

Agenda

Licensing Sub-Committee

Date: **Thursday 31 August 2023**

Time: **10.00 am**

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

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

For any further information please contact:

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If you would like help to understand this document, or would like it in another format, please call Matthew Evans on 01432383690 or e-mail matthew.evans@herefordshire.gov.uk in advance of the meeting.

Agenda for the meeting of the Licensing Sub-Committee

Membership

Chairperson **Councillor Polly Andrews**
Vice-chairperson

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 Schedule 1, Schedule 2 or Other Interests from members of the committee in respect of items on the agenda.	
4. APPLICATION FOR A GRANT OF A PREMISES LICENCE IN RESPECT OF LEDBURY CONVENIENCE STORE, 23 HIGH STREET, LEDBURY, HR8 1DS	11 - 44
To consider an application for a grant of a premises licence in respect of Ledbury Convenience Store, 23 High Street, Ledbury, HR8 1DS	

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- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
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- 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.
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Licensing Hearing Flowchart



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

1. Selflessness

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

2. Integrity

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

3. Objectivity

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

4. Accountability

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

5. Openness

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

6. Honesty

Holders of public office should be truthful.

7. Leadership

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



Application for a grant of a premises licence in respect of Ledbury Convenience Store, 23 High Street, Ledbury, HR8 1DS– Licensing Act 2003

Meeting: Licensing sub-committee

Meeting date: Thursday 31 August 2023 at 10:00am

Report by: Senior Licensing Technical Officer

Classification

Open

Decision type

This is not an executive decision

Wards affected

Ledbury North

Purpose

To consider an application for a grant of a premises licence in respect of Ledbury Convenience Store, 23 High Street, Ledbury. HR8 1DS under the Licensing Act 2003.

Recommendation(s)

That:

The sub committee determine the application with a view to promoting the licensing objectives in the overall interests of the local community. They should give appropriate weight to:

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

Reasons for Recommendations

Ensures compliance with the Licensing Act 2003

Alternative options

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

Key considerations

Licence Application

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

Applicant	Mehmet Ozer	
Agent	Darren Brice	
Type of application: Grant	Date received: 10 July 2023 28 day consultation started: 11 July 2023	28 Days consultation ended: 8 August 2023

Summary of Application

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

Sale/Supply of Alcohol (consumption off the premises)
Monday – Sunday 08:00 – 23:00

Summary of Representations

6. Two (2) representations have been received from the responsible authorities – Trading Standards and the Local Authority. The sets of conditions proposed have been accepted by the applicant and can be found at Appendix 2.
7. One (1) relevant representation has been received from a member of the public in line with the licensing objective Prevention of Public Nuisance that the licensing authority have accepted as being relevant on point 3 only. (Appendix 3). All other points in the representation cannot be considered under the Licensing regime. All parties have been advised of this.

History

8. The premises has been licenced previously under the names, Black Pepper, Blue Orchid (both restaurants) from 2005 to 2021 and more recently Sunrise Café from 2021 until June 2023. Records show, the applicant was not linked to these premises.

Community impact

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

Environmental Impact

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

Equality duty

11. 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.
12. There are no equality issues in relation to the content of this report.
 13. 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.
 14. 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

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

Financial implications

16. There are unlikely to be any financial implications for the council as licensing authority at this time.

Legal implications

17. 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.
18. 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.
19. 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.
20. 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: -
21. A licensing authority must have regard to guidance issued by the Secretary of State under section 182. Licensing authorities may depart from it if they have reason to do so but will need to give full reasons for their actions.
22. Furthermore the Thwaites case established that only conditions should be attached to a licence with a view to promoting the Licensing objectives and that 'real evidence' must be presented to support the reason for imposing these conditions.
23. This judgement is further supported in the case of The Queen on the Application of Bristol Council v Bristol Magistrates' Court, CO/6920/2008 High Court of Justice Queen's Bench Division The Administrative Court, 24 February 2009, [2009] EWHC 625 (Admin) 2009 WL 648859 in which it was said:

'Licensing authorities should only impose conditions which are necessary and proportionate for the promotion for licensing objectives'.
24. In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

Right of Appeal

25. Schedule 5 of the Licensing Act 2003 gives a right of appeal which states:

Decision to grant premises licence or impose conditions etc.

