

Agenda

Licensing Sub-Committee

Date: **Thursday 19 September 2024**

Time: **10.00 am**

Place: **Conference Room 1 - Herefordshire Council, Plough Lane Offices, 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

Councillor Polly Andrews

Councillor Dave Davies
Councillor Peter Hamblin

Agenda

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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 interest in respect of items on the agenda.	
4.	APPLICATION FOR A GRANT OF A PREMISES LICENCE IN RESPECT OF ROSS CONSERVATIVE FUNCTION ROOM, HILLSBOROUGH HOUSE, THE AVENUE, ROSS-ON-WYE, HR9 5AW - LICENSING ACT 2003 To consider an application for a grant of a premises licence in respect of Ross Conservative Function Room, Hillsborough House, The Avenue, Ross-On-Wye, HR9 5AW under the Licensing Act 2003.	11 - 52
5.	APPLICATION FOR A GRANT OF A PREMISES LICENCE IN RESPECT OF FLAMES, 59A COMMERCIAL ROAD, HEREFORD, HR1 2BP - LICENSING ACT 2003 To consider an application for a grant of a premises licence in respect of Flames, 59a Commercial Road, Hereford. HR1 2BP under the Licensing Act 2003.	53 - 86
6.	APPLICATION FOR A GRANT OF A PREMISES LICENCE IN RESPECT OF HEREFORD PREMIER INN, HOLMER ROAD, HOLMER, HEREFORD, HR4 9RS - LICENSING ACT 2003 To consider an application for a grant of a premises licence in respect of Hereford Premier Inn, Holmer Road, Holmer, Hereford. HR4 9RS under the Licensing Act 2003.	87 - 112

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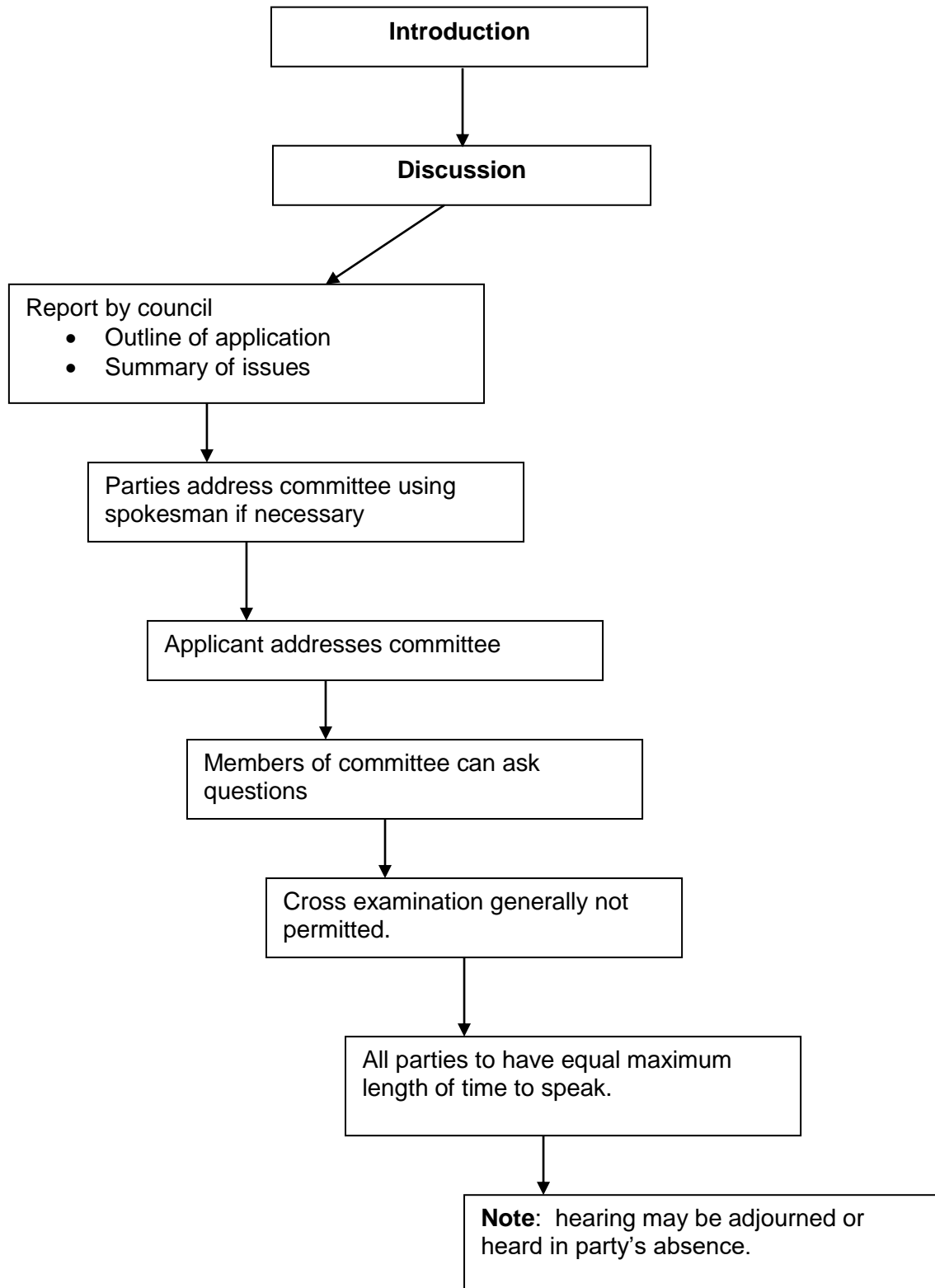
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Licensing Hearing Flowchart



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

1. Selflessness

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

2. Integrity

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

3. Objectivity

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

4. Accountability

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

5. Openness

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

6. Honesty

Holders of public office should be truthful.

7. Leadership

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



Application for a grant of a premises licence in respect of Ross Conservative Function Room, Hillsborough House, The Avenue Ross-On-Wye, HR9 5AW – Licensing Act 2003

Meeting: Licensing sub-committee

Meeting date: Thursday 19 September 2024

Report by: Senior Licensing Technical Officer

Classification

Open

Decision type

This is not an executive decision

Wards affected

Ross - East

Purpose

To consider an application for a grant of a premises licence in respect of Ross Conservative Function Room, Hillsborough House, The Avenue, Ross-On-Wye, HR9 5AW under the Licensing Act 2003.

Recommendation(s)

That:

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

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

Reasons for Recommendations

Ensures compliance with the Licensing Act 2003

Alternative options

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

Key considerations

Licence Application

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

Applicant	Ross Conservative Club	
Agent	Not applicable	
Type of application: Grant	Date received: 8 August 2024 28 day consultation started: 9 August 2024	28 Days consultation ended: 5 September 2024

Summary of Application

5. The application (appendix 1) requests a new premises licence for the Function Room at Ross Conservative Club. The Conservative Club already hold a Club Premise Certificate; this application relates to the function room only.

