone re the licence application for the above, these are the conditions Trading Standards would wish to see included on the licence regarding the licensing objective Protection of Children from Harm. Please don't hesitate to contact me if you need to discuss. If you are in agreement, please can you e-mail me to confirm. Many thanks.

- **All staff engaged in the sale of alcohol to be trained in responsible alcohol retailing to the minimum standard of BIIAB Level 1 or any equivalent training course within 1 month of commencing employment at the premises. Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence. No person shall be authorised to sell or supply alcohol until this training is completed. Refresher training will be conducted at 6 monthly intervals. Training records shall be kept on the premises and produced to the police or an "authorised person" (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.**
- **The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of an "authorised person" (as defined by Section 13 of the Licensing Act 2003) or the police or an authorised Trading Standards Officer of Herefordshire Council. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all public entrances to the premises as well as at, at least one location behind any bar/serving area advertising the scheme operated.**
- **A written or electronic register of refusals will be kept including time and date and 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.**

For on-line sales

- **The Premises Licence Holder shall ensure that any person who purchases from the site shall register with the site. Such registration details shall include the person's full name, full address, date of birth and phone number. Records of such checks shall be kept for a period of 12 months and shall be produced on demand of the police or an "authorised person" (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council. The terms and conditions of the company website will contain the following: -**
 - a) **An age confirmation requirement when registering to purchase.**
 - b) **Reference to the operating of a Challenge 25 policy.**
 - c) **The only payment acceptable shall be "PayPal" or bank payment card or any other similar type of payment which requires the person to be aged 18 years old or over to obtain such method of payment.**
 - d) **Reference to the operating of a Challenge 25 policy.**

e) That no parcels will be left by the courier if the person at the delivery address is under 18 years of age.

- **The person delivering the alcohol to the premises shall operate a Challenge 25 policy and shall require proof of age prior to the alcohol being handed over. No alcohol shall be handed over to a person under 18. The only acceptable proof of identity shall be a photographic driver's licence, a passport or an Identity Card containing the PASS Hologram. The website shall contain a declaration to this effect.**

Kind regards

Principal Trading Standards Officer

HEREFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM – INTERESTED PARTIES

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

When completing this form please print clearly and legibly.

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

Your Name: [REDACTED]	Contact Telephone No. 0 [REDACTED]
Address: [REDACTED] [REDACTED]	E-mail address: [REDACTED]
	Please state your interest in the premises you are making a representation about: <i>Local resident</i>
Name & Address of premises you are making a representation about: <i>Golden Wake Distillery, St Martin's Avenue</i>	

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

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

To Prevent Crime & Disorder

There is already a police presence around the Bishop's Meadow and King George V Playing Field, on account of drinking and drug use. Opening a licensed premise with take-away alcohol in this area will compound an existing problem with anti-social behaviour.

Public Safety

The proposed premises are directly on St Martin's Avenue public car-park. It is clearly hazardous for people to gather on and around a busy car-parking area, which is busy throughout the proposed opening hours of the distillery.

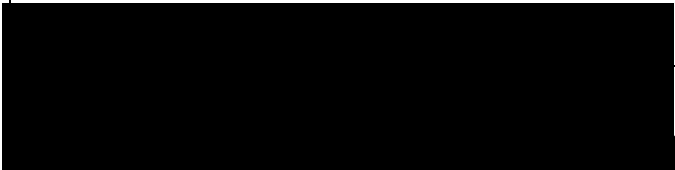
There has already been a significant spike in violent crime in the area, including two recent rapes on the Bishop's Meadow and adjacent river-path. A facility which encourages drinking, and which will encourage nearby common land to be used as a casual drinking spot, is unlikely to help the rising crime profile of the area.

To Prevent Public Nuisance

The development borders a conservation area nearby. Noise levels in the area are already very high on account of the A49, the reinstated thoroughfare for cars on St Martin's Street, and live outdoor music from entertainment venues nearby. An enterprise like this will exacerbate an existing problem for local residents.

To Protect Children from Harm

The proposed premises are in close proximity to the King George V children's play area and the distribution of take-away alcohol from 10 am in the morning is manifestly unsuitable on grounds of child protection and welfare.



