

Agenda

Licensing Sub-Committee

Date: **Thursday 13 July 2023**

Time: **2.30 pm**

Place: **Herefordshire Council Offices, Plough Lane, Hereford,
HR4 0LE and Online Meeting**

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

For any further information please contact:

Matthew Evans

Tel: 01432 383690

Email: matthew.evans@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

Chairperson Councillor Polly Andrews

**Councillor Dave Davies
Councillor Peter Hamblin**

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 items on the agenda.	
4. APPLICATION FOR A VARIATION OF A PREMISES LICENCE IN RESPECT OF 'TALBOT HOTEL, NEW STREET, LEDBURY, HR8 2DX - LICENSING ACT 2003	11 - 64
To consider an application for a variation for a premises licence in respect of Talbot Hotel, New Street, Ledbury, HR8 2DX under the Licensing Act 2003.	
5. APPLICATION FOR A VARIATION OF THREE PREMISES LICENCES IN RESPECT OF 'SHELL LEOMINSTER, LUDLOW ROAD, RIDGEMOOR, LEOMINSTER. HR6 0DQ, SHELL NORTHSIDE, A49 HOPE UNDER DINMORE, LEOMINSTER, HR6 0PJ & SHELL SYMONDS YAT, A40 NORTHBOUND SERVICES, WHITCHURCH, HR9 6DP - LICENSING ACT 2003.	65 - 156
To consider three applications for variations to premises licences in respect of Shell Leominster, Ludlow Road, Ridgemoor, Leominster. HR6 0DQ, Shell Northside, A49 Hope Under Dinmore, Leominster, HR6 0PJ & Shell Symonds Yat, A40 Northbound Services, Whitchurch, HR9 6DP.	

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 a 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.

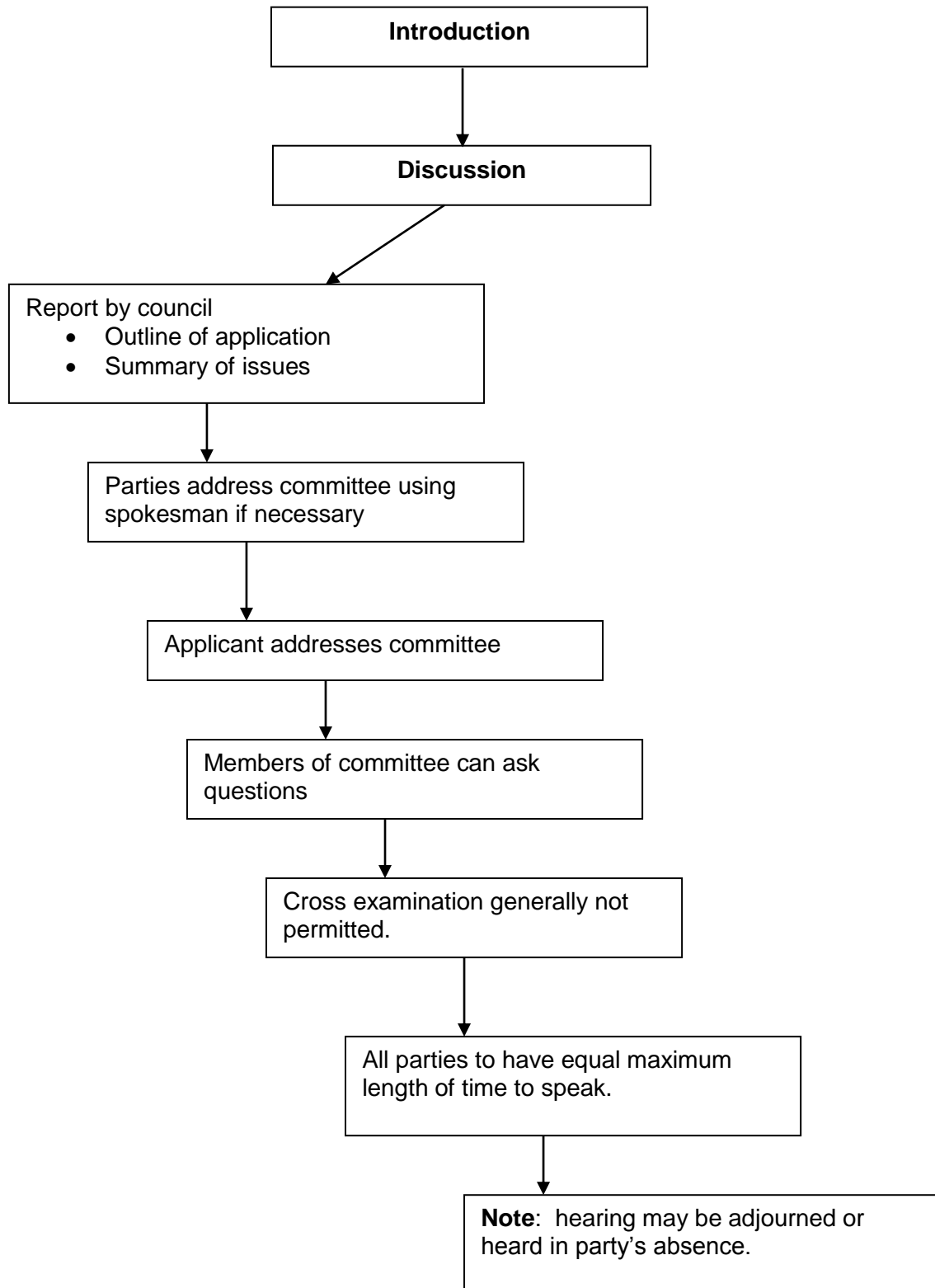
Please also note that other attendees are permitted to film, photograph and record our public meetings provided that it does not disrupt the business of the meeting.

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.

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.



Title of report: Application for a variation of a premises licence in respect of 'Talbot Hotel, New Street, Ledbury, HR8 2DX – Licensing Act 2003.

Meeting: Licensing sub-committee

Meeting date: Thursday 13 July 2023 at 14:30hrs

Report by: Senior Licensing Technical Officer

Classification

Open

Decision type

This is not an executive decision

Wards affected

Ledbury - South

Purpose

To consider an application for a variation for a premises licence in respect of Talbot Hotel, New Street, Ledbury, HR8 2DX 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 variation of a premises licence has received relevant representation and is therefore brought before the sub-committee for determination.
3. Herefordshire Council’s Statement of Licensing Policy 2020 to 2025 states “All representations 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	Wadworth & Company Limited	
Agent	Not applicable at time of publishing	
Type of application: Grant	Date received: 25 May 2023 28 day consultation started: 26 May 2023	28 Days consultation ended: 22 June 2023

Summary of Application

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

To add Regulated Entertainment in the outside area as per submitted plan
Fridays, Saturdays, Sundays 12:00 – 22:00

On 26 June 2023, the licensing authority requested off the applicant proof that the advertising regulations had been complied with (appendix 2).

Section 35 of the Licensing Act 2003 states that when determining an application the relevant Licensing Authority is to be satisfied that the applicant has complied with any requirement imposed on him under s34(5)/s17(5). S34(5)/s17(5) makes reference to the regulations and regulation 25 requires that applicant's display the pale blue notice at the premises for a period of no less than 28 consecutive days (the full length of the consultation period).

At time of publishing, the licensing authority have not received the required documentation.

Current Licence

A copy of the current licence is attached at Appendix 3. It authorises

A performance of live music; A performance of dance

Monday-Sunday: 19:00 - 00:00

Any playing of recorded music; Sale by retail of alcohol

Monday-Sunday: 10:00 - 00:00

Provision of late night refreshment

Monday-Sunday: 23:00 - 00:00

Non-standard timings:

A performance of live music; Sale by retail of alcohol:

From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day

Summary of Representations

6. One (1) objection has been received from one of the responsible authorities – Environmental Health and can be found at Appendix 4
7. One (1) relevant representation has been received from a member of the public that the licensing authority have accepted as being relevant and can be found at Appendix 5.

Premises History

8. The premises was first licenced in 2005 under the premises name Ye Olde Talbot Hotel
9. On 20 January 2020 an application was received to vary the premises designated supervisor (DPS) and change of premises name. This was granted on 4 February 2020 (the same licence that can be found at Appendix 2).

10. On 19 August 2022, the licensing authority wrote to Richard Jennings (DPS) and the premises licence holder in regards to a visit from the out of hours noise team.
11. The letter which can be found at Appendix 6 stated: Following my visit to your premises last weekend and the excessive noise which I witnessed, caused by your band, I have since looked at the plan for your premises. I have to inform you that, nowhere on the plan does it show the courtyard, where the band were playing. As a result the play of music within that area is not authorised and must cease immediately.
12. In 2023 (to date), there have been two (2) temporary event notices (TENs) submitted and accepted by the licensing authority for 23 June 2023 and 7 July 2023.

Community impact

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

Environmental Impact

14. 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, as licensing authority.

Equality duty

15. 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.
16. There are no equality issues in relation to the content of this report.
 17. 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.
 18. 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

19. 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, as Licensing Authority.

Financial implications

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

Legal implications

21. 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.
22. 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.
23. 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.
24. 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: -
25. 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.
26. 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.
27. This judgment 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'.

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

Right of Appeal

29. Schedule 5 Part 1 of the Licensing Act 2003 gives a right of appeal which states:
Variation of licence under section 35.
- (1) This paragraph applies where an application to vary a premises licence is (in whole or in part) under section 35.
 - (2) The applicant may appeal against any decision to modify the conditions of the licence under subsection (4)(a) of that section. —
 - (3) Where a person who made relevant representations in relation to the application desires to contend—
 - (a) that any variation made ought not to have been made, or
 - (b) that, when varying the licence, the licensing authority ought not to have modified the conditions of the licence, or ought to have modified them in a different way, under subsection (4)(a) of that section he may appeal against the decision
 - (4) In sub-paragraph (3) “relevant representations” has the meaning given in section 35(5).
30. 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

31. 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

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

Appendices

- Appendix 1 - Application Form
- Appendix 2 – Email correspondence
- Appendix 3 – Current Premises Licence
- Appendix 4 – Environmental Health Objection
- Appendix 5 – Public representation
- Appendix 6 – Warning Letter to premises.

Background papers

None Identified

Please include a glossary of terms, abbreviations and acronyms used in this report.