Live Music (Indoors), Recorded Music (Indoors), Late Night Refreshment (Indoors/Outdoors), Sale/Supply of Alcohol (consumption on and off the premises)

Monday – Thursday 11:00 – 23:00

Friday – Sunday 11:00 – 00:30

Summary of Representations

6. Three (3) representations were received from the responsible authorities – West Mercia Police, Trading Standards and Environmental Protection. The conditions proposed by all responsible authorities have been agreed with the applicant and can be found at Appendix 2, 3 and 4.
7. Two (2) relevant representations have been received from members of the public, which the licensing authority have accepted as being relevant. The representations can be found at Appendix 5.
8. The applicant has engaged with the members of the public who raised representations and outlined their business model for the function room and also shared a copy of the conditions agreed with the responsible authorities (appendix 6).
9. One (1) member of the public has responded that they did not wish to withdraw their representation based on the additional information received by them.

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.

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/her 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.

Financial implications

17. There are unlikely to be any financial implications for the council as the 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 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'.
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, Section 1 of the Licensing Act 2003 gives a right of appeal which states:

Rejection of applications relating to premises licences

(1) Where a licensing authority-

- (a) Rejects an application for a premises licence under section 18,

The applicant may appeal against the decision.

Schedule 5, Part 1, Section 2 of the Licensing Act give 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).

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 form
Appendix 2 – West Mercia Police representation
Appendix 3 – Trading Standards representation
Appendix 4 – Environmental Protection representation
Appendix 5 – Public representations
Appendix 6 – Letter from applicant to public objectors

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 ROSS CONSERVATIVE CLUB
(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 <u>HILLSBOROUGH HOUSE</u> <u>THE AVENUE</u> <u>ROSS-ON-WYE</u> <u>HEREFORDSHIRE</u>			
Post town	<u>ROSS-ON-WYE</u>	Postcode	<u>HR9 5AW</u>

Telephone number at premises (if any)	<u>01989 562444</u>
Non-domestic rateable value of premises	<u>£0</u>

Part 2 - Applicant details

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

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

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

SECOND INDIVIDUAL APPLICANT (if applicable)

M <input type="checkbox"/>	Mr <input type="checkbox"/>	Mi <input type="checkbox"/>	M <input type="checkbox"/>	Other Title (for
----------------------------	-----------------------------	-----------------------------	----------------------------	------------------

r	s	ss	s	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	ROSS on WYE CONSERVATIVE CLUB
Address	HILLSBOROUGH HOUSE THE AVENUE ROSS-on-WYE HR9 5AW
Registered number (where applicable)	
Description of applicant (for example, partnership, company, unincorporated association etc.)	UNINCORPORATED ASSOCIATION
Telephone number (if any)	01989 562444
E-mail address (optional)	BUSINESSROSSONCLUB@GMAIL.COM

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY
10 06 2024

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)
CONSERVATIVE CLUB / PRIVATE MEMBERS CLUB WISHING TO OPEN SECTION OF BUILDING TO GENERAL PUBLIC TO INCREASE PROFITS.

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

[]

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	-----	-----			
Tue	-----	-----			
Wed	-----	-----	<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur	-----	-----			
Fri	-----	-----	<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	Please give further details here (please read guidance note 4)		
Mon	-----	-----			
Tue	-----	-----			
Wed	-----	-----	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur	-----	-----			
Fri	-----	-----	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	-----	-----	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue	-----	-----	
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)			Will the boxing or wrestling entertainment 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 boxing or wrestling entertainment (please read guidance note 5)		
Thur	-----	-----			
Fri	-----	-----	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 (please read guidance note 6)		
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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	11.00	23.00	OCCASSIONAL DISCO/LIVE BAND IF BOOKED FOR AN EVENT		
Tue	11.00	23.00			
Wed	11.00	23.00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	11.00	23.00	N/A - SEE ABOVE.		
Fri	11.00	00.30	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	11.00	00.30			
Sun	11.00	00.30			

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	<u>Please give further details here</u> (please read guidance note 4)		
Mon	11:00	23:00	DISCO DEPENDANT on EVENT BOOKINGS.		
Tue	11:00	23:00			
Wed	11:00	23:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	11:00	23:00			
Fri	11:00	00:30	<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	11:00	00:30			
Sun	11:00	00:30			

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)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon	-----	-----	<u>Please give further details here</u> (please read guidance note 4)	
Tue	-----	-----		
Wed	-----	-----	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)	
Thur	-----	-----		
Fri	-----	-----	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)	
Sat	-----	-----		
Sun	-----	-----		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon	-----	-----		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	-----	-----	Please give further details here (please read guidance note 4)		
Wed	-----	-----			
Thur	-----	-----	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri	-----	-----			
Sat	-----	-----	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
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			
Mon	11.00	23.00	Please give further details here (please read guidance note 4) PARTIES / WAKES / OTHER PRIVATE FUNCTIONS / MEETINGS / DINNERS .		
Tue	11.00	23.00			
Wed	11.00	23.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	11.00	23.00			
Fri	11.00	00.30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat	11.00	00.30			
Sun	11.00	00.30			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)					
Mon	11.00	23.00						
Tue	11.00	23.00						
Wed	11.00	23.00						
Thur	11.00	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) PRIVATE FUNCTIONS I.E WAKES, WEDDINGS BIRTHDAY PARTIES ETC.		
Fri	11.00	00.30						
Sat	11.00	00.30						
Sun	11.00	00.30						

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	ADRIAN JONES
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	PL1871
Issuing licensing authority (if known)	HEREFORDSHIRE COUNCIL

□□□□

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	11.00	23.00	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 6)
Tue	11.00	23.00	
Wed	11.00	23.00	
Thur	11.00	23.00	
Fri	11.00	00.30	
Sat	11.00	00.30	
Sun	11.00	00.30	

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)

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)

we will ensure relevant staff are in place to accommodate each function.

b) The prevention of crime and disorder

Any incidents of a criminal nature will be reported to the police
cctv will be installed as to the required needs
ie. Entrance + exits, Bar area.

c) Public safety

Appropriate fire safety procedures are in place
fire exit signage, fire extinguishers,
smoke detectors linked to fire alarm system.

d) The prevention of public nuisance

All customers will be asked to leave quietly.
clear and legible notices will be prominently displayed
to remind customers to respect our neighbors.

e) The protection of children from harm

The licensee and staff will ask persons for proof of age. i.e. photo id cards

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).

*pd
23.05.24*

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	07.06.2024
Capacity	BAR STEWARD / MANAGER

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	[REDACTED]
Capacity	[REDACTED]

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
ROSS CONSERVATIVE CLUB HILLSBOROUGH MOUSE THE AVENUE			
Post town	ROSS-ON-WYE	Postcode	UR9 5AW
Telephone number (if any)	01989 562444		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
BUSINESSROSSCONCLUB@GMAIL.COM.			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the

Consent of individual to being specified as premises supervisor

I ADRIAN JONES
[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 application
[type of application]

by
Ross Conservative Club

.....
[name of applicant – premises licence holder]

relating to a premises licence CLUB PREMISES CERT. NO
CP00018
[number of existing licence, if any]

for
ROSS CONSERVATIVE CLUB
HILLSBOROUGH HOUSE
ROSS-ON-WYE
HEREFORDSHIRE
NR9 5AW.