- (1) This paragraph applies where a licensing authority grants a premises licence under section 18.
- (2) The holder of the licence may appeal against any decision—
 - (a) to impose conditions on the licence under subsection (2)(a) or (3)(b) of that section, or
 - (b) to take any step mentioned in subsection (4)(b) or (c) of that section (exclusion of licensable activity or refusal to specify person as premises supervisor).
- (3) Where a person who made relevant representations in relation to the application desires to contend—
 - (a) that the licence ought not to have been granted, or
 - (b) that, on granting the licence, the licensing authority ought to have imposed different or additional conditions, or to have taken a step mentioned in subsection (4)(b) or (c) of that section, he may appeal against the decision.
- (4) In sub-paragraph (3) “relevant representations” has the meaning given in section 18(6).

26. 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

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

Consultees

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

Appendices

Appendix 1 - Application Form

Appendix 2 – Agreed Trading Standards & Local Authority Conditions

Appendix 3 – Public representation

Background papers

None Identified

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

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Mehmet Ozer

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description LEDBURY CONVENIENCE STORE 23 HIGH STREET			
Post town	LEDBURY	Postcode	HR8 1DS
Telephone number at premises (if any)		01531634111	
Non-domestic rateable value of premises		£14,500	

Part 2 - Applicant details

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

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

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname OZER			First names MEHMET		
Date of birth		I am 18 years old or over		<input checked="" type="checkbox"/>	Please tick yes
Nationality [REDACTED]					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]			Postcode	[REDACTED]
Daytime contact telephone number			[REDACTED]		
E-mail address (optional)		[REDACTED]			

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0 8	0 8	2 0 2 3

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

DD	MM	YYYY

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

Ledbury Convenience Store is a ground floor store located on the main High Street in Ledbury. A full range of typical convenience store products will be available. The range will include a wide variety of beers, wines, and spirits. This includes Lager, Ale, Cider, alcohol free and low alcohol products. Soft drinks and mixers will also be available to purchase. The store will also stock a variety of crisps, snacks, and confectionary. Tobacco products which include vape products will also be available.

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

N/A

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

- | Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
|---|----------------------------|
| a) plays (if ticking yes, fill in box A) | <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 type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input 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 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

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

E

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

F

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

G

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

H

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

I

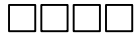
Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) NONE					
Mon	08:00	23:00						
Tue	08:00	23:00						
Wed	08:00	23:00						
Thur	08:00	23:00						
Fri	08:00	23:00						
Sat	08:00	23:00						
Sun	08:00	23:00						
						Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) NONE		

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

Name ADALAT YOUSEFI	
Date of birth [REDACTED]	
Address [REDACTED] [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) GLOUCESTER CITY COUNCIL	



K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).
 NOT APPLICABLE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) NONE
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) NONE
Mon	08:00		
		23:00	
Tue	08:00		
		23:00	
Wed	08:00		
		23:00	
Thur	08:00		
		23:00	
Fri	08:00		
		23:00	
Sat	08:00		
		23:00	
Sun	08:00		
		23:00	

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

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

THE APPLICANT HAS PREVIOUSLY RUN A LOCAL BUSINESS WHICH INCORPORATED THE SALE OF ALCOHOL ON THE PREMISES. HE AND HIS TEAM OF STAFF ARE EXPERIENCED IN THE SALE OF ALCOHOL AND THE VARIOUS CHALLENGES AROUND THEIR RESPONSIBILITIES TO PROTECT THOSE OF A VULNERABLE NATURE AND YOUNG PERSONS. THE TEAM WILL ACT IN A PROFESSIONAL MANNER AT ALL TIMES. THE LICENSING OBJECTIVES ARE PARAMOUNT TO THE SUCCESSFUL OPERATING OF THE CONVENIENCE STORE.