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

18/8/22

Council

**Representation Form – Interested Parties
Suggested Conditions**

Premise: _____ **Your name:** _____

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

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

To Prevent Crime and Disorder
Public Safety
Prevent Public Nuisance
Protect Children from Harm

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**

HEREFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM – INTERESTED PARTIES

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

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

When completing this form please print clearly and legibly.

Your Name: [REDACTED]	Contact Telephone No. [REDACTED]
Address: [REDACTED]	-mail address: [REDACTED]
	Please state your interest in the premises you are making a representation about: local resident
Name & Address of premises you are making a representation about: Golden Wake Distillery , St. Martins Avenue, Hereford	

DATA PROTECTION ACT 2018. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing .

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

To Prevent Crime & Disorder
Public Safety
To Prevent Public Nuisance The use of premises 7 days a week 10am-10pm for the sale and consumption of alcohol on site is excessive. The immediate area is already subject to frequent disturbance during the daylight and night time periods as persons pass between Hereford main town centre and Bishops Meadows. Groups of youths and individuals frequently meet in the immediate car park and St Martins Avenue area including motor cycles and cars with the resultant noise from un-muffled vehicle exhausts disturbing the residents.
To Protect Children from Harm: Within immediate access to Halo leisure centre and Bishops Meadows many children move back and forth between locations with parents or by themselves. Taking into account that adults will be present consuming alcohol between the hours of 10am and 10pm seven days a week. This application also takes no account to the potential risks and disturbances attached due to no mention being made on the planning application to an outdoor seating/consumption area between the exit and current 'toilet' building. This area has been cleared of plants for this purpose. This in turn will draw in people to frequent outside the application premises for the consumption of alcohol with the subsequent noise and disturbance of immediate residents. This outdoor area and its planned use has been discussed directly with me by the applicant.

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**

18th August 2022

**Representation Form –
Interested Parties
Suggested Conditions**



Premise: __ Golden Wake Distillery , St. Martins Avenue, Hereford

Your name: [REDACTED]

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

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

To Prevent Crime and Disorder

No external drinking area.

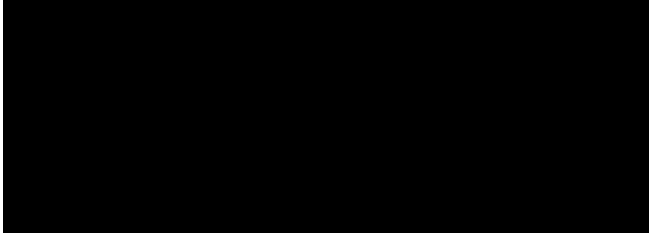
Public Safety

No external drinking area.

Prevent Public Nuisance

- daily trading hours to be 12noon to 10pm
- Reduce trading days from 7 days per week to a 5 days in total in any one week period. (includes public holiday periods)
- No music to be played internally/externally
- No external drinking area.
- Strict enforcement of revised trading hours/days

Protect Children from Harm No outdoor seating / consumption area



Date: 18th August 2022

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

RECEIVED
 17 AUG 2022
 BY: _____

HEREFORDSHIRE COUNCIL
Licensing Act 2003

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

REPRESENTATION FORM – INTERESTED PARTIES

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

Your Name: [REDACTED]	Contact Telephone No. [REDACTED]
Address: [REDACTED]	E-mail address: [REDACTED]
	Please state your interest in the premises you are making a representation about: Local resident
Name & Address of premises you are making a representation about: Toilet block /Golden Wake distillery. St Martin's Avenue. Hereford	

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

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

To Prevent Crime & Disorder

St Martin's Street has for many years suffered from noise and criminal damage caused by drunken people making their way home from the town centre. I doubt there is a single house down the street that hasn't been damaged in some way a number of times. This also includes cars parked in the street. Having a drinking establishment in the proposed location can't do anything but exacerbate the whole situation. Residents of this area are also aware of the antisocial behaviour that happens continually on King George V Playing Fields and Bishops Meadow. Surely, having this establishment within easy reach can only fuel that problem.

All in all, this is simply not the place to locate a distillery and drinking establishment. While I can understand that the Council would wish to 'unload' this building, given its dilapidated state, it is just not right for the area and does not belong there for all the reasons I have mentioned. You may think I am over emphasising the negative points, but unless you can guarantee these will not be the case, then I stand by my opinions and as a former police officer, I know from experience that adding alcohol to the situation rarely turns out for the better.