.....
[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

Ross Conservative Club

[name of applicant - premises licence holder]

concerning the supply of alcohol at

ROSS CONSERVATIVE CLUB
WILLSBOROUGH HOUSE
ROSS-ON-WYRE
HEREFORDSHIRE
WR9 5AW.

[name and address of premises to which application relates]

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

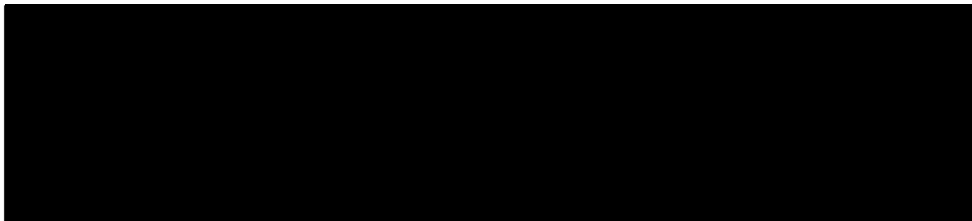
Personal licence number

PL1871 ----- *[insert personal licence number, if any]*

Personal licence issuing authority

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

Signed

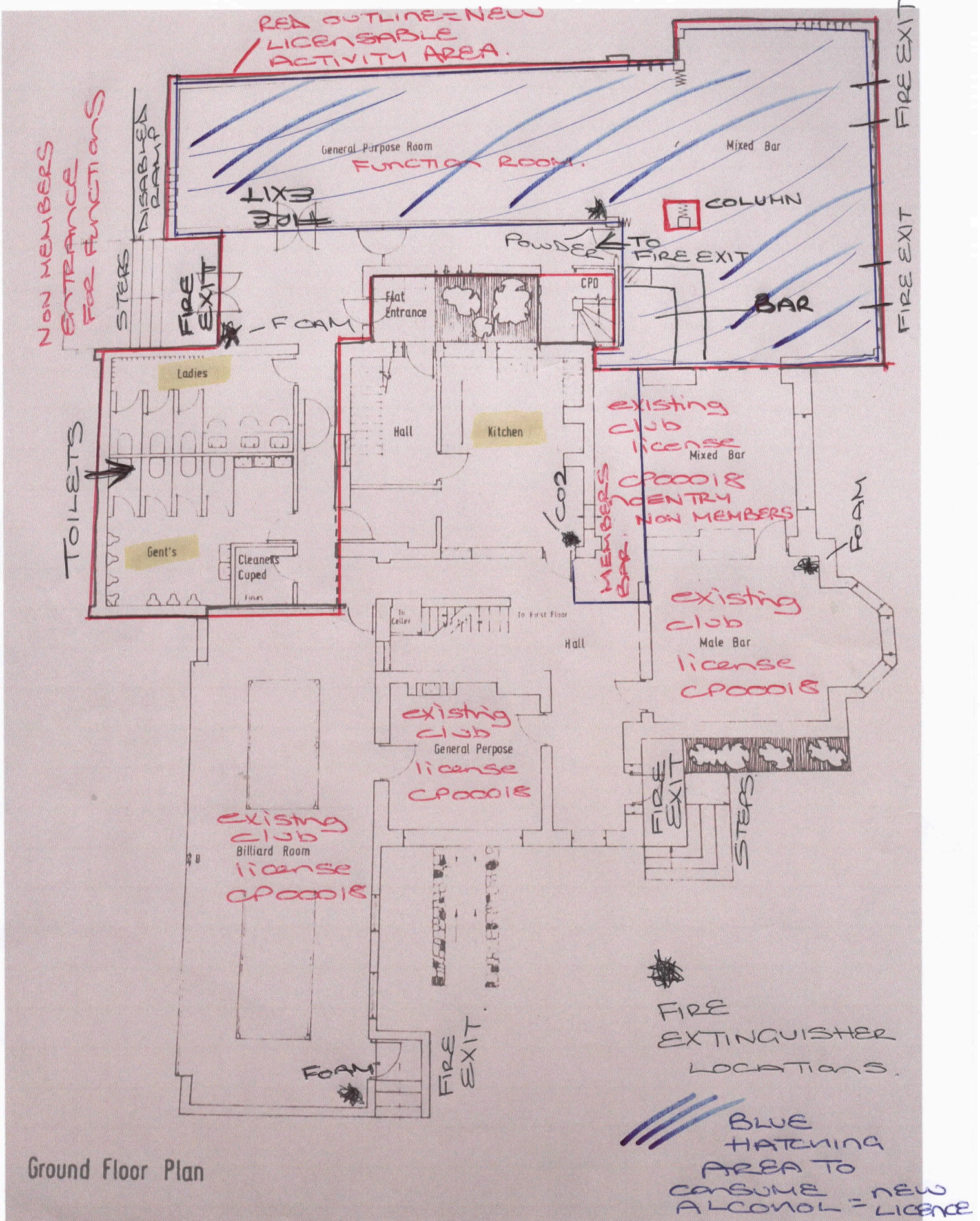


Name (please print)

ADRIAN JONES -----

Date

07.06.2024 -----



Ground Floor Plan

ROSS ON WYE CONSERVATIVE CLUB

PLAN 1/2
SCALE 1/8" = 1"

/// LICENSABLE ACTIVITY AREA

Notes
 Do not scale this drawing
 Do not use for any other purpose
 Discrepancies in figures, all
 dimensions and areas, shall
 govern over text.
 This drawing is copyright.