b) The prevention of crime and disorder

AN INCIDENT LOG MUST BE KEPT AT THE PREMISES. INCIDENT LOG RECORDS WILL BE RETAINED FOR A PERIOD OF 12 MONTHS FROM THE DATE IT OCCURRED. IT WILL BE MADE IMMEDIATELY AVAILABLE ON REQUEST TO AN 'AUTHORISED PERSON' (AS DEFINED BY SECTION 13 OF THE LICENSING ACT 2003), AN AUTHORISED TRADING STANDARDS OFFICER OR THE POLICE, AND MUST RECORD THE FOLLOWING:

- (A) ALL CRIMES REPORTED TO THE PREMISES (WHERE RELEVANT TO THE LICENSING OBJECTIVES)**
- (B) ALL EJECTIONS OF PATRONS**
- (C) ANY COMPLAINTS RECEIVED (WHERE RELEVANT TO THE LICENSING OBJECTIVES)**
- (D) ANY INCIDENTS OF DISORDER**
- (E) ANY REFUSAL OF THE SALE OF ALCOHOL**
- (F) ANY VISIT BY A RELEVANT AUTHORITY OR EMERGENCY SERVICES, NOTING TIME, DATE & PURPOSE, AND THOSE OFFICIALS BY NAME**

ALL STAFF SHALL BE TRAINED PRIOR TO UNDERTAKING ANY SALE OF ALCOHOL ON THE PREMISES. THE TRAINING SHALL INCLUDED:

- (A) DRUGS AWARENESS**
- (B) CONFLICT RESOLUTION**
- (C) SELLING TO UNDERAGE PERSON**
- (D) SELLING TO DRUNKS**

SUCH TRAINING WILL BE RECORDED AND RECORDS SHALL BE KEPT AT THE PREMISES WHICH WILL BE PRODUCED TO AN AUTHORISED OFFICER, THE LICENSING AUTHORITY OR THE POLICE ON DEMAND.

A MODERN DIGITAL CCTV SYSTEM AND APPROPRIATE RECORDING EQUIPMENT IS INSTALLED, OPERATED AND MAINTAINED THROUGHOUT THE PREMISES. INTERNALLY AND EXTERNALLY CCTV FOOTAGE IS STORED FOR A MINIMUM OF 28 DAYS, AND THE MANAGEMENT GIVE FULL AND IMMEDIATE COOPERATION AND TECHNICAL ASSISTANCE TO THE POLICE IN THE EVENT THAT CCTV FOOTAGE IS REQUESTED FOR THE PREVENTION AND DETECTION OF SUSPECTED OR ALLEGED CRIME.

c) Public safety

FIRST AID:

A HSE COMPLIANT INDUSTRIAL HIGH RESPONSE FIRST AID KIT SHALL BE KEPT FULLY STOCKED AT THE PREMISES AND KEPT BEHIND THE BAR.

SUCH KIT SHALL CONTAIN:

1 X GUIDANCE LEAFLET, 6 X EYE PADS WITH BANDAGE, 8 X TRIANGULAR BANDAGES, 12 X SAFETY PINS, 16 X ASSORTED STERILE DRESSINGS, 20 MOIST WIPES, 3 PAIRS DISPOSABLE GLOVES

FIRE SAFETY:

APPROPRIATE FIRE SAFETY PROCEDURES ARE IN PLACE INCLUDING FIRE EXTINGUISHERS (FOAM, H2O AND CO2), FIRE BLANKET, INTERNALLY ILLUMINATED FIRE EXIT SIGNS, NUMEROUS SMOKE DETECTORS AND EMERGENCY LIGHTING. ALL APPLIANCES ARE INSPECTED ANNUALLY. ALL EMERGENCY EXITS SHALL BE KEPT FREE FROM OBSTRUCTION AT ALL TIMES.

d) The prevention of public nuisance

NOISE OR VIBRATION SHALL NOT EMANATE FROM THE PREMISES TO CAUSE A NUISANCE.