Public Safety

Has anyone actually taken a close look, not just at the building, but the close environment. Given that there will be actual drinking of alcohol on the premises, spanning a 12 hour period during the day, there is a distinct possibility of persons under the influence stepping straight out into a public car park /road system which literally closely surrounds the building.

This close proximity to the car park may lend itself to people taking the opportunity to park nearby whilst going for a drink. A situation not afforded to a good number of pubs in Hereford town. Consequently, we may just see drivers, over the legal limit, driving in the car park that always has pedestrian traffic as well as vehicles.

To Prevent Public Nuisance

Literally the width of St Martin's Avenue away are a row of houses directly facing the proposed premises. A good portion of these houses are owned by elderly persons, who do not deserve the extra noise and disturbance they will invariably have to face. Obviously, any extra noise will also reverberate in St Martin Street itself. Also has anyone taken into account the nearby children's playgrounds and the effect raised antisocial levels would bring.

To Protect Children from Harm

I live close by and see plenty of parents taking young children to the swimming baths. People affected by alcohol are really the last thing that these parents and children need to see /experience. As previously noted, there is also the added danger within the car park, where there are plenty of children making their way to the swimming bath's.



Date:

16/08/22



Herefordshire Council

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

**Representation Form – Interested Parties
Suggested Conditions**

Premise: _____ Your name: _____

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

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

To Prevent Crime and Disorder

Public Safety

Prevent Public Nuisance

HEREFORDSHIRE COUNCIL
Licensing Act 2003

**REPRESENTATION FORM – INTERESTED
PARTIES**

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

When completing this form please print clearly and legibly.

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

Your Name: [REDACTED]	Contact Telephone No. [REDACTED]
Address: [REDACTED]	E-mail address: [REDACTED] in the premises you are making a representation about: local property owner <input type="checkbox"/> local resident/local business <input type="checkbox"/>
Name & Address of premises you are making a representation about: Golden Wake Distillery, St Martins Avenue	

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

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

To Prevent Crime & Disorder There is already anti-social behaviour around the park, car park and playing field. A licensed premises has the potential to add to this through increased alcohol consumption.
Public Safety The proposed premises are in a car park for a busy leisure centre. This will be busy with traffic which will not mix well with alcohol consumption.
To Prevent Public Nuisance This will increase noise levels for local residents, as well as noisy and unruly behaviour.
To Protect Children from Harm 17th August 2022

Signed: [REDACTED] n Form – Interested Parties

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



Representation Form – Interested Parties Suggested Conditions

Premise: __ Your name: _____

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

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

To Prevent Crime and Disorder
Public Safety
Prevent Public Nuisance
Protect Children from Harm

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**

HEREFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM – INTERESTED
PARTIES

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

When completing this form please print clearly and legibly.

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

RECEIVED

11 AUG 2022

Your Name: [REDACTED]	Contact Telephone No. [REDACTED]	BY: [REDACTED]
Address: [REDACTED]	E-mail address: [REDACTED]	

you are making a representation about: eg
local resident/local business

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

Golden wave Distillery
5t martins avenue Hereford

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

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

To Prevent Crime & Disorder

All ready regular police / ASBO issues in the carpara / para / meadows. will further add to the issue

Public Safety

Drinking establishment on a busy car para? Glass from alcohol vessels all over the area already. Adding / multiplying current issues.

To Prevent Public Nuisance

All ready sound issues from koffee pot which is too loud. Drinking in close proximity to residential buildings not helpful, cause aggravation.

To Protect Children from Harm

Drinking / distributing very close to children's play area? I have 2 children also, stay with me every other weekend.

Signed [REDACTED]

Date: 10/08/22

ELI REPRE – 1 Representation Form – Interested Parties

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

RECEIVED
05 SEP 2022
BY:

HEREFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM – INTERESTED
PARTIES

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

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

When completing this form please print clearly and legibly.