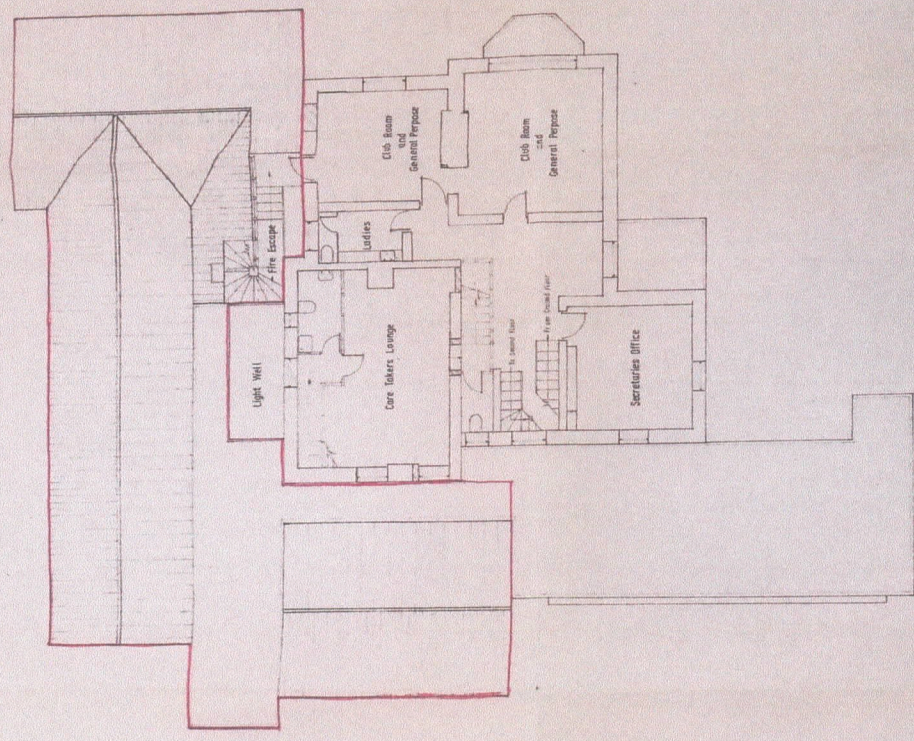
Amendments	Date	By
No		

Job for
 Ross Conservative Club
GROUND FLOOR PLAN
FIRST FLOOR PLAN

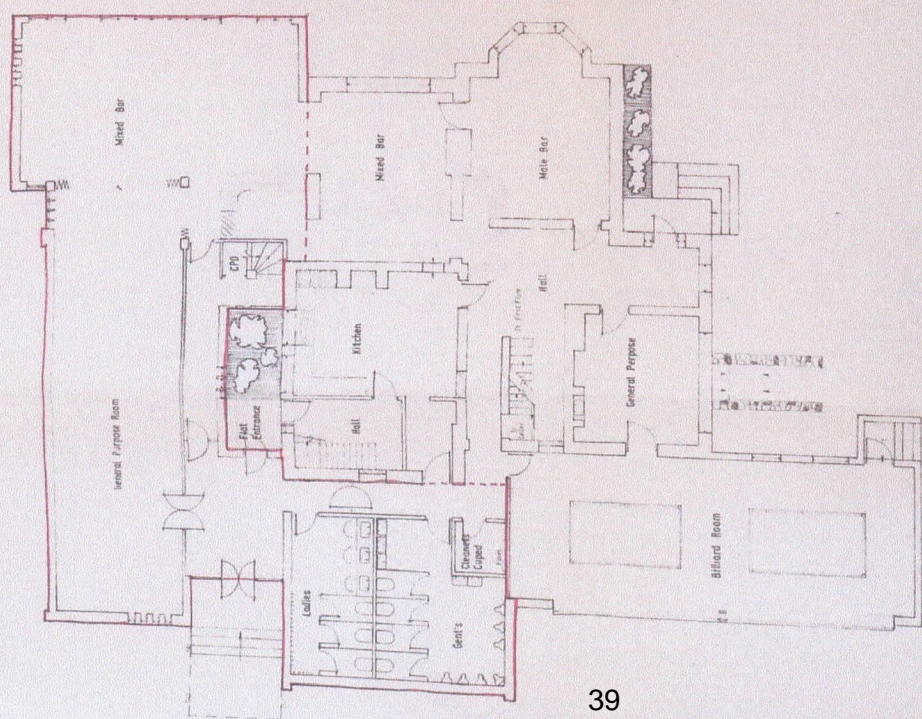
Title
 Proposed Alterations to
 Hillsborough
 The Avenue
 Ross-on-Wye

Derek T. Preece B.Sc. A.R.I.B.A.
 Chartered Architect Engineer and Surveyor
 Telford House
 Ross-on-Wye 3201
 12 Castle Street
 Hereford 67557

Scale	No.
Date	CC/PH/1
Drawn	



First Floor Plan



Ground Floor Plan



**WEST MERCIA POLICE REPRESENTATION – ROSS CONSERVATIVE CLUB
FUNCTION ROOM**

19.08.2024

I am an officer authorised under the Licensing Act 2003.

I refer to the application made for a variation of a premises licence in respect of Ross Conservative Club Function Room

West Mercia Police do not object to this application they have the following representations to make to promote the licensing objectives and wish to see them applied to any premises licence granted to this location which are in line with similar premises around the county.

General

During the use of function room under the terms of this licence no access shall be afforded to the remainder of the Ross Conservative Club premises (area of the club premises certificate) except for club staff, members of the club and their guests

Prevention of Crime & Disorder

The premise licence holder will employ SIA Licensed Door Supervisors at appropriate times when risk assessment dictates door supervision to be necessary. Door supervisors will be required to wear appropriate clothing to enable them to be clearly identified.

The Premises Licence Holder or DPS or a person nominated by them in writing for the purpose, shall maintain a register of door supervisors which shall be kept on the premises showing the names and addresses of the door supervisors, their badge numbers and shall be signed by the door supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), or the Police or an authorised officer of the SIA.

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

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

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 annually. 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



No open containers will be removed from the premises

Prevention of Public Nuisance

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

All doors and windows at the premises shall be kept closed after 2300 except during immediate access and egress

Any speaker within the premises shall be directed away from any residential property

Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

Prevention 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 bar 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 monthly basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand

No adult entertainment or services or activities must take place at the premises (Adult Entertainment includes, but is not restricted to, such entertainment or services which would generally include topless bar staff, striptease, lap-table, or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language).

Regards

Licensing and MATES Officer (Herefordshire) Hereford Police Station, Bath Street, Hereford
HR1 2HT

Email – licensing.herefordshire@westmercia.police.uk

On Wed, Aug 14, 2024 at 12:28 PM Trading Standards [wrote:](#)

Good afternoon,

Thank you for the application in respect of the alcohol licence at Ross on Wye Conservative Club.

In relation to the conditions proposed by yourselves, could I ask that you review the below proposed model conditions, which are in use at similar establishments.

The Police may suggest additional conditions in line with their own areas of responsibility.

If you agree with the conditions, please reply to this email accordingly.

If you wish to discuss anything, please contact me on the telephone numbers at the bottom of the email.

Thank you

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 bar 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.

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).

Trading Standards Practitioner
Herefordshire Trading Standards Service
Herefordshire Council
Plough Lane
Hereford
HR4 0LE

From: Ross Con Club Business Emails
Sent: 16 August 2024 11:14
To: Trading Standards
Subject: Re: Alcohol Licence Application

Hi

It's a premises licence we have applied for our function (is this the same thing)

Myself and our bar manager hold personal licensees, and our other member of staff has been trained. But is there something that we need to do?

We agree to all conditions that you have stated.