THE PREMISES LICENCE HOLDER OR DPS OR THE RESPONSIBLE PERSON MUST IMMEDIATELY COMPLY WITH ANY REQUEST TO ADJUST NOISE LEVELS/ FREQUENCY SPECTRA MADE BY AN 'AUTHORISED PERSON' (AS DEFINED BY SECTION 13 OF THE LICENSING ACT 2003) OR THE POLICE.

PROMINENT, CLEAR, AND LEGIBLE SIGNAGE (IN NOT LESS THAN 32 FONT BOLD) SHALL BE DISPLAYED AT ALL EXITS TO ANY GARDEN, PATIO AREA, SMOKING AREA OR SIMILAR, REQUESTING THE PUBLIC TO RESPECT THE NEEDS OF LOCAL RESIDENTS AND TO BE QUIET.

e) The 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 THE LOCAL AUTHORITY/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 COUNTER.

A WRITTEN REGISTER OF REFUSALS WILL BE KEPT INCLUDING A DESCRIPTION OF THE PEOPLE WHO HAVE BEEN UNABLE TO PROVIDE REQUIRED IDENTIFICATION TO PROVE THEIR AGE. SUCH RECORDS SHALL BE KEPT FOR A PERIOD OF 12 MONTHS AND WILL BE COLLECTED 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 THE LOCAL AUTHORITY/COUNCIL ON DEMAND.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

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

Signature	[REDACTED]
Date	06/07/2023
Capacity	Applicant

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

Signature	[REDACTED]
Date	06/07/2023
Capacity	Agent

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

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for ‘not-for-profit’ film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which

Consent of individual to being specified as premises supervisor.

ADALAT YOUSEFI

I

.....
[full name of prospective premises supervisor]

of

.....
.....
.....

.....
[home address of prospective premises supervisor]

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

GRANT OF A PREMISES LICENCE

.....
[type of application]

by

LEDBURY CONVENIENCE STORE

.....
[name of applicant]

relating to a premises licence

TBA

.....
[number of existing licence, if any]

for a premises called

**LEDBURY CONVENIENCE STORE
23 HIGH STREET
LEDBURY
HR8 1DS**

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

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

LEDBURY CONVENIENCE STORE

.....
[name of applicant]

concerning the supply of alcohol at

**LEDBURY CONVENIENCE STORE
23 HIGH STREET
LEDBURY
HR8 1DS**

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

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

Personal licence number

██████████

.....
[insert personal licence number, if any]