DPS: Designated Premises Supervisor
TENs: Temporary Event Notices

Application to vary a premises licence 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 WADWORTH & COMPANY LIMITED

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PR00363

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
TALBOT HOTEL NEW STREET			
Post town	LEDBURY	Postcode	HR8 2DX

Telephone number at premises (if any)	01531 632963
Non-domestic rateable value of premises	£42,500

Part 2 – Applicant details

Daytime contact telephone number	01380 732216		
E-mail address (optional)	[REDACTED]		
[REDACTED] address if different from premises address	NORTHGATE BREWERY		
Post town	DEVIZES	Postcode	SN10 1JW

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect? DD MM YYYY

--	--	--	--	--	--	--	--	--	--

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

To add Regulated Entertainment in the outside area as per submitted plan
Fridays, Saturdays, Sundays – 12:00 – 22:00

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

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>																																												
				Outdoors	<input type="checkbox"/>																																												
<table border="1"> <thead> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td>12:00</td> <td>24:00</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td>Tue</td> <td>12:00</td> <td>24:00</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td>Wed</td> <td>12:00</td> <td>24:00</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td>Thur</td> <td>12:00</td> <td>24:00</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td>Fri</td> <td>12:00</td> <td>24:00</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td>Sat</td> <td>12:00</td> <td>24:00</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td>Sun</td> <td>12:00</td> <td>24:00</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>				Day	Start	Finish	Mon	12:00	24:00				Tue	12:00	24:00				Wed	12:00	24:00				Thur	12:00	24:00				Fri	12:00	24:00				Sat	12:00	24:00				Sun	12:00	24:00				Both
Day	Start	Finish																																															
Mon	12:00	24:00																																															
Tue	12:00	24:00																																															
Wed	12:00	24:00																																															
Thur	12:00	24:00																																															
Fri	12:00	24:00																																															
Sat	12:00	24:00																																															
Sun	12:00	24:00																																															
			<u>Please give further details here</u> (please read guidance note 5)																																														
			Outside Area Fridays, Saturdays, Sundays – 12:00 – 22:00																																														
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)																																														
			<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 7)																																														
			From the end of permitted hours on New Years Eve until the start of permitted hours on New Years Day																																														

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>																							
				Outdoors	<input type="checkbox"/>																							
<table border="1"> <thead> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td>10:00</td> <td>24:00</td> </tr> <tr> <td>Tue</td> <td>10:00</td> <td>24:00</td> </tr> <tr> <td>Wed</td> <td>10:00</td> <td>24:00</td> </tr> <tr> <td>Thur</td> <td>10:00</td> <td>24:00</td> </tr> <tr> <td>Fri</td> <td>10:00</td> <td>24:00</td> </tr> <tr> <td>Sat</td> <td>10:00</td> <td>24:00</td> </tr> <tr> <td>Sun</td> <td>10:00</td> <td>24:00</td> </tr> </tbody> </table>				Day	Start	Finish	Mon	10:00	24:00	Tue	10:00	24:00	Wed	10:00	24:00	Thur	10:00	24:00	Fri	10:00	24:00	Sat	10:00	24:00	Sun	10:00	24:00	Both
Day	Start	Finish																										
Mon	10:00	24:00																										
Tue	10:00	24:00																										
Wed	10:00	24:00																										
Thur	10:00	24:00																										
Fri	10:00	24:00																										
Sat	10:00	24:00																										
Sun	10:00	24:00																										
			<u>Please give further details here</u> (please read guidance note 5)																									
			Outside Area Fridays, Saturdays, Sundays – 12:00 – 22:00																									
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)																									
			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)																									
			From the end of permitted hours on New Years Eve until the start of permitted hours on New Years Day																									

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	12:00	24:00	<u>Please give further details here</u> (please read guidance note 5) Outside Area Fridays, Saturdays, Sundays – 12:00 – 22:00		
Tue	12:00	24:00			
Wed	12:00	24:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur	12:00	24:00			
Fri	12:00	24:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7) From the end of permitted hours on New Years Eve until the start of permitted hours on New Years Day		
Sat	12:00	24:00			
Sun	12:00	24:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<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 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23:00	24:00	<u>Please give further details here</u> (please read guidance note 5)		
Tue	23:00	24:00			
Wed	23:00	24:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur	23:00	24:00			
Fri	23:00	24:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7) 23:00 New Years Eve until 05:00 New Year's Day		
Sat	23:00	24:00			
Sun	23:00	24:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	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 6)					
Mon	10:00	24:00						
Tue	10:00	24:00						
Wed	10:00	24:00						
Thur	10:00	24:00				Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	10:00	24:00						
Sat	10:00	24:00						
Sun	10:00	24:00						

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	10:00	00:30	
Tue	10:00	00:30	
Wed	10:00	00:30	
Thur	10:00	00:30	
Fri	10:00	01:00	<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 7) From the end of permitted hours on New Years Eve until the start of permitted hours on New Years Day
Sat	10:00	01:00	
Sun	10:00	00:30	

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

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

Noise management plan

e) The protection of children from harm

As per existing policy

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Mark Fulton
Date	23/05/2023
Capacity	Operations Director

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Post town		Post code	
Telephone number (if any)			

From: Licensing <licensing@herefordshire.gov.uk>

Sent: Monday, June 26, 2023 5:13 PM

To: [REDACTED]

Subject: Talbot, Ledbury - Variation

Good afternoon

As you are aware, the consultation period ended on 22.06.2023 for the above application. We are yet to receive the newspaper advert and day 1 and day 28 of the blue notices with supporting statement to confirm these were in situ for the full 28day consultation period

In accordance with section 17 of the Licensing Act 2003 you are required to advertise your application in a publication that circulates locally to your premises. This is to ensure that local people, businesses and other interested parties are made aware your application, namely the licensable activities to be undertaken on the premises and the opening hours during which those activities are to take place.

If you have advertised your application then I shall be grateful if you could forward a copy of the page from the newspaper that the notice was displayed on within the next 5 working days along with the photos of the blue notices as per our acknowledgement letters (copy attached).

Furthermore, we have received x2 representations in relation to the application (copies attached), therefore the matter is being listed for licensing sub-committee. This will be via Zoom or Microsoft Teams with a provisional date set for 13.07.2023 from 14:30hrs. We will confirm shortly the confirmed date and time

Regards

Licensing Team

Herefordshire.gov.uk

Licensing Team

Economy and Environment Directorate

Tel: 01432 261761

Plough Lane, Hereford. HR4 0LE

From: Wadworth

Sent: 27 June 2023 10:35

To: Licensing <licensing@herefordshire.gov.uk>

Cc: XXXXXXXXXXX, XXXXXXXXXXXXXXXXXXX, XXXXXXXXXXXXXXX

Subject: RE: Talbot, Ledbury - Variation

Good Morning

Thank you for the update.

Please see copy of the newspaper advert as requested. I confirm that the blue notices were in situ for the full 28 day consultation period.

Kind Regards

Managed & Tenanted Coordinator

From: Licensing

Sent: 27 June 2023 13:37

To: [REDACTED] >

Cc: [REDACTED]
[REDACTED] >

Subject: RE: Talbot, Ledbury - Variation

Good afternoon

Thank you for your email.

We are awaiting day 1 and day 28 blue notices photos as per our acknowledgement email of 25.05.2023 (copy attached) which haven't been supplied.

Section 35 of the LA 2003 states that when determining an application the relevant Licensing Authority is to be satisfied that the applicant has complied with any requirement imposed on him under s34(5)/s17(5). S34(5)/s17(5) makes reference to the regulations, regulation 25 requires that they display the pale blue notice at the premises for a period of no less than 28 consecutive days.

It was set out clearly in the acceptance email what was required in order for the Licensing Authority to be satisfied you have complied and therefore we will require that evidence in order to meet the requirement in s35 LA 2003.

The Act is silent on how the Licensing Authority should satisfy themselves.

Without the evidence the applications cannot be considered

If we receive proof of the blue notices being displayed and are satisfied the regulations have been complied with, a date has been sent for licensing sub-committee due to non-agreement of Trading Standards representations – the date is 13.07.2023 at 14:30hrs via video conferencing.

Regards

Licensing Team

Copy of acknowledgement email and letters

From: Licensing

Sent: 25 May 2023 15:07

To: [REDACTED] >

Cc: [REDACTED]
Subject: Talbot Hotel, Ledbury Acceptance

Good afternoon

I am pleased to inform you that the licensing department has accepted your application. I have attached all the relevant documentation that is needed for the next part of the process.

You are required to advertise in a newspaper that is local to the premise and that is distributed door to door OR that is readily available at local shops/premises

This needs to be done within 10 working days of 26 May 2023 (day 1 being the 26th)

Also you will need to advertise on pale blue paper on the premises for the full 28day consultation period.

These notices should be placed where the public have access to, whether they are coming to the premise or passing.

The notices need to be placed every 50m around the perimeter.

These notices on pale blue paper need to be in place as soon as the consultation starts

Due to COVID, unfortunately the authority finds itself in a position where are not able to check the premises blue notices, therefore you as the applicant are required to send us evidence that these have been placed.

Evidence must demonstrate that the notices have been in place for the required time and in the correct locations.

Photographic evidence will only be accepted if it correctly dated within the required period. Evidence should be provided to cover the first and last day of the consultation as well as a signed written statement to confirm the notices have been in situ for the full 28day consultation.

In addition clear location map/plans should show the locations of notices, particularly for those premises which require additional notices due to the size of the premises being applied for. This evidence will not be checked until the 28 day consultation period has concluded as the authority must be satisfied that the requirement includes the full period.

A copy of the newspaper advert needs to be sent to us also once printed in a local newspaper.

This needs to be the whole page from the newspaper and needs to show the name of publication, date of publication and a copy of the notice

Regards

Licensing Team

Herefordshire.gov.uk

Licensing Team

Economy and Environment Directorate

Tel: 01432 261761

Plough Lane

Hereford

HR4 0LE

Economy & Environment Directorate

Helen Lawrence
Wadworth & Company Limited
Northgate Brewery
Devizes
Wiltshire
SN10 1JW

Your Ref:
Our Ref: PR00363
Please ask for: Licensing
Direct Line / Extension: 01432 261761
Fax: 01432 261982
E-mail: licensing@herefordshire.gov.uk

25 May 2023

Dear Sir/Madam

**LICENSING ACT 2003
PREMISES LICENCE APPLICATION
PREMISES NAME: TALBOT HOTEL, LEDBURY**

Your 28 day consultation period starts on 26 MAY 2023 and ends 22 JUNE 2023

This is the date that must be shown in the advertisements

In reference to your recent Premises Licence Application, the Licensing Section would like to acknowledge receipt of your full application. **If there have been amendments to your initial application, please ensure that you forward the amended application to the other responsible authorities immediately.**

As you have applied for a Variation of a premises licence you must comply with the 'The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005'. The most common breaches are in respect of the requirement to advertisement and serve the application on the responsible authorities. For this reason the regulations, which apply to these, are reproduced below: -

Advertisement of applications

25. In the case of an application for a premises licence under section 17, for a provisional statement under section 29, to vary a premises licence under section 34, for a club premises certificate under section 71 or to vary a club premises certificate under section 84, the person making the application shall advertise the application, in both cases containing the appropriate information set out in regulation 26 -

(a) **for a period of no less than 28 consecutive days starting on the day after the day on which the application was given to the relevant licensing authority**, by displaying a notice,

(i) which is -

(aa) of a size equal or larger than A4,

(bb) of a pale blue colour,

(cc) printed legibly in black ink or typed in black in a font of a size equal to or larger than 16;

(ii) in all cases, **prominently at or on the premises** to which the application relates where it can be conveniently **read from the exterior** of the premises and in the case of a premises covering an area of more than 50 metres square, a further notice in the same form and subject to the same requirements every fifty metres along the external perimeter of the premises abutting any highway; and

(b) by publishing a notice -

(i) in a **local newspaper** or, if there is none, in a local newsletter, circular or similar document, circulating in the vicinity of the premises;

(ii) on at least one occasion **during the period of 10 working days starting on the day after the day on which the application was given to the relevant licensing authority.**

26. - (1) In the case of an application for a premises licence or a club premises certificate, the **notices** referred to in regulation 25 shall contain a **statement of the relevant licensable activities** or relevant qualifying club activities as the case may require which it is proposed will be carried on on or from the premises.

(2) In the case of an application for a provisional statement, the notices referred to in regulation 25 -

(a) shall state that representations are restricted after the issue of a provisional statement; and

(b) where known, may state the relevant licensable activities which it is proposed will be carried on on or from the premises.

(3) In the case of an application to vary a premises licence or a club premises certificate, the notices referred to in regulation 25 shall briefly describe the proposed variation.