Kind Regards

Chairman

From: Trading Standards
Sent: 16 August 2024 12:07
To: Ross Con Club Business Emails
Subject: RE: Alcohol Licence Application

Good afternoon,

If the bar in the function room is to be staffed by existing persons who are already trained, then no further training will be required initially. However some form of training would need to be done every 6 months. This can be done by anyone who hold a personal licence and does not need to be an external training course.

If you need any further information please let me know.

I will let the licencing team know that my proposed conditions have been agreed.

Yours

From: Environmental Health

Sent: 23 August 2024 10:21

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

Subject: Licensing Consultation - Ross Conservative Club, Walford Road, HR9 5AW - Representation

Good morning:

After assessing the application, I reaffirm the conditions stated in application and with the addition of the conditions:

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

All doors and windows at the premises shall be kept closed after 2300 except during immediate access and egress.

Kind regards

Herefordshire.gov.uk

Student Environmental Health Practitioner

Economy and Environment Directorate

Environmental Health & Trading Standards | Plough Lane | Hereford | HR4 0LE

Help Desk: 01432 261761

HEREFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM – INTERESTED PARTIES

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

When completing this form please print clearly and legibly.

Please return this form, and any additional information within the statutory period to:
**The Licensing Section,
Herefordshire Council,
Plough Lane, Hereford.
HR4 0LE
licensing@herefordshire.gov.uk**

Your Name: [REDACTED]	Contact Telephone No. [REDACTED]
Address: [REDACTED] [REDACTED] [REDACTED] [REDACTED]	E-mail address: [REDACTED]
	Please state your interest in the premises you are making a representation about: Local Resident,
Name & Address of premises you are making a representation about: Ross Conservative Club, Hillsborough House, The Avenue, HR9 5AW.	

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

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

To Prevent Crime & Disorder
Public Safety
To Prevent Public Nuisance The noise levels currently are bearable, since people should be allowed to enjoy themselves, bur to extend the hours would mean an unacceptable disturbance. To local residents. There is also the disruption and noise of people leaving an event which can be over an hour after "closing time" .
To Protect Children from Harm

Signed: [REDACTED]
Date:02/09/24

If you have any queries about this form or are unsure of when the statutory period ends please contact **Licensing** on **licensing@herefordshire.gov.uk**



**Representation Form – Interested Parties
Suggested Conditions**

**Premise: Ross Conservative Club, Hillsborough House,
HR9 5 AW**

Your name: [REDACTED].

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

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

To Prevent Crime and Disorder
Public Safety
Prevent Public Nuisance Leave the current licensing hours.
Protect Children from Harm

Signed: [REDACTED]

Date: 02/09/24

If you have any queries about this form or are unsure of when the statutory period ends please contact Licensing at licensing@herefordshire.gov.uk

From: [REDACTED]
Sent: 02 September 2024 17:13
To: Licensing <licensing@herefordshire.gov.uk>
Subject: Ross Conservative Club, Hillsborough House, The Avenue, Ross on Wye HR9 5AW
Importance: High

Dear Sirs

With reference to the application to extend their licensing hours.

I would appeal against their application request for my reasons detailed below.

I have lived here since St Josephs was converted into residential homes. The area is of an exceptional standard of homes.

Online The Conservative Club does not display hours of business. So how are we as residents expected to query this.

The noise would be unacceptable, and traffic increased.

Since living here, we have had disruptive behaviour from their clients late at night.

During the daytime, when they have had funerals at the club. I have had their client's using our private parking and being abusive to me when I asked them to remove their car.

There was even an incident of damage to the party wall between our properties. They accused us as residents of this damage. Upon closer inspection, it was pretty obvious that the damage was caused by one of their clients reversing into the wall with their car and not reporting it. From St Josephs side, the wall is about 10 feet tall and impossible for us to have created any damage.

Throwing of cigarette butt's, plus other rubbish over the wall.

The music from the club, we are assured, finishes at midnight. I lie in bed, waiting for the music to finish.

When we moved here, we were told that the club was there first. We have lived alongside each other amicably all these years. So please consider us as neighbours.

Yes, I and most other residents are elderly and need to be treated with respect.

Kind regards

[REDACTED]
[REDACTED]
Walford Road
Ross on Wye
HR9 5PQ

From: Ross Con Club Business Emails <businessrossconclub@gmail.com>

Sent: 03 September 2024 16:23

To:

Subject: Ross conservative Club Premises License

I understand from Herefordshire Council that you have some concerns regarding our application for a Premises Licence.

I would like to reassure you that there are no changes to the licencing hours we already operate on. The premise licence is purely to allow us to advertise our function room for hire to the general public, not just to our current members.

With all business's struggling in this current climate, the premises licence will hopefully generate more income for us to ensure the continuation of our Club which has been going since 1884.

The Club has a recently elected Committee and we have the local residents welfare in mind at all times. Music for functions rarely go beyond 12am recently the parties have had their entertainment finished at 11pm.

We also have 3 flats above the club so never have music beyond 12am due to our tenants and they have never complained in the past.

We have plenty of parking here at the club so I'm sure that any cars in your spaces do not belong to anyone using the Club. This could possibly be someone using the tennis courts or the Prince of Wales pub when their car park becomes full, (we have recently had both of their patrons using our carpark too).

All members are allowed to park in our carpark and anyone that is not a member have bought permits from us which gives them access to the carpark. School runs are very busy so perhaps it's parents parking in your spaces to go to St Josephs School during term time?

I am the new Chairman for the Club and you would have my assurance that any issue(s) would be dealt with immediately should any arise.

I hope this may put your mind at rest, as we are a very friendly bunch and just want to keep this Club going. If you wish to have a chat at any time please feel free to call me at the Club 562444

Kind regards

XXXXX

Chairman



Application for a grant of a premises licence in respect of Flames, 59a Commercial Road, Hereford, HR1 2BP – Licensing Act 2003

Meeting: Licensing Sub-Committee

Meeting date: Thursday 19 September 2023 at 10am

Report by: Senior Licensing Technical Officer

Classification

Open

Decision type

This is not an executive decision

Wards affected

Hereford Central

Purpose

To consider an application for a grant of a premises licence in respect of Flames, 59a Commercial Road, Hereford. HR1 2BP under the Licensing Act 2003.

Recommendation(s)

That:

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

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

Reasons for Recommendations

Ensures compliance with the Licensing Act 2003

Alternative options

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

Key considerations

Licence Application

2. The application for the grant of a premises licence has received a relevant representation and is therefore brought before the Sub-Committee for determination.
3. Herefordshire Council 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	Flames Hereford Ltd	
Agent	The Licensing Guys	
Type of application:	Date received:	28 Days consultation ended:
Grant	30 July 2024	27 August 2024
	28 day consultation started:	
	31 July 2024	

Summary of Application

5. The application can be found at appendix 1 and requests the grant of a premises licence to allow the following licensable activities, during the hours shown;

Late Night Refreshment (Indoors/Outdoors)

Monday – Sunday 23:00 - 03:30

The applicant has also offered a set of conditions to promote the four (4) licensing objectives. These can be found at Appendix 2.