Your Name: [REDACTED]	Contact Telephone No: [REDACTED]
Address: [REDACTED]	E-mail address: [REDACTED]
	Please state your interest in the premises you are making a representation about: eg local resident/local business local resident
Name & Address of premises you are making a representation about: Golden Wake Distillery St Martins Ave, Hereford HR2 7RQ	

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

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

To Prevent Crime & Disorder
Public Safety
To Prevent Public Nuisance We believe that the sale of alcohol in this location would lead to more anti-social behaviour in this area.
To Protect Children from Harm Because it is very close to a children's playground the sale of alcohol 10am - 10pm is unacceptable.

Signed:
Date:

[REDACTED]

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

HEREFORDSHIRE COUNCIL
Licensing Act 2003

**REPRESENTATION FORM – INTERESTED
PARTIES**

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

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

When completing this form please print clearly and legibly.

Your Name: [REDACTED]	Contact Telephone No. [REDACTED]
[REDACTED]	E-mail address: [REDACTED] [REDACTED] [REDACTED] your interest in the premises you are making a representation about Local resident And advocate for childrens wellbeing and safety of women
Name & Address of premises you are making a representation about: Golden Wake Distillery, St Martins Avenue, Hereford	

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

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

To Prevent Crime & Disorder

These premises are directly within a public car park which families and individuals use to access the leisure centre and the playing fields, both facilities that should be for **promoting** the wellbeing (both physically and from a mental health point of view) of children/families and individuals in particular. This area is already renown for issues regarding drinking and drug related issues and violence.

Within the last 3 weeks alone there have been at least 2 rapes, 1 indecent of sexual assault and one incident of indecent exposure on females **that have been reported** (we know incidents go unreported) I have previously reported violence towards individuals and groups within this area during the time I have lived here.

I am also reminded that the armed police force were in attendance at an incident in very close proximity to these premises within the last year or so.

This is an area that quite clearly needs more input and increased police presence to provide safety for the public and not an increase in alcohol provision which can be taken directly into an environment designed for children specifically in the play park next door and where lone female should be able to feel safe. It is clearly already unsafe for the public

Public Safety

As per comments above regarding crime

This area is already a busy area with people cycling, walking and children running around to access the park as they should be able to. There have been numerous 'near misses' for residents entering or leaving the alley way next to the old sweet shop on St martins ave right opposite the proposed premises to access to the rear of their properties due to cyclists and pedestrians in this area, poor visibility as they exit, to add more people accessing this area particularly if under the influence of alcohol will only increase hazards.

To Prevent Public Nuisance

Drunk and disorderly behaviour is a regular occurrence on St Martins St as it is the main pedestrian exit from Hereford town across the river which local residents already have to contend with along with the noise from venue. This will only increase this.

To Protect Children from Harm

As per my objections noted under preventing crime and disorder- this is an area that is designed for the enjoyment of children in the play park next to the proposed development and the local swimming pool, but yet 'adult' entertainment in the form of alcohol is being proposed and all the issues that this can/will attract in an area that is already unable to promote safety and wellbeing in regard to sexual and physical attack. As well as potential for accidents with increased usage in an already busy area where children should be able to run from the car park to the play park in safety.

Surely if anything is offered in this area it should be in keeping of the local theme of trying to promote wellbeing for children and young people. Something that is monitored in regard to safety and can signpost people to futher support in terms of physical and mental

health. The park is an ideal environment when safe, to offer wellbeing. This would be an ideal focus for these premises.

Signed: [REDACTED]
17.08.22



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: _____ Your name: _____

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

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

To Prevent Crime and Disorder
Public Safety
Prevent Public Nuisance
Protect Children from Harm

Signed:

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

RECEIVED
18 AUG 2022
 BY: _____

HEREFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM – INTERESTED PARTIES

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

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

When completing this form please print clearly and legibly.

Your Name: [REDACTED]	Contact Telephone No. [REDACTED]
Address: [REDACTED]	E-mail address: [REDACTED]
	Please state your interest in the premises you are making a representation about: eg local resident/local business local resident
Name & Address of premises you are making a representation about: Gaden WACE DISTILLERY HEREFORD HR2 7RQ	

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

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

To Prevent Crime & Disorder HR2 7RQ is already one of the worst part areas for criminal activity in the Hereford area. A licensed premises is not going to improve this. NOT ideal for home owners
Public Safety car park where the premises located is already used as a "racing" location and "meet" for young drivers. This could compromise the safety of the patrons of the establishment
To Prevent Public Nuisance The area is already a magnet for noise. These premises will attract more.
To Protect Children from Harm The roof of this building already attracts children and young adults. frequently see them climbing up to and running around the roof. This is

Signed: 16 8 2022
 Date: [REDACTED]

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

HEREFORDSHIRE COUNCIL
Licensing Act 2003

**REPRESENTATION FORM – INTERESTED
PARTIES**

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When completing this form please print clearly and legibly.