Personal licence issuing authority

GLOUCESTER CITY COUNCIL

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

Signed

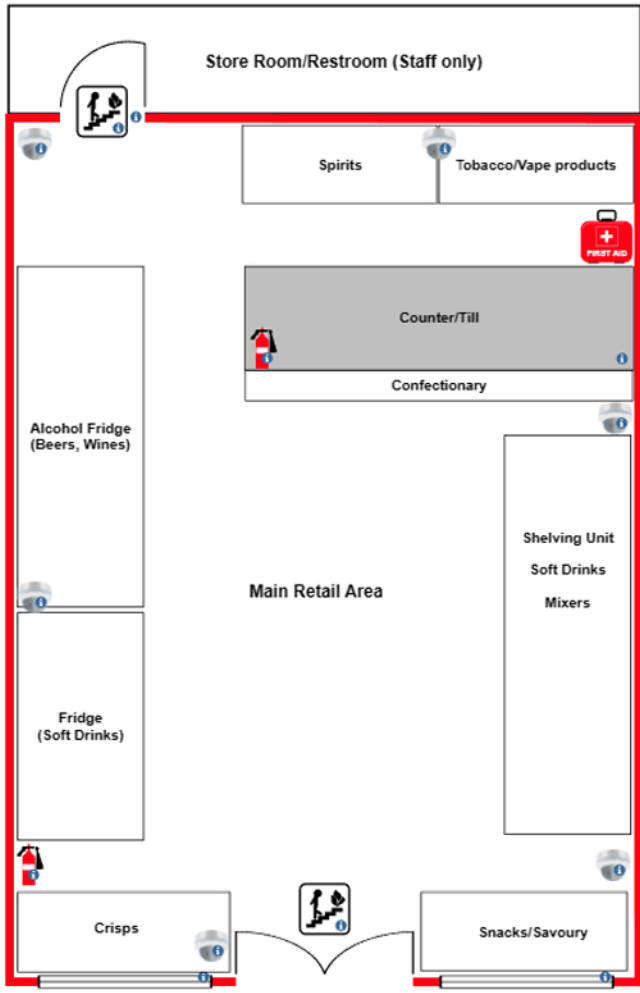
████████████████████

Name (please print)


Adalat Yousefi

Date

06/07/2023



Key:

-  Licensable Area
-  First Aid Kit
-  CCTV Camera
-  2 x Fire Extinguishers
1 x AFF Foam
1 x CO2
-  Emergency Exit Route

LEDBURY CONVENIENCE STORE
23 HIGH STREET, LEDBURY, HR8 1DS

July 05.2023

Representations Agreed

Trading Standards Representation

Prevention of Crime and Disorder

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

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 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 counter / service 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 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.

Local Authority Representation

Prevention of Crime and Disorder

Alcohol of 6% ABV or more, will be sold from behind the counter.

The Premises Licence Holder shall install and maintain a CCTV system at the premises giving coverage at all entry points and areas to which customers have access.

The CCTV system shall provide clear images in all lighting conditions.

The CCTV system shall continuously record whilst the premises are open for licensable activities and shall be capable of providing frontal identification of customers.

All CCTV recordings shall be retained for a minimum of 31 days and shall be date and time stamped.

CCTV recordings should be made available for inspection upon receipt of a request by the Police and Authorised Officer of the Licensing Authority.

A member of staff shall always be present on the premises whilst they are open who is capable of operating the CCTV system and able to facilitate immediate viewing of CCTV footage upon the request of the Police and Authorised Officer of the Licensing Authority.

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 (where relevant to the licensing objections)
- (b) all ejections of patrons
- (c) any complaints received (where relevant to the licensing objections)
- (d) any incidents of disorder
- (e) any refusal of the sale of alcohol
- (f) any visit by a relevant authority or emergency service
- (g) any faults in the CCTV system or searching equipment or scanning equipment

No open containers shall be removed from the premises

[REDACTED]
Sent: 08 August 2023 18:14

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

Cc: LTC Clerk <clerk@ledburytowncouncil.gov.uk>

Subject: Ledbury Convenience Store - consultation comment

Hello

I would like to comment on the proposed change of use of the former Ledbury Grill to becoming Ledbury Convenience Store. I am opposed to the change of use for the following reasons:

- 1) The applicant, under the previous premises use, would frequently park a car or van on the pavement / road outside the premises for prolonged periods of time (for loading / unloading and waiting until a delivery order was received). This was especially the case in the evenings when there is no traffic/parking enforcement. This action blocks the pavement, contravenes double yellow lines and creates a hazard for vehicles entering the High Street and pedestrians. This activity will continue, I fear, as the premises has no alternative for loading stock in to the proposed shop.
- 2) There is an existing convenience store (Spar) with the same opening hours and the same stock directly opposite this store: does this constitute duplication of an existing offering? Does the proposed shop have a credible business plan and management accounts to support it being successful?
- 3) There are residential premises above and around the proposed shop and the opening hours will be much longer than any previous business there and therefore may generate more noise and disturbance for existing flats residents.
- 4) I believe that the applicant's previous business has failed as the Ledbury Grill: does the applicant have sufficient skill to make the proposed shop a success? Will Council Rates be paid? Has the applicant demonstrated financial creditworthiness to the point of satisfying the Council that waste collections will be paid for / staff paid?
- 5) The High Street is in a Conversation Area: will exterior decoration / signage and lighting be in line with what is permissible (including what may be visible through the windows shining out on to the street)?

I hope this is useful.

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