(4) In all cases, the notices referred to in regulation 25 shall state -

(a) the name of the applicant or club;

(b) the postal address of the premises or club premises, if any, or if there is no postal address for the premises a description of those premises sufficient to enable the location and extent of the premises or club premises to be identified;

(c) the postal address and, where applicable, the worldwide web address where the register of the relevant licensing authority is kept and where and when the record of the application may be inspected;

(d) the date by which an interested party or responsible authority may make representations to the relevant licensing authority;

(e) that representations shall be made in writing; and

(f) that it is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence.

Notice to responsible authority

27. In the case of an application for a premises licence under section 17, a provisional statement under section 29, a variation of a premises licence under section 34, a review under section 51, a club premises certificate under section 71, a review under section 87 or a variation of a club premises certificate under section 84, the person making the application shall give notice of his application to each responsible authority by giving to each authority a copy of the application together with its accompanying documents, if any, **on the same day as the day on which the application is given to the relevant licensing authority.**

IF YOU DO NOT COMPLY WITH THE REGULATIONS WE HAVE NO POWER TO DETERMINE YOUR APPLICATION AT THE END OF THE CONSULTATION PERIOD. In effect your licence will not be granted. Your premises will be visited to ensure compliance with the regulations.

In order for your licence to be processed without delay, you must submit confirmation of the advert (a copy of the advert with proof of the name of the paper/circular and date of publication) to the licensing section, within the next 14 days.

During the 28 day representation period responsible authorities and interested parties (including local residents) can make relevant representations to the Licensing Section regarding your application. Provided that you have complied with the regulations and the 28 day representation period has lapsed, the licensing section will write to inform you of the outcome and advise you accordingly.

Should you have any queries or require any additional information, please contact the Licensing Helpline on 01432 261761.

Yours faithfully,


**LICENSING TECHNICAL OFFICER
ENVIRONMENTAL HEALTH & TRADING STANDARDS**

Economy & Environment Directorate

Helen Lawrence
Wadworth & Company Limited
Northgate Brewery
Devizes
Wiltshire
SN10 1JW

Your Ref:
Our Ref: PR00363
Please ask for: Licensing
Direct Line / Extension: 01432 261761
Fax: 01432 261982
E-mail: licensing@herefordshire.gov.uk

25 May 2023

Dear Sir/Madam

**LICENSING ACT 2003
APPLICATION TO VARY A PREMISES LICENCE**

Please find attached acknowledgement that the application for Talbot Hotel, Ledbury has been accepted.

The start date for consultation is 26 May 2023 and consultation ends 22 June 2023

I have attached the templates for the blue notice for the premise and the newspaper advert. The start date needs to be on these notices.

The blue notices need to be placed where the public have access. The blue notices need to be put on the premise straight away and the newspaper notices needs to appear in a local newspaper to the premise within 10 working days of **26 May 2023**

Unfortunately the authority finds itself in a position where are not able to check the premises blue notices, therefore you as the applicant are required to send us evidence that these have been placed.

Evidence must demonstrate that the notices have been in place for the required time and in the correct locations. Photographic evidence will only be accepted if it correctly dated within the required period. Evidence should be provided to cover the first and last day of the consultation as well as a signed statement to confirm the notices have been displayed for the full 28day consultation period. In addition clear location map/plans should show the locations of notices, particularly for those premises which require additional notices due to the size of the premises being applied for. This evidence will not be checked until the 28 day consultation period has concluded as the authority must be satisfied that the requirement includes the full period.

Yours faithfully


**LICENSING TECHNICAL OFFICER
ENVIRONMENTAL HEALTH & TRADING STANDARDS**

**LICENSING ACT 2003
Part A - Premises Licence**

Premises licence number PR00363 (Vary DPS 04.02.2020)

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description TALBOT HOTEL NEW STREET	
Post town LEDBURY	Postcode HR8 2DX
Telephone number 01531 632963	

Where the licence is time limited the dates Not applicable
--

<p>Licensable activities authorised by the licence</p> <p>Provision of regulated entertainment</p> <ol style="list-style-type: none"> 1. A performance of live music (Indoors) 2. Any playing of recorded music (Indoors) 3. A performance of dance (Indoors) <p>Provision of refreshment or alcohol</p> <ol style="list-style-type: none"> 4. Provision of late night refreshment (Indoors) 5. Sale by retail of alcohol (For consumption both on and off the premises) <p>Further details: (A performance of live music) Small group (approximately 4) (Any playing of recorded music) Recorded background music 10:00 - 00:00 Disco - Karaoke evenings</p>
--

<p>The times the licence authorises the carrying out of licensable activities</p> <p>A performance of live music; A performance of dance Monday-Sunday: 19:00 - 00:00</p> <p>Any playing of recorded music; Sale by retail of alcohol Monday-Sunday: 10:00 - 00:00</p> <p>Provision of late night refreshment Monday-Sunday: 23:00 - 00:00</p> <p>Non standard timings: A performance of live music; Sale by retail of alcohol: From the end of permitted hours on New Years Eve until the start of permitted hours on New Years Day</p> <p>Seasonal variations: None</p>
--

The opening hours of the premises

Monday-Thursday,Sunday: 10:00 - 00:30

Friday-Saturday: 10:00 - 01:00

Non standard timings:

From the end of permitted hours on New Years Eve until the start of permitted hours on New Years Day

Seasonal variations: None

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

Both on and off the premises

Part 2

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

WADWORTH & COMPANY LIMITED

NORTHGATE BREWERY

DEVIZES

WILTSHIRE

SN10 1JW

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

30177

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

Richard Jennings

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:

Issuing authority: Tewkesbury Borough Council

Annex 1 - Mandatory conditions

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

Irresponsible Drinks Promotions

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.

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
- (a) 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 conditions / objectives

General:

Public Entertainments Licence Conditions

The maximum number of persons admitted to the premises shall be: 90

The minimum number of visually identifiable stewards shall be: 2

General

1.1 In undertaking any or all of the conditions, the licensee(s) shall comply with all reasonable requests of the Police, the Fire Authority and the Licensing Authority's Officers.

1.2 The licensee(s) shall take all reasonable precautions to ensure the safety of the public, the performers and employees on the premises.

1.3 The licensee(s), or some responsible person nominated by him/her/them in writing for the purpose (who must not be a person under the age of 18) shall be present at the premises during the whole time that they are open to the public.

1.4 Such written nomination shall be available for inspection by the Licensing Authority's Officers at all times .

1.5 The licensee(s), or some responsible person nominated by him/her/them in writing for the

purpose, shall not be engaged on any duties that will prevent him/her from exercising general supervision.

Stewards and Door Supervisors

2.1 The number of stewards or door supervisors shall be specified by the Licensing Authority in the Schedule to the Licence relating to the premises.

2.2 The licensee(s), or some responsible person nominated by him/her/them in writing for the purpose, must ensure that the required number of stewards or door supervisors is present on the premises for the duration of the event and that they are clearly identifiable.

2.3 Where the Licensee(s) determines that the number of persons attending the premises for a particular event is less than the permitted maximum number, he/she/they may reduce the number of stewards or door supervisors that must be in attendance. When considering such reductions they shall calculate the number of stewards/door supervisors by using the following method:

For every 250 persons attending the event (or part of 250) there must be one steward/door supervisor.

In addition, where there are less than 100 persons on a floor or tier, one steward/door supervisor per floor.

Where the number exceeds 100, two stewards/door supervisor per floor .

2.4 The licensee(s), or some responsible person nominated by him/her/them in writing for the purpose, shall maintain a register of stewards or door supervisors kept on the premises showing the names and addresses of the stewards/door supervisors, and shall be signed by the stewards/door supervisors before the event commences.

2.5 The register is to be made available for inspection by Officers of the Fire Authority, Police or Licensing Authority.

2.6 The Licensee(s) shall inform the Licensing Authority if it is to use stewards as door supervisors (i.e. to decide upon the suitability of customers to be allowed onto those premises, and/or to maintain order, in addition to safety related functions). The Licensing Act 2003 requires that door supervisors must be licensed by the Security Industry Authority. For further details contact the Licensing Officer.

Dates and hours of opening

3.1 Premises licensed shall only be opened and used for any of the said purposes on such days or dates and during such hours as the premises licence permits.

Numbers of persons

4.1 The maximum number of persons permitted to use the premises, or any part of the premises, for any of the said purposes, shall be specified by the Licensing Authority in the premises licence relating to the premises.

4.2 The licensee(s) must ensure that the number of patrons attending on the premises does not exceed the permitted maximum number of persons as specified in the premise licence.

4.3 The premises shall not be used for a closely seated audience except in accordance with plans submitted by the Licensee(s) and approved by the Licensing Authority.

Powers of entry

5.1 Representatives of the Fire Authority and Police and authorised officers of the Licensing Authority shall be allowed at all times to enter the Licensed premises in order for them to execute their duties and in particular ensuring compliance with the these and any other relevant conditions.

Right to Modify

6.1 The Licensing Authority reserves the rights, from time to time, to exclude, modify, vary, or add to any of these conditions.

Special Conditions

7.1 The Licensing Authority may impose such special conditions, as it thinks fit, on the grant, renewal or variation of any Licence. Such special conditions will, if imposed, be contained within an annex attached to the licence.

Hypnotism

8.1 The Licensed premises shall not be used for any exhibition, demonstration or performance of hypnotism without the express written consent of the Licensing Authority and in accordance with any conditions attached to such consent. The special conditions relating to the regulation of exhibitions, demonstrations or performances of hypnotism are available on request.

Noise from Entertainment

9.1 The Licensee(s) shall have regard to the effects of sound levels from any amplified sound systems used in connection with an event(s) and shall take all reasonable steps to minimise the chances of complaints arising .

Conduct at Premises

10.1 Public order shall be maintained on the premises during the entertainment and the behaviour of any patrons attending functions must not be permitted to present a danger or threat to order.

10.2 The licensee(s) must, as far as is reasonably possible, ensure that patrons leaving the premises do so in an orderly manner and that they do not cause annoyance/disturbance to occupiers of premises in the vicinity which is likely to give rise to complaint.

10.3 No disorderly conduct shall be permitted at the Licensed premises, or any exhibition, recitation, acting, singing or dancing which is of an obscene character or is offensive.

10.4 No unlawful lottery or game shall be permitted at the licensed premises.

Maintenance, Repair and Cleanliness

11.1 All parts of the premises and all fixtures and fittings therein including seating, door fastenings, notices, floors, carpets and furniture shall be kept clean and maintained in good order.

11.2 A suitable number of waste bins with close fitting lids shall be provided for housing any waste generated at the premises.

11.3 No rubbish or waste paper shall be stored or allowed to accumulate in any part of the premises.

11.4 The licensee(s) must be able to demonstrate at all times compliance with the appropriate safety standards and shall at the request of the Licensing Authority produce for inspection, certificates issued by a suitably qualified person for matters that might include stage safety, lifts, balconies, projection equipment, ceilings, heating and ventilation.

Alterations

12.1 Any alterations or additions to the premises whether permanent or temporary, shall be notified to the Licensing Authority prior to the premises being used. Depending upon the circumstances, it may be necessary to make an application for a variation of Premises Licence or a Temporary Events Notice where, for example, a marquee is to be erected or an increase in the number of patrons is sought for a one-off event.

12.2 In the event of emergency repairs being carried out, the Licensing Authority shall be notified immediately. This includes any work on heating, lighting or cooking equipment.