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Herefordshire Council,
8 St Owen Street,
Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk

Your Name: [REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
	[REDACTED] state your interest in the premises you are making a representation about: St Martins Avenue potential micro brewery
Name & Address of premises you are making a representation about: St Martins Avenue Car Park, Hereford.	

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

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

To Prevent Crime & Disorder

Bishops Meadow and King George playing fields are already a hot spot for the consumption of alcohol and requires a constant police presence. The introduction of the sale of alcohol close by will only enhance these issues and increase the likelihood of crime, anti social behaviour and disorder.

Public Safety

The building of a distillery in the centre of a very busy car park is clearly a threat to public safety. The consumption of alcohol in and around a car park poses a significant danger to both the customers of the distillery and those using the car park.

St Martins Street is already a 'rat-run' for people driving fast late at night, the introduction of people consuming alcohol next to that road is an obvious hazard and a serious accident waiting to happen.

3 significant incidents of a sexual nature in the last few weeks (including 2 rapes) shows that there is already a spike in violent crime in the area. The consumption of alcohol will only increase this incidents.

To Prevent Public Nuisance

The proposals are on the back of a conservation area. The adjacent A49 and also the busy St Martins Street are already responsible for high noise levels. This will be amplified by such a development.

To Protect Children from Harm

The king George playing fields and the play area next to them have lots of children on a daily basis. There is also a vast amount of young children who use the swimming pool daily. It is extremely unsuitable in the context of child protection and child safety that a premissis serving alcohol is placed in the middle of these.

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

**Representation Form – Interested Parties
Suggested Conditions**

Premise: _____microbrewery/distillery st martins_____

Your name: Charlie Radford_____

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

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

To Prevent Crime and Disorder Without the sale of alcohol
Public Safety Without the sale of alcohol
Prevent Public Nuisance Without the sale of alcohol
Protect Children from Harm Without the sale of alcohol

Signed: 

Date: 16th August 2022

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

RECEIVED
18 AUG 2022
BY:

HEREFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM – INTERESTED PARTIES

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

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

When completing this form please print clearly and legibly.

Your Name: [REDACTED]	Contact Telephone No.
Address: [REDACTED]	E-mail address:
	Please state your interest in the premises you are making a representation about: eg local resident/local business
Name & Address of premises you are making a representation about: GOLDEN WAKE, ST MARTINS AVENUE, HEREFORD	

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

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

To Prevent Crime & Disorder I THINK THERE IS ALREADY ISSUES AROUND PLEO PEOPLE DRINKING AND DRUG USE IN THE AREA. HAVING A PLACE TO DRINK AND ALCOHOL WILL ONLY INCREASE PEOPLE IN THE AREA AND THIS WILL LEAD TO MORE PROBLEMS .

Public Safety AT PRESENT WITH ALL THAT IS CURRENTLY GOING ON IN THE AREA, I DO NOT FEEL SAFE AS IT IS WITH INCREASED OF PEOPLE IN THE AREA AND DRINKING, I AM WORRIED ABOUT THE IMPACT THIS WILL HAVE IN THE AREA AND MY SAFETY .

To Prevent Public Nuisance THE NOISE LEVELS ARE ALREADY IMPACTING ON THE AREA, MOST NIGHTS THE CARPARK IS USED BY PEOPLE MEETING UP IN THEIR CARS, YOU CAN ALSO AT TIMES HEAR THE DE COFFEE POT WHEN THEY HAVE LOUD MUSIC ON. I FEEL THAT HAVING THIS WILL INCREASE THE CURRENT NOISE LEVELS. I AM VERY SENSITIVE TO NOISE ANYWAY .

To Protect Children from Harm I FEEL THAT THERE IS ALREADY ISSUES IN REGARDS TO CHILDREN, MANY TIMES THERE ARE TEENAGES AROUND THE PARK WHEN FAMILIES ARE USING IT, DRINKING AND SETTING FIRES, I FEEL THIS BEHAVIOUR WILL INCREASE. AT TIMES I DO NOT WALK PASS THE PLAYGROUNDS DUE TO THIS .