Summary of Representations

6. One (1) objection was received from West Mercia Police as a responsible authority. West Mercia Police are willing to negotiate with the applicant over an earlier terminal hour (appendix 3). An agreement has not taken place at the time of the report being published.

History of Premises

7. The previous premises licence (under the premises name Munchies), was revoked by the Licensing Sub-Committee on 21 February 2024 following an application to review a premises licence received from West Mercia Police on 5 January 2024 on the grounds of crime and disorder.
8. The application put before you today states; this is an entirely new operator, in possession of a new lease drafted by MFG Solicitors of Telford, signed and dated 1st July 2024. There is no connection between the previous operator and the new business and the application mirrors the Operating Schedule to that which applied before, and operated between May 2013 and Feb 2024. A copy of the revoked licence can be found at Appendix 4 for information purposes.

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, Part 1, Section 1 of the Licensing Act 2003 gives a right of appeal which states:

Rejection of applications relating to premises licences

(1) Where a licensing authority-

(a) Rejects an application for a premises licence under section 18,

The applicant may appeal against the decision.

Schedule 5, Part 1, Section 2 of the Licensing Act give 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 – Proposed conditions offered by the applicant
- Appendix 3 – West Mercia Police objection
- Appendix 4 – Copy of revoked premises licence (info only)

Background papers

None Identified

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

* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Is the applicant:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

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

Applicant Business

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

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

Registration number

Business name

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

VAT number

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

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

An agent that is a business or organisation, including a sole trader

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

A private individual acting as an agent

Agent Business

Is your business registered in the UK with Companies House? Yes No

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

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

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

Private Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality Documents that demonstrate entitlement to work in the UK

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

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

Fast food outlet.

Under the previous operator, the previous Premises Licence (PR01581) was reviewed and revoked in Feb 2024 following an incident of disorder which included associates of former the former business and issues with the performance of the SIA Door Staff.

Continued from previous page...

This is an entirely new operator, in possession of a new lease drafted by MFG Solicitors of Telford, signed and dated 1st July 2024.

There is no connection between the previous operator and the new business.

The application is a mirror application with regard to Operating Schedule to that which applied before, and operated between May 2013 and Feb 2024.

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

- Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Continued from previous page...

Will you be providing recorded music?

Yes No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes No

Section 13 of 21

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

See guidance on regulated entertainment

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

Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

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

Continued from previous page...

SATURDAY

Start 23:00

End 03:30

Start

End

SUNDAY

Start 23:00

End 03:30

Start

End

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

- Indoors Outdoors Both

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

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

n/a

State any seasonal variations

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

n/a

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

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

n/a

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor

Continued from previous page...

As an attachment to this application

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

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

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

Nil

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

State any seasonal variations

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

n/a

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

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

n/a

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

CCTV:

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises. 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 (provided that the police will allow reasonable time for the recording to be obtained in the event that the request for recordings is made at a time when the premises are closed. The Recording equipment and hard drives shall be kept in a secure environment under the control of the Premises Licence Holder or other responsible named individual. In the event of technical failure of the CCTV equipment the Premises Licence Holder MUST report the failure to the Police on contact number 101 immediately.

b) The prevention of crime and disorder

SIA:

2. The Premises Licence Holder shall maintain a register of Door Supervisors which will be kept on the premises showing the names and addresses of the Door Supervisors, their badge numbers and shall be signed by the Door Supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police or an authority Officer of the SIA.

3. The premises licence holder will ensure that a minimum of 2 (two) SIA registered door supervisors will be employed at the premises on Friday and Saturday from midnight until the end of licensable activities.

Continued from previous page...

At all other times SIA registered door supervisors will be employed on a risk assessed basis.

c) Public safety

INCIDENT LOG:

4. 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), an authorised Herefordshire Trading Standards Officer or the Police, which must record the following:

(a) all crimes reported to the venue

(b) all ejections of patrons

(c) any complaints received

(d) any incidents of disorder

(e) seizures of drugs or offensive weapons

(f) any faults in the CCTV system

(g) any visit by a relevant authority or emergency service

d) The prevention of public nuisance

GOOD MANAGEMENT:

5. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exists to the premises requesting the public to respect the needs of local residents and to leave the premises quietly.

6. Adequate refuse containers shall be located in the premises. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exists to the premises requesting the public to respect the area and ensure that litter is disposed of properly and in appropriate litter bins.

7. The Premises Licence holder will ensure that the area immediately outside the premises is regularly checked for litter during operating hours and that any litter found is disposed of appropriately

8. All staff shall wear clothing which identifies them as members of staff of the premises.

9. The Premises Licence Holder and staff will not permit alcohol to be consumed on the premises.

10. The premises will be served by no less than three tills with staff to operate same at peak times (11:00 pm – 1:30 am Friday, Saturday and Sunday before Bank Holiday Monday) of service to ensure a fast throughput of customers.

e) The protection of children from harm

n/a

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Please visit the 'Premises Licence' webpage on Herefordshire Council's website (www.herefordshire.gov.uk) for the details of the application fee required

* Fee amount (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

DECLARATION

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

[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)

Continued from previous page...

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

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

* Full name

* Capacity

Date (dd/mm/yyyy)