Washing and Sanitary Facilities

13.1 Adequate and separate washing and sanitary conveniences shall be provided and maintained for persons of each sex to the satisfaction of the Licensing Authority and shall comply with BS6565:1994 or such other standards as the Licensing Authority may determine in writing .

Electrical Installations

14.1 All electric fittings, wiring, and appliances shall be constructed and maintained in a safe condition and to the satisfaction of the Licensing Authority. Any temporary wiring or telecommunications must be safely installed and securely fixed and not present a tripping hazard.

14.2 Unless a determination has been made by an approved electrical contractor and agreed by the Licensing Authority, to the contrary, a periodic inspection of the electrical systems serving the premises shall be carried out by an approved electrical contractor (with reference to and undertaken in accordance with British Standard 7671:1992, and its amendments), at least annually.

14.3 The results and extent of a Periodic Inspection and Testing on an installation, or any part thereof, in accordance with Chapter 73 of BS7671:1992, shall be recorded on a report by the person carrying out the inspection, and the report shall be provided to the Licensing Authority using the form prescribed by them (reference PEL/PIR1).

14.4 Any matters regarded as requiring action in order to satisfy British Standard 7671:1992, shall be carried out within a timescale given in writing by the contractor.

Residual Circuit Devices

15.1 All portable electrical equipment shall be powered through a sensitive earth leakage protection system (residual current device) having a rated residual operating current not exceeding 30 milliamps and a maximum operating limit of 30 milliseconds.

15.2 The residual circuit device shall be tested on a regular basis in accordance with the manufacturers instructions.

Lighting

16.1 Lighting levels inside and, where appropriate, outside the premises, shall be adequately lit during the whole time the premises are being used for any of the said purposes, so as to enable the public to access, egress and move about the premises safely. Subdued levels of lighting shall be permitted only where safety is not compromised and only whilst the entertainment is in progress.

16.2 All parts of the premises especially all passages, courts, corridors and stairways to which the public have access and which lead to the outside of the premises must, in the absence of adequate daylight, be illuminated by the general lighting when the public are present. The general lighting shall be provided by electricity.

16.3 If there is a failure of the general lighting and is not restored within thirty minutes, so that the public cannot access, egress and move about the premises safely, the event shall be terminated and the public evacuated from the premises at the end of that period.

First Aid

17.1 Suitable first aid equipment shall be provided and maintained in an accessible position on the premises.

Accidents

18.1 Any injury to any person whilst at the licensed premises, which results in hospital treatment becoming necessary, shall be reported to the Licensing Authority within 24 hours of the injury occurring with details confirmed in writing within a further seven days .

Compliance with the Fire Authoritys Requirements and Recommendations

19.1 The licensee(s) is responsible at all times for ensuring the safety of public in attendance in the event of fire or other such emergency.

19.2 The licensee(s) shall, unless agreed otherwise in writing with the Licensing Authority, implement in full the requirements and recommendations (if any) of the Fire Authority as detailed in its inspection report before any public entertainment is held within the premises to which the licence relates and shall thereafter promptly implement any further recommendations of the Fire Authority from time to time.

19.3 The Licensee(s) shall comply with any reasonable fire prevention and safety measures that may be required of him/her/them by the Fire Authority or Licensing Authority.

Means of Escape

20.1 Adequate means of escape shall be provided and maintained to the satisfaction of the Licensing Authority and Fire Authority.

Reporting of Fires

21.1 A written fire and emergency evacuation procedure shall be established and maintained to the satisfaction of the Licensing Authority and Fire Authority.

21.2 Any outbreaks of fire, however slight, whilst the premises are open for public entertainment, must be reported immediately to the Fire Service by dialling 999.

21.3 A notice giving instructions on how to call the Fire Service and indicating the nearest available public telephones shall be prominently displayed in the premises.

Fire Procedure

22.1 The Licensee(s) (or nominated representative) shall supervise the escape of persons in the event of fire or other such emergency.

22.2 The Licensee(s) (or nominated representative) will arrange for the fire procedure to be practised by all staff and other attendants at least twice each calendar year and upon employment of new staff.

Log Book

23.1 The licensee(s) shall keep a Log Book, and produce for inspection at the request of an authorised officer of the Police, Licensing Authority, or Fire Authority.

23.2 The Log Book shall record the date, time and result of each of the following tests or inspections and be signed by the person responsible:-

- a. inspections by authorised officers of the Licensing Authority, the Fire Authority and the Police;
- b. Fire equipment tests;
- c. Emergency lighting tests;
- d. Fire alarm tests;
- e. Staff fire prevention and emergency procedure training;
- f. Dates and times of practices of the fire procedures and details of the persons taking part.

Access for Fire Appliances

24.1 The licensee(s) (or nominated person) should be able to satisfy the Licensing Authority and Fire Authority, when required, that external access can be effectively provided for Fire

Authority appliances. The licensee(s) (or nominated person) must ensure that vehicles do not obstruct such access.

Fire fighting equipment

25.1 Suitable and sufficient fire fighting equipment shall be maintained to the satisfaction of the Licensing Authority, shall be provided in the premises, located in suitable positions, available for instant use and have been serviced within the last twelve months.

Exit Routes and Exit Route Notices

26.1 All exits and exit routes shall be clearly indicated by graphic symbols complying with British Standard 5499:1990 Part I. All such notices and routes shall be subject to the approval of the Licensing Authority and Fire Authority and shall be adequately illuminated and linked to an emergency lighting system.

Exit Doors

27.1 The number, size and position of exit doors, gangways and passageways shall be to the satisfaction of the Licensing Authority and the Fire Authority.

27.2 All exit doors and all passageways, gangways, steps and stairways affording access thereto shall be properly maintained and shall be kept entirely free from obstruction and combustible storage at all times in order to allow safe egress from the building.

27.3 Before the public are admitted to any entertainment, the licensee(s) (or nominated person) shall ensure that all exits are unlocked, available for use and that:-

27.4 All exit doors that do not open in the direction of exit e.g. sliding doors, gates and shutters, must be secured in the open position where necessary and suitably signed;

27.5 All removable fastenings, if any, have been removed from other exit doors, gates and shutters and placed in a secure place;

27.6 All panic bolts, if any, have been tested and are in good working order;

27.7 Automatic bolts shall be of such a pattern that horizontal pressure on the cross-bars will open the doors. The cross-bars shall, where practicable, be placed at a height one metre from the bottom of the door. Doors fitted with automatic bolts shall have the words 'PUSH BAR TO OPEN' painted upon them in block letters at least 100mm high.

Furniture and Fittings

28.1 Fire resisting doors, walls and associated self-closing devices, ceilings and floors shall be kept in a satisfactory state of repair.

28.2 The licensee(s) shall comply with any reasonable requirement of the Fire Authority with regard to the provision and maintenance of surface finishings on walls, ceilings and partitions, floor coverings and upholstered furniture within the premises and shall allow the Fire Authority to test any furniture, equipment, fittings and similar items, if requested.

28.3 Curtains covering exit doors or across gangways shall be made to part in the centre and shall not obstruct exit signs, emergency lights and manual call points. They shall hang so as to be readily drawn aside and should be at least 100mm above floor level.

28.4 Curtains, safety curtains, hangings, decorations and fabrics shall be inherently flame retardant and comply the relevant British Standards. Those not inherently retardant must be suitably treated to achieve the same standard.

Mats and Floor Coverings

29.1 Matting and other floor coverings must be secured in such a manner as not to constitute a danger.

Smoking

30.1 There shall be no smoking in any stage/backstage area except so far as may be necessary on stage in connection with a live performance.

Explosive and Flammable Substances

31.1 Lamps burning paraffin or other mineral oils shall not be used.

31.2 Any naked light shall be protected by means of an efficient glass or wire globe.

31.3 Gas cylinders, whether natural or liquefied, shall not be used unless the installation is housed externally and fixed pipework is used. Any gas taps shall be secured so far as possible against unauthorised access and flexible piping shall not be used.

31.4 No explosive or highly flammable substance shall be brought into or used on the premises other than an approved supply of mains gas or controlled LPG fuel.

Ventilation/Heating

32.1 The premises shall be kept properly and sufficiently ventilated and heated to the satisfaction of the Licensing Authority. All equipment shall be maintained in a proper working condition and any fuel stored in a safe manner.

32.2 Stoves, open fires and heating appliances shall be effectively fixed and guarded.

33.3 Cylinders or containers of gas under pressure, other than Cellar Gases, shall not be used on the premises except with the prior consent of the Licensing Authority.

33.4 The use of portable cooking or heating appliances shall be subject to the prior consent of the Licensing Authority.

Special Effects

34.1 The installation and use of laser beams, pyrotechnics or real flames, explosive or highly flammable or smoke producing agent, for any purpose shall not be permitted without specific written consent of the Licensing Authority. Application for consent, together with a detailed description of the method of use, should be made to the Licensing Authority not less than 14 days prior to the day on which the laser equipment is to be used.

34.2 Strobe lights shall be operated on a fixed rate of not more than four flashes per second. Where more than one strobe light is used, the flashes shall be synchronised. In any case, such lights shall not be installed without the prior written approval of the Licensing Authority.

34.3 Any lighting or approved special effects shall be installed and maintained by a competent person.

34.4 The use of foam shall not be permitted unless with the prior written approval of the Licensing Authority.

Outbreak of Fire

35.1 Notices shall be displayed detailing the action to be taken in case of fire, in the position of the nearest telephone and the method of calling the Fire Authority.

Emergency Lighting

36.1 In addition to general lighting, adequate emergency lighting must be provided to enable members of the public to see their way out of the premises without assistance from the general lighting. Such emergency lighting must be kept lit in the hall, passages and stairways during the time while the premises are open to the public, or be designed so as to illuminate these areas automatically and immediately in the event of the failure of the general lighting system.

The lighting to EXIT or WAY OUT signs shall not in any circumstances be extinguished or dimmed while the public is on the premises. The emergency lighting must comply with British Standard BS 5266:1988, Part 1.

36.2 Emergency lighting and all hand lamps shall be maintained in efficient working order and shall be checked weekly. All batteries shall be maintained or changed in accordance with the manufacturers recommendations.

36.3 All switches controlling the emergency lighting shall have marked immediately below them 'Emergency Lighting Only' and be situated in a position inaccessible to unauthorised persons or protected against unauthorised operation.

36.4 No entertainment shall take place until the emergency lighting has been tested and found to be fully operative.

36.5 The licensee(s) (or nominated person) shall ensure that in the event of the failure of an emergency lighting system, members of the public are instructed to leave the premises immediately and not readmitted until the system is operable.

People with disabilities

37.1 On those occasions when people with disabilities are present on the premises the licensee(s) shall make an assessment so as to enable all people to leave the premises safely in the event of an emergency. Advice can be sought from the Fire Authority.

Gas Meter and Electrical Intake Enclosures

38.1 Any gas meter or electricity meter enclosure provided shall be used exclusively for the accommodation of the meter and its connections and the area around the equipment, whether enclosed or not, shall be kept clear and unobstructed.

Gas Appliances

39.1 Any and all gas appliances used in the premises must be regularly and properly maintained by a competent person in accordance with the manufacturers instruction and recommendations at least annually and a record of any such maintenance be kept at the premises and be available for inspection by the Licensing Authority.

General:

The house has operated without problems with due regard to the new four licensing objectives. We do not expect the extra hours requested will have an adverse effect on this and therefore do not see the need to introduce any extra measures.

The premises will continue to operate with the current public entertainment licence conditions.