Signed: [REDACTED]
Date: 18.08.2022

ELI REPRE – 1 Representation Form – Interested Parties

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

From: [REDACTED]
Sent: 05 September 2022 15:05
To: Licensing <licensing@herefordshire.gov.uk>
Subject: Golden Wake distillery Licensing application

Following extensive consultation with local residents, I wish to make the following objections to this application.

Prevention of Crime & Disorder

The site is directly adjacent to the Bishops Meadow and King George V playing fields. These areas are already prone to late-night drinking and anti-social behaviour, especially around the nearby swimming pool building. There is already evidence of regular drinking and vandalism. Ready access to takeaway alcohol will exacerbate the problem.

Public Safety

St Martins Avenue is a narrow road with incomplete footways. It is a busy cycle and pedestrian route into the park and across town. In addition, access to the public car park lies directly on either side of this site. Extra traffic in and out, especially during the hours of dark, may risk public safety. Furthermore, recent crimes in the area have raised concerns, which already existed, about the general safety of the area. Residents are already reluctant to cross the park at night. Additional drinking in the area will heighten these fears.

Prevention of Public Nuisance

In addition to residential properties directly opposite, the immediate area also has a large sheltered accommodation complex (Drybridge House) and a halfway house. Local residents already experience disturbance from drunken revellers and are very worried that this will increase. The manager of Drybridge House has previously reported people banging on windows and trying to open doors to properties.

Parking for local residents is already limited. Given that the public car park charges until 8pm, there are concerns that street parking problems will arise from distillery customers.

Protection of Children from harm

The site is directly adjacent to the main play area of the park. It is also next to the swimming pool which is used for local schools and extensive classes for children outside of school hours. Large numbers of young children pass this site. This makes the location totally unsuitable for public drinking.

In the event of this application proceeding to the Licensing sub-committee, I would wish to speak on behalf of local residents.

[REDACTED]

[REDACTED]

Hinton and Hunderton ward
Herefordshire Council

[REDACTED]

Conditions agreed

The Prevention of Crime and Disorder

All staff engaged in the sale of alcohol to be trained in responsible alcohol retailing to the minimum standard of BIIAB Level 1 or any equivalent training course within 1 month of commencing employment at the premises. Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence. No person shall be authorised to sell or supply alcohol until this training is completed. Refresher training will be conducted at 6 monthly intervals. Training records shall be kept on the premises and produced to the police or an "authorised person" (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

An incident log must be kept at the premises, and made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police, which must record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) any refusal of the sale of alcohol
- (f) any visit by a relevant authority or emergency service

Public Safety

A First Aid Kit capable of treating for 21-50 people shall be kept fully stocked at the premises and kept on the premises. 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

Prevention of Public Nuisance

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.

The Protection of Children from Harm

No person under the age of 16 shall be permitted on the premises unless accompanied by an adult aged 21 or over.

No person under the age of 16 shall be permitted on the premises after 18:00hrs

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

A written or electronic register of refusals will be kept including time and date and 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).

For on-line sales

The Premises Licence Holder shall ensure that any person who purchases from the site shall register with the site. Such registration details shall include the person’s full name, full address, date of birth and phone number. Records of such checks shall be kept for a period of 12 months and shall be produced on demand of the police or an “authorised person” (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council. The terms and conditions of the company website will contain the following: -

- a) An age confirmation requirement when registering to purchase.
- b) Reference to the operating of a Challenge 25 policy.
- c) The only payment acceptable shall be “PayPal” or bank payment card or any other similar type of payment which requires the person to be aged 18 years old or over to obtain such method of payment.
- d) Reference to the operating of a Challenge 25 policy.
- e) That no parcels will be left by the courier if the person at the delivery address is under 18 years of age.

The person delivering the alcohol to the premises shall operate a Challenge 25 policy and shall require proof of age prior to the alcohol being handed over. No alcohol shall be handed over to a person under 18. The only acceptable proof of identity shall be a photographic driver’s licence, a passport or an Identity Card containing the PASS Hologram. The website shall contain a declaration to this effect.