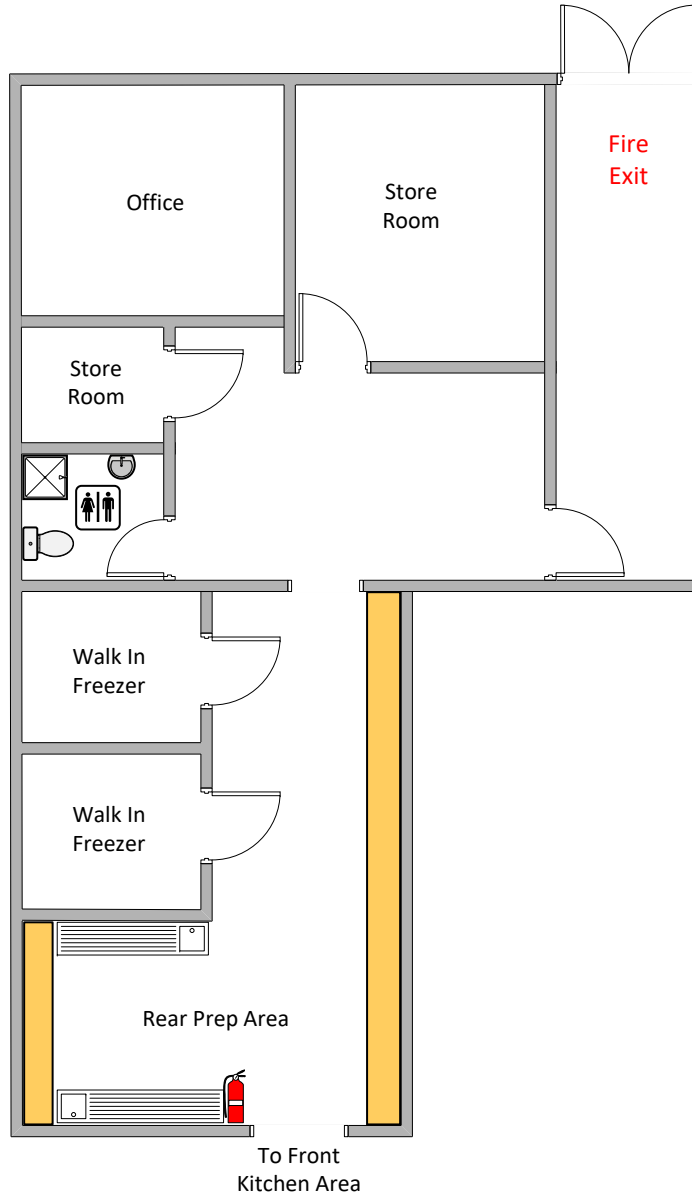
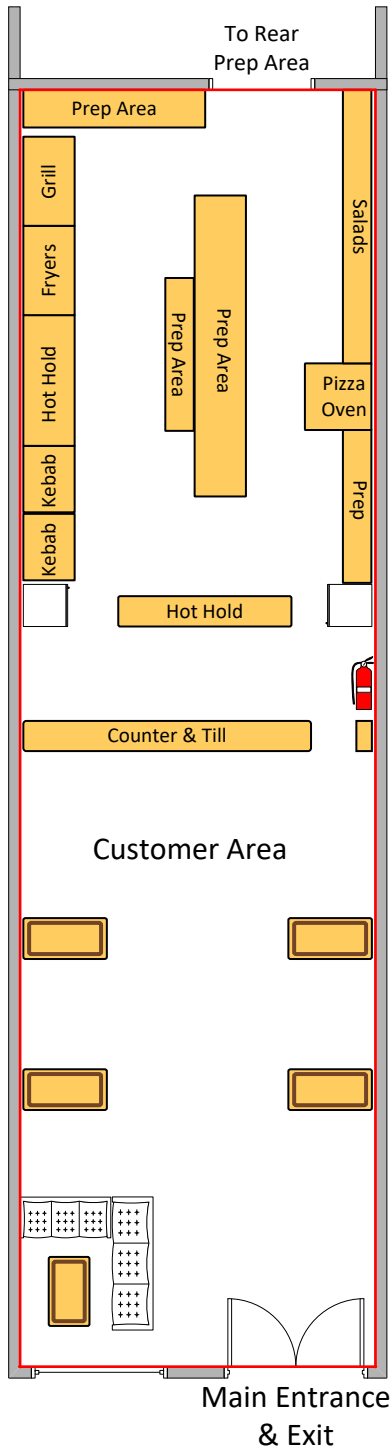
Once you're finished you need to do the following:

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

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



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

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



Flames
59A Commercial Rd, Hereford
HR1 2BP

Scale 1:100

-  Licensable Activity
-  Foam Fire Extinguisher

Representations offered by the applicant

Prevention of Crime & Disorder

CCTV:

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises.

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 (provided that the police will allow reasonable time for the recording to be obtained in the event that the request for recordings is made at a time when the premises are closed. The Recording equipment and hard drives shall be kept in a secure environment under the control of the Premises Licence Holder or other responsible named individual. In the event of technical failure of the CCTV equipment the Premises Licence Holder MUST report the failure to the Police on contact number 101 immediately.

SIA:

2. The Premises Licence Holder shall maintain a register of Door Supervisors which will be kept on the premises showing the names and addresses of the Door Supervisors, their badge numbers and shall be signed by the Door Supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police or an authority Officer of the SIA.

3. The premises licence holder will ensure that a minimum of 2 (two) SIA registered door supervisors will be employed at the premises on Friday and Saturday from midnight until the end of licensable activities.

At all other times SIA registered door supervisors will be employed on a risk assessed basis.

INCIDENT LOG:

4. 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), an authorised Herefordshire Trading Standards Officer or the Police, which must record the following:

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

Representations offered by the applicant

Prevention of Public Nuisance

GOOD MANAGEMENT:

5. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exists to the premises requesting the public to respect the needs of local residents and to leave the premises quietly.
6. Adequate refuge containers shall be located in the premises. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exists to the premises requesting the public to respect the area and ensure that litter is disposed of properly and in appropriate litter bins.
7. The Premises Licence holder will ensure that the area immediately outside the premises is regularly checked for litter during operating hours and that any litter found is disposed of appropriately
8. All staff shall wear clothing which identifies them as members of staff of the premises.
9. The Premises Licence Holder and staff will not permit alcohol to be consumed on the premises.
10. The premises will be served by no less than three tills with staff to operate same at peak times (11:00 pm – 1:30 am Friday, Saturday and Sunday before Bank Holiday Monday) of service to ensure a fast throughput of customers.



WEST MERCIA POLICE REPRESENTATION – FLAMES, COMMERCIAL ROAD

27.08.2024

I am an officer authorised under the Licensing Act 2003.

I refer to the application made for a Grant of a premises licence in respect of Flames, Commercial Road, Hereford.

West Mercia Police object to this application (as applied for) as in our opinion to grant it will undermine the licensing objectives - in particular that of the prevention of crime and disorder due to the premises historically being associated with and attracting incidents in connection with night time disorder.

Since the premises have not been operating past 23:00hrs, West Mercia Police have seen a decrease of disorder in and around the premises.

West Mercia Police are willing to negotiate with the applicant over an earlier terminal hour.

Regards

Licensing and MATES Officer (Herefordshire) Hereford Police Station, Bath Street, Hereford
HR1 2HT

Email – licensing.herefordshire@westmercia.police.uk

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

Premises licence number PR01581 (App to Transfer Premise Licence)

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description Munchies 59 Commercial Road	
Post town HEREFORD	Postcode HR1 2BD
Telephone number 01432 341341	

Where the licence is time limited the dates Not applicable

Licensable activities authorised by the licence (All indoors unless otherwise stated) Provision of late night refreshment (Indoors)

The times the licence authorises the carrying out of licensable activities Monday-Sunday: 23:00 - 03:30

The opening hours of the premises Monday-Sunday: 10:00 - 03:30

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies Not applicable

Part 2

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

Registered number of holder, for example company number, charity number (where applicable)
12097540

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol
Not applicable

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol
Not applicable

Annex 1 - Mandatory conditions

Mandatory condition: door supervision

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

Annex 2 - Conditions consistent with the operating Schedule

Licensing objectives

General: Not applicable

Prevention of Crime & Disorder

The premises licence holder will ensure that a minimum of 2 (two) SIA registered door supervisors will be employed at the premises on Friday and Saturday from midnight until the end of licensable activities. Where the premises is licensed until 0430hrs, the same principle will apply (2 x door supervisors employed from midnight to the end of licensable activities).