Prevention of Crime:

Engage in recognised local groups such as Pub-Watch and liaise with local police.

Staff induction will include training on dealing with conflict situations.

Providing a 30 and or 60 minute 'wind down' period to sales hours will encourage the last drinks to be consumed less quickly, avoiding 'The Binge' also access to pub toilets.

CCTV installed

Public Safety:

Fire Certificate.

Comply to findings of Company Health Audits and exercise a Due Diligence Policy at all times, to include staff training.

Having drinking water available at all times.

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

C.C. TV will be installed
C.C. TV in operation.

Prevention of Public Nuisance:

Refuse admission and or sale of alcohol to persons who appear drunk.
Have a range of low alcohol and alcohol free beers, etc. on stock.
Ensure noise levels are kept to a minimum, particularly after 11:00pm.
Display details of local taxi services.
Comply to any L.A. recommendations and policies.

Protection of Children:

The Restrictions set out in the Licensing Act 2003 will apply.
Only accredited Proof of Age ID Schemes will be accepted.
Staff will be trained in ID Policy.

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

Not applicable

Annex 4 - Plans

As attached

**LICENSING ACT 2003
Part B - Premises licence summary**

Premises licence number PR00363 (Vary DPS 04.02.2020)

Premises details

Postal address of premises, or if none, ordnance survey map reference or description TALBOT HOTEL NEW STREET	
Post town LEDBURY	Post code HR8 2DX
Telephone number 01531 632963	

Where the licence is time limited the dates Not applicable
--

Licensable activities authorised by the licence Provision of regulated entertainment 1. A performance of live music (Indoors) 2. Any playing of recorded music (Indoors) 3. A performance of dance (Indoors) Provision of refreshment or alcohol 4. Provision of late night refreshment (Indoors) 5. Sale by retail of alcohol (For consumption both on and off the premises) Further details: (A performance of live music) Small group (approximately 4) (Any playing of recorded music) Recorded background music 10:00 - 00:00 Disco - Karaoke evenings

The times the licence authorises the carrying out of licensable activities A performance of live music; A performance of dance Monday-Sunday: 19:00 - 00:00 Any playing of recorded music; Sale by retail of alcohol Monday-Sunday: 10:00 - 00:00 Provision of late night refreshment Monday-Sunday: 23:00 - 00:00 Non standard timings: A performance of live music; Sale by retail of alcohol: From the end of permitted hours on New Years Eve until the start of permitted hours on New Years Day Seasonal variations: None

The opening hours of the premises

Monday-Thursday,Sunday: 10:00 - 00:30

Friday-Saturday: 10:00 - 01:00

Non standard timings:

From the end of permitted hours on New Years Eve until the start of permitted hours on New Years Day

Seasonal variations: None

Name, (registered) address of holder of premises licence

WADWORTH & COMPANY LIMITED

NORTHGATE BREWERY

DEVIZES

WILTSHIRE

SN10 1JW

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

Both on and off the premises

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

30177

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

Richard Jennings

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

Restricted

Licensing Objectives:

The Restrictions set out in the Licensing Act 2003 will apply.

Only accredited Proof of Age ID Schemes will be accepted.

Staff will be trained in ID Policy.

MEMORANDUM

To : LICENSING OFFICER

From : Environmental Health

Tel : My Ref : RRO/381212/

Date : 15/06/2023 Your Ref : Talbot Hotel Variation

LICENSING ACT 2003
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE
Talbot Hotel (Formerly YE OLDE TALBOT HOTEL) The Talbot Inn, New Street,
Ledbury, Herefordshire, HR8 2DX

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 Environmental health object to this variation in the premises license. There are residential properties surrounding this outside courtyard area and Environmental Health have received complaints from nearby residents about noise from music events held in this outside courtyard area in the past. The structure of this courtyard area also is not suitable for music events because of its hard standing structure and walls with reflective hard surfaces.	
PROTECTION OF CHILDREN FROM HARM	

ENVIRONMENTAL HEALTH OFFICER
HEREFORDSHIRE COUNCIL

From: [REDACTED] >
Sent: 12 June 2023 20:53
To: Licensing <licensing@herefordshire.gov.uk>
Subject: RE: Memo - Variation of a Premises Licence - Talbot, Ledbury

As ward councillor for the Talbot I am supportive of businesses in the ward and appreciate efforts to increase trade within the hospitality sector. However I cannot support this licence variation for the following reason: Prevention of Public Nuisance.
Given the proximity of the Talbot to residential properties (including residential home) it is likely that outside playing of live or amplified music will likely result in complaints to Environmental Health on noise nuisance grounds.

Kind regards,



Herefordshire.gov.uk

Cllr Stef Simmons
Ledbury South (Donnington, Eastnor and Ledbury South)
07854 437451
stef.simmons@herefordshire.gov.uk

Directorate/Division: Economy and Environment
Team: Environmental Health & Trading
Standards
Please ask for: Licensing Team
Our Ref: FSP/PR00363
Telephone: 01432 261761
Email: licensing@herefordshire.gov.uk
Date: 19th August 2022

Richard Jennings



Dear Mr Jennings

**Licensing Act 2003
Talbot Hotel, New Street, Ledbury, HR8 2DX – PR00363**

Following my visit to your premises last weekend and the excessive noise which I witnessed, caused by your band, I have since looked at the plan for your premises.

I have to inform you that, nowhere on the plan does it show the courtyard, where the band were playing. As a result the play of music within that area is not authorised and must cease immediately.

I must advise you that should a further breach occur then the offence of carrying on an unlicenable activity would be committed, which on summary conviction carries up to 6 months imprisonment and/or an unlimited fine.

I am unable to discuss this matter further with you as you are not the premises licence holder.

Yours sincerely,



PRINCIPAL LICENSING OFFICER

cc. Wadworth & Company Ltd

Directorate/Division: Economy and Environment
Team: Environmental Health & Trading
Standards
Please ask for: Licensing Team
Our Ref: FSP/PR00363
Telephone: 01432 261761
Email: licensing@herefordshire.gov.uk
Date: 19th August 2022

**WADWORTH & COMPANY LIMITED
NORTHGATE BREWERY
DEVIZES
WILTSHIRE
SN10 1JW**

Dear Sir/Madam

**Licensing Act 2003
Talbot Hotel, New Street, Ledbury, HR8 2DX – PR00363**

Please find enclosed a letter sent to your DPS at the above premises which is self-explanatory.

Yours sincerely,

[Redacted Signature]

[Redacted Name]

PRINCIPAL LICENSING OFFICER

cc. Richard Jennings



Title of report: Application for a variation of three premises licences in respect of 'Shell Leominster, Ludlow Road, Ridgemoor, Leominster. HR6 0DQ, Shell Northside, A49 Hope Under Dinmore, Leominster, HR6 0PJ & Shell Symonds Yat, A40 Northbound Services, Whitchurch, HR9 6DP – Licensing Act 2003.

Meeting: Licensing sub-committee

Meeting date: Thursday 13 July 2023 at 14:30hrs

Report by: Senior Licensing Technical Officer

Classification

Open

Decision type

This is not an executive decision

Wards affected

Kerne Bridge
Bircher
Queenswood

Purpose

To consider three applications for variations to premises licences in respect of Shell Leominster, Ludlow Road, Ridgemoor, Leominster. HR6 0DQ, Shell Northside, A49 Hope Under Dinmore, Leominster, HR6 0PJ & Shell Symonds Yat, A40 Northbound Services, Whitchurch, HR9 6DP.

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 variation of a premises licence has received relevant representation and is therefore brought before the sub-committee for determination.
3. Herefordshire Council's Statement of Licensing Policy 2020 to 2025 states "All representations 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	SHELL U.K. OIL PRODUCTS LIMITED
Agent	Lockett and Co, Kidderminster

Type of application:	Date received:	28 Days consultation ended:
Grant	18 May 2023	15 June 2023
	28 day consultation started:	
	19 May 2023	

Summary of Application

5. The three (3) applications (appendix 1) requests the variation of three premises licence to allow the following licensable activities, during the hours shown, as follows:

Update premises names.

Update the internal layout plan attached to the premises licence.

Remove all existing conditions under Annex 2 of the premises licences and replace them with up to date conditions proportionate with the operating policies of the new premises licence holder.

Current Licence

A copy of the current licences for all three (3) premises are attached at Appendix 2. It authorises

Sale/Supply of Alcohol (consumption off the premises):

Monday-Sunday 00:00-24:00

Provision of Late Night Refreshment (Indoors):

Monday-Sunday 23:00 – 05:00

NB: Late Night Refreshment is the sale and supply of hot food and/or hot drink and is only applicable under the Licensing Act 2003 between the hours of Monday – Sunday 23:00 – 05:00

Summary of Representations

6. One (1) representation in relation to all three applications has been received from one of the responsible authorities – Trading Standards which has not been agreed and can be found at Appendix 3. The representations that were sent to the applicant states that it is for a grant of a premises licence which is a clerical administration error and should have read variation.
7. The licensing authority is led to believe that the applicant and/or applicant's agent have failed to engage with Trading Standards during the consultation process. It was confirmed that they did not agree to the condition proposed by Trading Standards after the consultation had ended.
8. Revised Guidance issued under section 182 of the Licensing Act 2003 at paragraph 1.15 states: It is recommended that licence applicants contact responsible authorities when preparing their operating schedules.

Premises History

9. **Shell Leominster**

The premises was first licenced in 2005 as Total Convenience Store (Night & Day). Since then the premises has undergone name changes. Leominster Service Station in 2011, Malthurst Leominster in 2013, MRH Leominster in 2016 and Shell Leominster in 2023.

On 25.09.2014 the premises licence holder at the time (Malthurst Ltd) were sent a warning letter over breach of conditions of their licence in relation to their CCTV following information received from West Mercia Police.

Shell Northside

The premises was first licenced in 2005 as ESSO PETROLEUM CO LTD. Since then the premises has undergone name changes. Malthurst Northside Service Station in 2010, Northside Service Station in 2011 and Shell Northside in 2023.

Shell Symonds Yat

The premises was first licenced in 2013 as High Noon Stores Ltd. Since then the premises has undergone name changes. Symonds Yat Services in 2017 and Shell Symonds Yat in 2023.

Community impact

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

Environmental Impact

11. 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, as licensing authority.

Equality duty

12. 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.

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

16. 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, as Licensing Authority.

Financial implications

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

Legal implications

18. 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.
19. 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.
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: -

22. 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.
23. 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.
24. This judgment 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’.
25. In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

Right of Appeal

26. Schedule 5 Part 1 of the Licensing Act 2003 gives a right of appeal which states:
Variation of licence under section 35.
 - (1) This paragraph applies where an application to vary a premises licence is (in whole or in part) under section 35.
 - (2) The applicant may appeal against any decision to modify the conditions of the licence under subsection (4)(a) of that section. —
 - (3) Where a person who made relevant representations in relation to the application desires to contend—
 - (a) that any variation made ought not to have been made, or
 - (b) that, when varying the licence, the licensing authority ought not to have modified the conditions of the licence, or ought to have modified them in a different way, under subsection (4)(a) of that section he may appeal against the decision
 - (4) In sub-paragraph (3) “relevant representations” has the meaning given in section 35(5).
27. 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

28. 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

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

Appendices

- Appendix 1 – Application Forms
- Appendix 2 – Current Premises Licences
- Appendix 3 – Trading Standards Representations

Background papers

None Identified

Please include a glossary of terms, abbreviations and acronyms used in this report.

Application to vary a premises licence 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.

We **SHELL U.K. OIL PRODUCTS LIMITED**

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PR00311
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Shell Leominster Ludlow Road, Ridgemoor			
Post town	Leominster	Postcode	HR6 0DQ

Telephone number at premises (if any)	01568 612215
Non-domestic rateable value of premises	£ 82,500.00

Part 2 – Applicant details

Daytime contact telephone number	01562 864488 (agents)		
E-mail address (optional)	<u>paolo@lockett.uk.com</u> (agents)		
Current postal address if different from premises address	Shell Centre York Road		
Post town	London	Postcode	SE1 7NA

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect? DD MM YYYY

--	--	--	--	--	--	--	--

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

- 1. UPDATE THE PREMISES NAME FROM 'MRH LEOMINSTER' TO 'SHELL LEOMINSTER'.**
- 2. UPDATE THE INTERNAL LAYOUT PLAN ATTACHED TO THE PREMISES LICENCE.**
- 3. REMOVE ALL EXISTING CONDITIONS UNDER ANNEX 2 OF THE PREMISES LICENCE AND REPLACE THEM WITH UP TO DATE CONDITIONS PROPORTIONATE WITH THE OPERATING POLICIES OF THE NEW PREMISES LICENCE HOLDER.**

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

--

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
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 7)		
Sat								
Sun								

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon	-----	-----	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue	-----	-----	
Wed	-----	-----	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Thur	-----	-----	
Fri	-----	-----	
Sat	-----	-----	
Sun	-----	-----	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					

Tue					

Wed					

Thur			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		

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 7)		

Sat					

Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Fin sh	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur								
Fri						<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 7)		
Sat								
Sun								

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		

Tue			<u>Please give further details here</u> (please read guidance note 5)		

Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		

Thur			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		

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 7)		

Sat					

Sun			<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 7)		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<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 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p> <p>NONE</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6) N/A
Day	Start	Finish	
Mon	00:00	00:00	
Tue	00:00	00:00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7) N/A
Wed	00:00	00:00	
Thur	00:00	00:00	
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	00:00	

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

WE ARE PROPOSING TO REMOVE ALL EXISTING CONDITIONS UNDER ANNEX 2 AND REPLACE THEM WITH UP TO DATE CONDITIONS PROPORTIONATE WITH THE OPERATION OF THE NEW PREMISES LICENCE HOLDER.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images will be retained for a period of no less than 31 days. Access to the equipment and recordings will be provided to the Police or other relevant officers of a responsible authority within 24 hours of the request being made.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

A Challenge 25 policy will be operated at the premises. Acceptable forms of identification are a passport, photo-card driving licence and PASS accredited identification card.

Spirits (with the exception of spirit mixers and premixed spirit drinks) will be located behind the counter.

The Premises Licence holder shall be permitted to display bulk stacks, wine towers and chilled promotional offerings throughout the store that may not necessarily be shown on the plan. The locations may be subject to change but will be contained within the red lined licensable area shown on the plan attached to the Premises Licence. The display of bulk stacks will not be located where they may impact on the ability of customers to use exits or escape routes without impediment.

The premises licence holder will require any third party delivery partner delivering on behalf of the premises licence holder to comply with all legal requirements pertaining to the retail sale of alcohol, and in particular to operate a Challenge 25 age verification policy.

The premises licence holder will require all third party delivery partners not to deliver alcohol to schools, parks or playgrounds.

b) The prevention of crime and disorder

SAME AS ABOVE

c) Public safety

SAME AS ABOVE

d) The prevention of public nuisance

SAME AS ABOVE

e) The protection of children from harm

SAME AS ABOVE

Checklist:

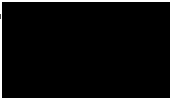
Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	18 May 2023
Capacity	DULY AUTHORISED AGENTS

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Paolo Zaffino Lockett and Co Lockett House 13 Church Street			
Post town	Kidderminster	Post code	DY10 2AH
Telephone number (if any)	01562 864488		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
Paolo@lockett.uk.com			

Notes for Guidance

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.

1. 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 for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the

- local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example 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.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

Application to vary a premises licence 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.

We **SHELL U.K. OIL PRODUCTS LIMITED**

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PR00104
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Shell Northside A49 Hope Under Dinmore			
Post town	Leominster	Postcode	HR6 0PJ

Telephone number at premises (if any)	01568 613982
Non-domestic rateable value of premises	£ 24,250.00

Part 2 – Applicant details

Daytime contact telephone number	01562 864488 (agents)		
E-mail address (optional)	<u>paolo@lockett.uk.com</u> (agents)		
Current postal address if different from premises address	Shell Centre York Road		
Post town	London	Postcode	SE1 7NA

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect? DD MM YYYY

--	--	--	--	--	--	--	--

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

1. UPDATE THE PREMISES NAME TO 'SHELL NORTHSIDE'
2. UPDATE THE INTERNAL LAYOUT PLAN ATTACHED TO THE PREMISES LICENCE.
3. REMOVE ALL EXISTING CONDITIONS UNDER ANNEX 2 AND ANNEX 3 OF THE PREMISES LICENCE, AND REPLACE THEM WITH UP TO DATE CONDITIONS PROPORTIONATE WITH THE OPERATING POLICIES OF THE NEW PREMISES LICENCE HOLDER.

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

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon	-----	-----	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue	-----	-----	
Wed	-----	-----	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Thur	-----	-----	
Fri	-----	-----	
Sat	-----	-----	
Sun	-----	-----	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
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 7)		
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Fin sh	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
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 7)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon				<u>Please give further details here</u> (please read guidance note 5)	

Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		

Wed			<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 7)		

Thur					

Fri					

Sat					

Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<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 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sun					
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)		

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p> <p>NONE</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6) N/A
Day	Start	Finish	
Mon	00:00	00:00	
Tue	00:00	00:00	<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 7) N/A
Wed	00:00	00:00	
Thur	00:00	00:00	
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	00:00	

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

WE ARE PROPOSING TO REMOVE ALL EXISTING CONDITIONS UNDER ANNEX 2 AND ANNEX 3 OF THE EXISTING PREMISES LICENCE, AND TO REPLACE THEM WITH UP TO DATE CONDITIONS PROPORTIONATE WITH THE OPERATION OF THE NEW PREMISES LICENCE HOLDER.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images will be retained for a period of no less than 31 days. Access to the equipment and recordings will be provided to the Police or other relevant officers of a responsible authority within 24 hours of the request being made.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

A Challenge 25 policy will be operated at the premises. Acceptable forms of identification are a passport, photo-card driving licence and PASS accredited identification card.

Spirits (with the exception of spirit mixers and premixed spirit drinks) will be located behind the counter.

The Premises Licence holder shall be permitted to display bulk stacks, wine towers and chilled promotional offerings throughout the store that may not necessarily be shown on the plan. The locations may be subject to change but will be contained within the red lined licensable area shown on the plan attached to the Premises Licence. The display of bulk stacks will not be located where they may impact on the ability of customers to use exits or escape routes without impediment.

There will be two members of staff on duty between the hours of 23.00 and 05.00 each day. In the event that there is not, the door to the shop will be closed and all service will take place through the night hatch.

The premises licence holder will require any third party delivery partner delivering on behalf of the premises licence holder to comply with all legal requirements pertaining to the retail sale of alcohol, and in particular to operate a Challenge 25 age verification policy.

The premises licence holder will require all third party delivery partners not to deliver alcohol to schools, parks or playgrounds.

b) The prevention of crime and disorder

SAME AS ABOVE

c) Public safety

SAME AS ABOVE

d) The prevention of public nuisance

SAME AS ABOVE

e) The protection of children from harm

SAME AS ABOVE

Checklist:

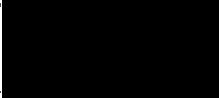
Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	18 May 2023
Capacity	DULY AUTHORISED AGENTS

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) Paolo Zaffino Lockett and Co Lockett House 13 Church Street			
Post town	Kidderminster	Post code	DY10 2AH
Telephone number (if any)	01562 864488		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) Paolo@lockett.uk.com			

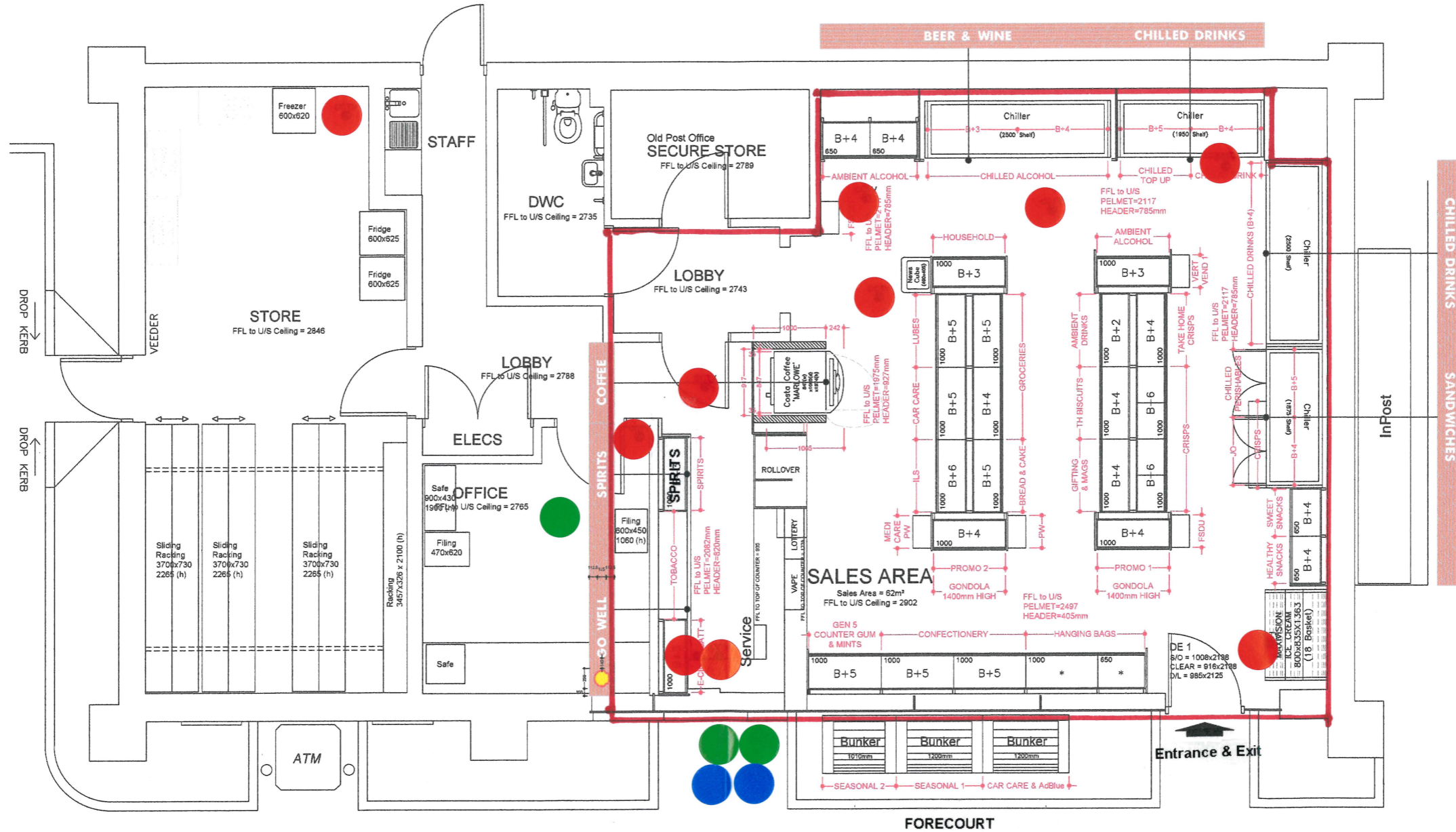
Notes for Guidance

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.





1. 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 for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the

- local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example 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.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

Shell Northside
Hope Under Dinmore
Leominster
Herefordshire
HR6 0PJ



112

Key:			
	Area licensed for sale of alcohol for consumption off the premise and Late Night Refreshment (LNR)		
	Fire Extinguisher		CCTV
	Fire Bucket		

Application to vary a premises licence 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.

We **SHELL U.K. OIL PRODUCTS LIMITED**

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PR01610
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Shell Symonds Yat A40 Northbound Services			
Post town	Whitchurch	Postcode	HR9 6DP

Telephone number at premises (if any)	01600 890986
Non-domestic rateable value of premises	£ 90,000.00

Part 2 – Applicant details

Daytime contact telephone number	01562 864488 (agents)		
E-mail address (optional)	<u>paolo@lockett.uk.com</u> (agents)		
Current postal address if different from premises address	Shell Centre York Road		
Post town	London	Postcode	SE1 7NA

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect? DD MM YYYY

--	--	--	--	--	--	--	--

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

- 1. UPDATE PREMISES NAME FROM 'SYMONDS YAT SERVICES' TO 'SHELL SYMONDS YAT'.**
- 2. UPDATE THE INTERNAL LAYOUT PLAN ATTACHED TO THE PREMISES LICENCE.**
- 3. REMOVE ALL EXISTING CONDITIONS UNDER ANNEX 2 OF THE PREMISES LICENCE AND REPLACE THEM WITH UP TO DATE CONDITIONS PROPORTIONATE WITH THE OPERATING POLICIES OF THE NEW PREMISES LICENCE HOLDER.**

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

--

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Wed			<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 7)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon	-----	-----	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue	-----	-----	
Wed	-----	-----	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Thur	-----	-----	
Fri	-----	-----	
Sat	-----	-----	
Sun	-----	-----	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
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 7)		
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	-----				
Tue	-----		<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
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 7)		
Fri	-----				
Sat	-----				
Sun	-----				

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		

Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		

Wed			<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 7)		

Thur					

Fri					

Sat					

Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<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 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					

Tue					

Wed					

Thur			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
	-----		<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					

Sat					

Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sun					
			<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p> <p>NONE</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6) N/A
Day	Start	Finish	
Mon	00:00	00:00	
Tue	00:00	00:00	
Wed	00:00	00:00	
Thur	00:00	00:00	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7) N/A
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	00:00	

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

WE ARE PROPOSING TO REMOVE ALL EXISTING CONDITIONS UNDER ANNEX 2 AND REPLACE THEM WITH UP TO DATE CONDITIONS PROPORTIONATE WITH THE OPERATION OF THE NEW PREMISES LICENCE HOLDER.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images will be retained for a period of no less than 31 days. Access to the equipment and recordings will be provided to the Police or other relevant officers of a responsible authority within 24 hours of the request being made.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

A Challenge 25 policy will be operated at the premises. Acceptable forms of identification are a passport, photo-card driving licence and PASS accredited identification card.

Spirits (with the exception of spirit mixers and premixed spirit drinks) will be located behind the counter.

The Premises Licence holder shall be permitted to display bulk stacks, wine towers and chilled promotional offerings throughout the store that may not necessarily be shown on the plan. The locations may be subject to change but will be contained within the red lined licensable area shown on the plan attached to the Premises Licence. The display of bulk stacks will not be located where they may impact on the ability of customers to use exits or escape routes without impediment.

The premises licence holder will require any third party delivery partner delivering on behalf of the premises licence holder to comply with all legal requirements pertaining to the retail sale of alcohol, and in particular to operate a Challenge 25 age verification policy.

The premises licence holder will require all third party delivery partners not to deliver alcohol to schools, parks or playgrounds.

b) The prevention of crime and disorder

SAME AS ABOVE

c) Public safety

SAME AS ABOVE

d) The prevention of public nuisance

SAME AS ABOVE

e) The protection of children from harm

SAME AS ABOVE

Checklist:

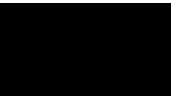
Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	18 May 2023
Capacity	DULY AUTHORISED AGENTS

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) Paolo Zaffino Lockett and Co Lockett House 13 Church Street			
Post town	Kidderminster	Post code	DY10 2AH
Telephone number (if any)	01562 864488		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) Paolo@lockett.uk.com			

Notes for Guidance

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.

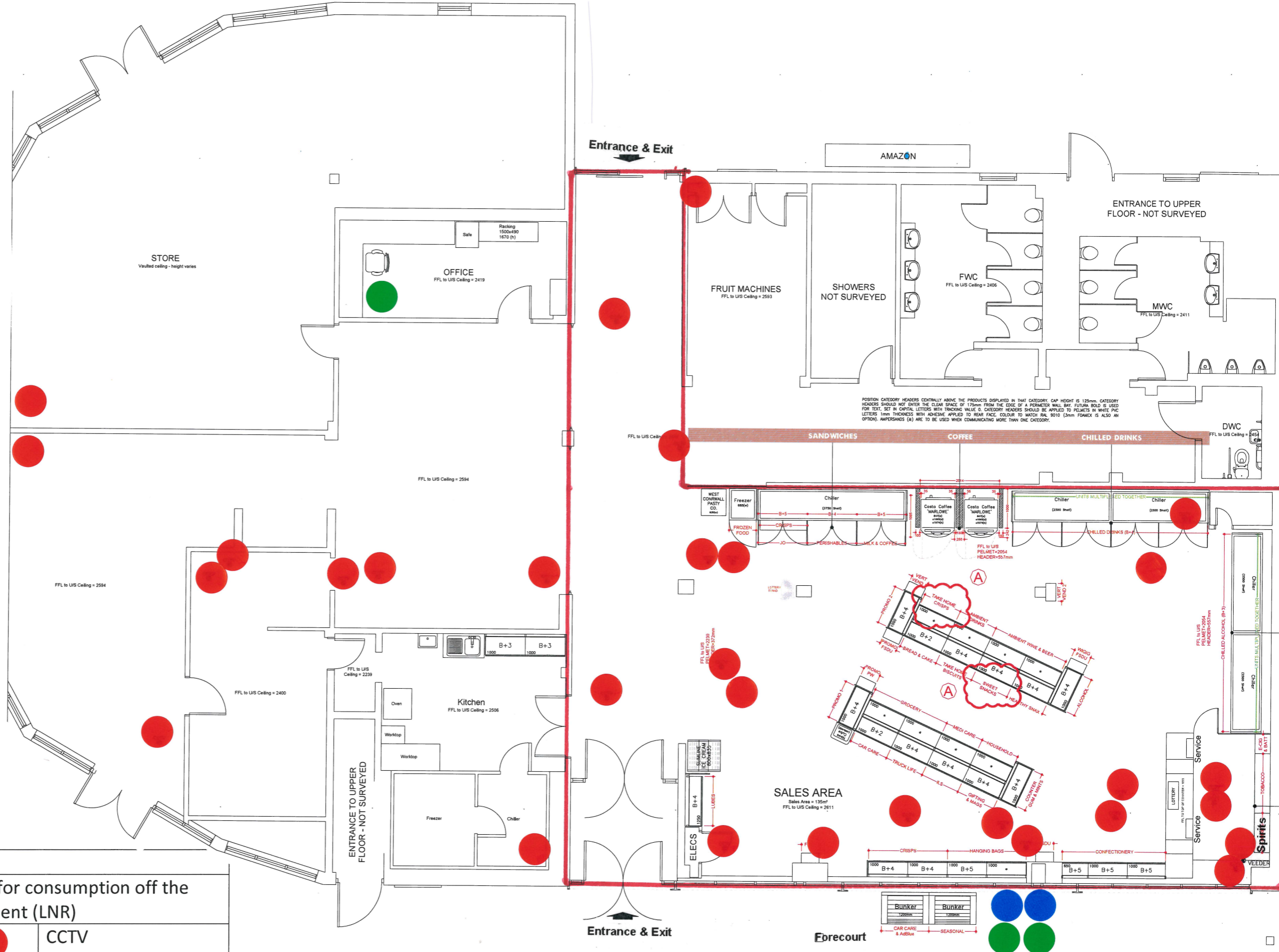
1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the





local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example 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.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

Shell Symonds Yat
A40 Northbound Services
Whitchurch
Herefordshire
HR9 6DP

132



Key:			
	Area licensed for sale of alcohol for consumption off the premise and Late Night Refreshment (LNR)		CCTV
	Fire Extinguisher		
	Fire Bucket		

**LICENSING ACT 2003
Part A - Premises Licence**

Premises licence number - PR00311 (App to Transfer Premise Licence)

Part 1 - Premises details

Postal address of premises, or if none, Ordnance Survey map reference or description MRH Leominster Leominster Service Station Ridgemore Leominster HR6 0AL
Telephone number: 0845 165 527

Where the licence is time limited the dates: Not applicable

Licensable activities authorised by the licence SALE/SUPPLY OF ALCOHOL (consumption off the premises) LATE NIGHT REFRESHMENT
--

The times the licence authorises the carrying out of licensable activities <u>Sale/Supply of Alcohol</u> Monday – Sunday from 00:00 until 23:59 <u>Late Night Refreshment</u> Monday – Sunday from 23:00 until 05:00
--

The opening hours of the premises Hours: Monday – Sunday from 00:00 until 23:59

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

Part 2

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

SHELL U.K. OIL PRODUCTS LIMITED
Shell Centre
York Road
London
SE1 7NA

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

03625633

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

Subagar Ratnam



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 – LBHIL3652
Issuing Authority – London Borough of Hillingdon

Annex 1 - Mandatory conditions**Age verification**

- (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.

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

Annex 2 - Conditions consistent with the operating Schedule**Licensing conditions**

- CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition.
- Cameras shall encompass all ingress and egress to the premises, fire exits, outside areas, and all areas where the sale/ supply of alcohol occurs.
- Equipment MUST be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand.
- The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format EITHER DISC or VHS to the Police/Local Authority on demand.
- The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.
- 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 0300 333 3000 immediately.
- The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Licensing Authority or Police. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.
- All staff shall be trained within 2 weeks of taking up employment and six monthly thereafter. The training shall include:
Selling to under age person
Selling to drunks
Age verification

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

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

Protection of Children

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

Not Applicable

Annex 4 - Plans

As attached

LICENSING ACT 2003
Part B - Premises licence summary

Premises licence number - PR00311 (App to Transfer Premise Licence)

Premises details

Postal address of premises, or if none, ordnance survey map reference or description MRH Leominster Leominster Service Station Ridgemore Leominster HR6 0AL
Telephone number: 0845 165 527

Where the licence is time limited the dates Not applicable
--

Licensable activities authorised by the licence SALE/SUPPLY OF ALCOHOL (consumption off the premises) LATE NIGHT REFRESHMENT
--

The times the licence authorises the carrying out of licensable activities <u>Sale/Supply of Alcohol</u> Hours: Monday – Sunday from 00:00 until 23:59 <u>Late Night Refreshment</u> Hours: Monday – Sunday from 23:00 until 05:00
--

The opening hours of the premises Hours: Monday – Sunday from 00:00 until 23:59

Name, (registered) address of holder of premises licence SHELL U.K. OIL PRODUCTS LIMITED Shell Centre York Road London SE1 7NA
--

Where the licence authorises supplies of alcohol whether these are on and / or off supplies For consumption off the premises
--

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

03625633

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

Subagar Ratnam

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

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

LICENSING ACT 2003
Part A - Premises Licence

Premises licence number - PR00104 (App to Vary DPS)

Part 1 - Premises details

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

**Northside Service Station
Hope Under Dinmore
Leominster
Herefordshire
HR6 0PJ**

Telephone number: **01568 613982**

Where the licence is time limited the dates:

Not applicable

Licensable activities authorised by the licence

**LATE NIGHT REFRESHMENT
SUPPLY OF ALCOHOL – FOR CONSUMPTION OFF THE PREMISES**

The times the licence authorises the carrying out of licensable activities

Late Night Refreshment

Late Night Refreshment is licenced to take place Indoors

Monday to Sunday from 23.:00 TO 05:00

Supply/Sale of Alcohol

Monday to Sunday from 00:00 to 24:00

The opening hours of the premises

Monday to Sunday from 00:00 to 24:00

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

Alcohol-Off the premises

Part 2

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

SHELL U.K. OIL PRODUCTS LIMITED
Shell Centre
York Road
London
SE1 7NA

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

03625633

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

Mr Subagar Ratnam



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

LBHIL3652 – London Borough of Hillingdon

Annex 1 - Mandatory conditions**Age verification**

- (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.

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
- (a) 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.

Annex 2 - Conditions consistent with the operating Schedule**Licensing conditions****General****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 under Section 13 of the Licensing Act 2003. The log 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 faults in the CCTV system, searching equipment or scanning equipment
- (f) any refusal of the sale of alcohol
- (g) any visit by a relevant authority or emergency service

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 the Police on demand.

The premises licence holder must ensure at all times a DPS or appointed member of staff is

capable and competent at downloading CCTV footage in a recordable format EITHER DISC or VHS to the Police/Local Authority on demand.

The recording equipment and tapes/discs shall be kept in secure environment under the control of the DPS or other responsible named individual. An operation weekly log report must be maintained and 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 0300 333 3000 immediately.

Public Safety

The applicant will at all times maintain adequate levels of staff. Such staff levels will be disclosed, on request, to the Licensing Authority and Police.

Prevention of Public Nuisance

Adequate waste receptacles for use by customers will be provided in and immediately outside the premises.

Protection of Children

The premises shall operate a Challenge 25 policy. Such policy shall be written down and kept at the premises. The policy shall be produced to an authorised person as defined under Section 13 of the Licensing Act 2003, on demand. Prominent, clear and legible signage (in not less than 32 point font (bold)) shall also be displayed at the entrance to the premises advertising the scheme operated.

The premises licence holder will ensure that with regards to age verification, that all staff will be aware that the only acceptable means of age verification is a photographic licence or passport or other form of identification with a photograph and a holographic mark.

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

HOURS OF LICENSABLE ACTIVITY

	Supply of Alcohol	Late Night Refreshment	Open to the Public
Monday	0000 - 2400	0000 - 0500 & 2300 - 2400	0000 - 2400
Tuesday	0000 - 2400	0000 - 0500 & 2300 - 2400	0000 - 2400
Wednesday	0000 - 2400	0000 - 0500 & 2300 - 2400	0000 - 2400
Thursday	0000 - 2400	0000 - 0500 & 2300 - 2400	0000 - 2400
Friday	0000 - 2400	0000 - 0500 & 2300 - 2400	0000 - 2400
Saturday	0000 - 2400	0000 - 0500 & 2300 - 2400	0000 - 2400

Sunday	0000 - 2400	0000 - 0500 & 2300 - 2400	0000 - 2400
---------------	-------------	---------------------------	-------------

CONDITIONS

- Provision of Late Night Refreshment indoors to be sold for consumption off the shop premises.
- Removal of the embedded restrictions in Annex 2 of the licence – ‘Conditions consistent with the operating schedule’ and all references to embedded restrictions.
- The public may not access the interior of the shop between the hours of 2300 and 0500.
- An incident log must be kept at the premises and made immediately available on request to an authorised person as defined under Section 13 of the Licensing Act 2003. The log 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 faults in the CCTV system, searching equipment or scanning equipment
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service
- 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 the Police on demand.
- The premises licence holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format EITHER DISC or VHS to the Police/Local Authority on demand.
- The recording equipment and tapes/discs shall be kept in secure environment under the control of the DPS or other responsible named individual. An operation weekly log report must be maintained and 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 0300 333 3000 immediately.
- All staff shall be trained within 2 weeks of taking up employment. The training shall include:
 - (a) Conflict resolution
 - (b) Selling to under age persons
 - (c) Selling to drunk people

Such training will be recorded and records shall be kept at the premises which will be produced to an authorised person as defined under Section 13 of the Licensing Act 2003, 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 to an authorised person as defined under Section 13 of the

Licensing Act 2003, on demand. Prominent, clear and legible signage (in not less than 32 point font (bold)) shall also be displayed at the entrance to the premises advertising the scheme operated.

- The premises licence holder will ensure that with regards to age verification, that all staff will be aware that the only acceptable means of age verification is a photographic licence or passport or other form of identification with a photograph and a holographic mark.
- Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.

Annex 4 - Plans
As attached dated October 2003

**LICENSING ACT 2003
Part B - Premises licence summary**

Premises licence number - PR00104 (App to Vary DPS)

Premises details

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

**Northside Service Station
Hope Under Dinmore
Leominster
Herefordshire
HR6 0PJ**

Telephone number: **01568 613982**

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

**LATE NIGHT REFRESHMENT
SUPPLY/SALE OF ALCOHOL**

Late Night Refreshment

Late Night Refreshment is licenced to take place Indoors

Monday to Sunday from 23.:00 TO 05:00

Supply/Sale of Alcohol

Monday to Sunday from 00:00 to 24:00

The opening hours of the premises

Monday to Sunday from 00:00 to 24:00

Name, (registered) address of holder of premises licence

**SHELL U.K. OIL PRODUCTS LIMITED
Shell Centre
York Road
London
SE1 7NA**

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

Alcohol - Off the premises

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

03625633

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

Mr Subagar Ratnam

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

The premises shall operate a Challenge 25 policy. Such policy shall be written down and kept at the premises. The policy shall be produced to an authorised person as defined under Section 13 of the Licensing Act 2003, on demand. Prominent, clear and legible signage (in not less than 32 point font (bold)) shall also be displayed at the entrance to the premises advertising the scheme operated.

The premises licence holder will ensure that with regards to age verification, that all staff will be aware that the only acceptable means of age verification is a photographic licence or passport or other form of identification with a photograph and a holographic mark.

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

LICENSING ACT 2003
Part A - Premises Licence

Premises licence number - PR01610 (App to Vary DPS)

Part 1 - Premises details

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

**Symonds Yat Services
A40 Northbound Services
Whitchurch
Herefordshire
HR9 6DP**

Telephone number: **01600 890219**

Where the licence is time limited the dates:

Not applicable

Licensable activities authorised by the licence

**Sale/Supply of Alcohol (consumption off the premises)
Provision of Late Night Refreshment (indoors)**

The times the licence authorises the carrying out of licensable activities

**Sale/Supply of Alcohol:
Monday-Sunday
00:00-24:00**

**Provision of Late Night Refreshment:
Monday-Sunday
00:00-24:00**

The opening hours of the premises

**Monday-Sunday
00:00-24:00**

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

For consumption off the premises only

Part 2

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

SHELL U.K. OIL PRODUCTS LIMITED
Shell Centre
York Road
London
SE1 7NA

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

Registered Number: 03625633

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

Ms Eileen Richardson



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

NCG-13-2759 – Newport City Council

Annex 1 - Mandatory conditions**Age verification**

- (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

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

- (b) an ultraviolet feature.

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.

Annex 2 - Conditions consistent with the operating Schedule

Licensing conditions

General

Prevention of Crime and 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.

A monitor shall be mounted on the wall at the premises where it is clearly visible to all members of the public. The monitor shall show the live CCTV footage being recorded.

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

The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format EITHER DISC or VHS to the Police/Local Authority on demand.

The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.

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 0300 333 3000 immediately.

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

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

- (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 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 Herefordshire Council Trading Standards within one month of the date that this condition appears on this licence. (Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence). Retraining every 6 months. Training records shall be kept on the premises and shall be produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

Public Safety

Prevention of Public Nuisance

Protection of Children

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.

An electronic or written register of refusals detailing a description of the people who have been unable to provide required Identification to prove their age or an electronic register, detailing the age, challenges made regardless of ID being produced. 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.

Annex 3 - Conditions attached after a hearing by the licensing authority Not applicable

Annex 4 - Plans As attached – dated 14.10.2013

**LICENSING ACT 2003
Part B - Premises licence summary**

Premises licence number PR01610 (App to Vary DPS)

Premises details

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

**Syomonds Yat Services
A40 Northbound Services
Whitchurch
Herefordshire
HR9 6DP**

Telephone number: **01600 890219**

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

**Sale/Supply of Alcohol (consumption off the premises)
Provision of Late Night Refreshment (indoors)**

The times the licence authorises the carrying out of licensable activities

**Sale/Supply of Alcohol:
Monday-Sunday
00:00-24:00**

**Provision of Late Night Refreshment:
Monday-Sunday
00:00-24:00**

The opening hours of the premises

**Monday-Sunday
00:00-24:00**

Name, (registered) address of holder of premises licence

**SHELL U.K. OIL PRODUCTS LIMITED
Shell Centre
York Road
London
SE1 7NA**

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

For consumption off the premises only

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

Registered Number: **03625633**

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

Ms Eileen Richardson

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

The premises shall operate a Challenge 25 Policy

An electronic or written register of refusals detailing a description of the people who have been unable to provide required Identification to prove their age

SHELL, LEOMINSTER – 14.06.2023

I refer to the application made for a Grant of a premises licence in respect of 'Shell, Leominster.

Trading Standards wish to see the below proposed conditions applied to any premises licence granted to this location.

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 12 monthly intervals. Training records shall be kept on the premises and produced to the police or an "authorised person" (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

Protection of Children from Harm

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

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

Regards

[REDACTED]

[REDACTED]

Trading Standards Practitioner
Herefordshire Trading Standards Service
Plough Lane, Hereford. HR4 0LE

[REDACTED]

[REDACTED]

[REDACTED]

SHELL, NORTHSIDE – 14.06.2023

I refer to the application made for a Grant of a premises licence in respect of 'Shell, Northside.

Trading Standards wish to see the below proposed conditions applied to any premises licence granted to this location.

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 12 monthly intervals. Training records shall be kept on the premises and produced to the police or an "authorised person" (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

Protection of Children from Harm


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

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

Regards



Trading Standards Practitioner
Herefordshire Trading Standards Service
Plough Lane, Hereford. HR4 0LE



SHELL, SYMONDS YAT – 14.06.2023

I refer to the application made for a Grant of a premises licence in respect of 'Shell, Symonds Yat.

Trading Standards wish to see the below proposed conditions applied to any premises licence granted to this location.

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 12 monthly intervals. Training records shall be kept on the premises and produced to the police or an "authorised person" (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

Protection of Children from Harm

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

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

Regards


Trading Standards Practitioner
Herefordshire Trading Standards Service
Plough Lane, Hereford. HR4 0LE