At all other times SIA registered door supervisors will be employed on a risk assessed basis

Annex 3 - Conditions attached after a hearing by the licensing authority on 21 May 2013

NON STANDARD TIMINGS

An application for non-standard times was refused.

CONDITIONS

The application was granted in respect of the hours of operation of the licensable activities described in the box above together with the following conditions

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises. 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 (provided that the police will allow reasonable time for the recording to be obtained in the event that the request for recordings is made at a time when the premises are closed. The Recording

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

equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. 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.

2. The Premises Licence Holder shall maintain a register of Door Supervisors which will be kept on the premises showing the names and addresses of the Door Supervisors, their badge numbers and shall be signed by the Door Supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police or an authority Officer of the SIA.

3. 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), an authorised Herefordshire Trading Standards Officer or the Police, which must record the following:

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

4. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exists to the premises requesting the public to respect the needs of local residents and to leave the premises quietly.

5. Adequate refuge containers shall be located in the premises. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exists to the premises requesting the public to respect the area and ensure that litter is disposed of properly and in appropriate litter bins.

6. The Premises Licence holder will ensure that the area immediately outside the premises is regularly checked for litter during operating hours and that any litter found is disposed of appropriately

7. All staff shall wear clothing which identifies them as members of staff of the premises.

8. The Premises Licence Holder and staff will not permit alcohol to be consumed on the premises.

9. The premises will be served by no less than three tills with staff to operate same at peak times (11:00 pm – 1:30 am Friday, Saturday and Sunday before Bank Holiday Monday) of service to ensure a fast throughput of customers.

Annex 4 - Plans

As attached

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

Premises licence number PR01581 (App to Transfer Premise Licence)

Premises details

Postal address of premises, or if none, ordnance survey map reference or description Munchies 59 Commercial Road	
Post town HEREFORD	Post code HR1 2BP
Telephone number 01432 341341	

Where the licence is time limited the dates Not applicable

Licensable activities authorised by the licence Provision of late night refreshment (Indoors)

The times the licence authorises the carrying out of licensable activities Monday-Sunday: 23:00 - 03:30

The opening hours of the premises Monday-Sunday: 10:00 - 03:30

Name, (registered) address of holder of premises licence ██████████ ██████████ ██████████ ██████████ ██████████

Registered number of holder, for example company number, charity number (where applicable) 12097540

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies Not applicable

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

Not applicable

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

Protection of Children:

Restricted access to hazardous areas including the kitchen



Application for a grant of a premises licence in respect of Hereford Premier Inn, Holmer Road, Holmer, Hereford, HR4 9RS – Licensing Act 2003

Meeting: Licensing sub-committee

Meeting date: Thursday 19 September 2024 at 10am

Report by: Senior Licensing Technical Officer

Classification

Open

Decision type

This is not an executive decision

Wards affected

Hereford Central

Purpose

To consider an application for a grant of a premises licence in respect of Hereford Premier Inn, Holmer Road, Holmer, Hereford. HR4 9RS under the Licensing Act 2003.

Recommendation(s)

That:

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

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

Reasons for Recommendations

Ensures compliance with the Licensing Act 2003

Alternative options

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

Key considerations

Licence Application

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

Applicant	Whitbread Group PLC	
Agent	John Gaunt & Partners	
Type of application: Grant	Date received: 31 July 2024 28 day consultation started: 1 August 2024	28 Days consultation ended: 28 August 2024

Summary of Application

5. The application can be found at appendix 1 and requests the grant of a premises licence to allow the following licensable activities, during the hours shown;

Films (Indoors), Sale/Supply of Alcohol (consumption on and off the premises)
Monday – Sunday 10:00 – 00:30

Late Night Refreshment (Indoors/Outdoors)
Monday – Sunday 23:00 – 00:30

Non-Standard Timings
Hotel residents for sale of alcohol 24hrs

New Year's Eve with a terminal hour of 00:30 on 02 January

Summary of Representations

6. Two representations were received from the responsible authorities (Trading Standards and West Mercia Police) seeking conditions to be added to the licence if granted. These haven't been agreed with the applicant at time of the report being published. The representations can be found at Appendix 2 and Appendix 3.

Community impact

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

Environmental Impact

8. 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

9. 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.

10. There are no equality issues in relation to the content of this report.
11. 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.
12. 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/her 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

13. 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

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

Legal implications

15. 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.
16. 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.
17. 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.
18. 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: -
19. 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.

20. 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.
21. 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'.
22. In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

Right of Appeal

23. Schedule 5, Part 1, Section 1 of the Licensing Act 2003 gives a right of appeal which states:

Rejection of applications relating to premises licences

(1) Where a licensing authority-

(a) Rejects an application for a premises licence under section 18,

The applicant may appeal against the decision.

Schedule 5, Part 1, Section 2 of the Licensing Act give 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).

24. 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

25. 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

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

Appendices

Appendix 1 - Application form

Appendix 2 – West Mercia Police representation

Appendix 3 – Trading Standards representation

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.

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Hereford Premier Inn, Holmer Road, Holmer	
Post town Hereford	Post code HR4 9RS

Telephone number of premises (if any)	<input type="text"/>
Non-domestic rateable value of premises	<input type="text" value="£279,000"/>

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

- | | | |
|-----------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------------------|
| a) An individual or individuals* | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual* | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | 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 | <input type="checkbox"/> | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- 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 Mrs Miss Ms Other title (For example, Rev)

Surname First names

Date of Birth: I am 18 years old or over Please tick

Nationality:
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

Second Individual Applicant (if applicable)

Mr Mrs Miss Ms Other title (For example, Rev)

Surname First names

Date of Birth: I am 18 years old or over Please tick

Nationality:
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS

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

Name Whitbread Group plc
Address Whitbread Court, Houghton Hall Business Park, Porz Avenue, Dunstable, Bedfordshire, LU5 5XE
Registered number (where applicable) 29423
Description of applicant (for example, partnership, company, unincorporated association etc.) Public Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start?

Day Month Year

A	S	A	P				
---	---	---	---	--	--	--	--

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

Day Month Year

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

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

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

This is a new Premises Licence application to licence part of the Premier Inn site as detailed in the address provided which has existing facilities and a new food and beverage offering, as detailed on the plans submitted with the application.

It is intended that the proposed premises to be licensed will operate as a stand alone Hotel with related licensed accommodation operating under the Premier Inn brand.

The proposed site will have at ground floor level a secure entrance lobby with the Hotel reception and separate food and beverage area (usual in developments of this type) situated on the ground floor. The bedrooms (which will be unlicensed) will be located on the ground and upper floors.

It is proposed that the permitted hours for licensable activities for these premises should be :-

Monday to Sunday: 10:00 – 00:30 inclusive with the premises closing to the general public 30 minutes thereafter. However, the premises will remain open 24 hours a day to hotel residents.

This application seeks to licence the premises specifically to authorise under the Licensing Act 2003 the following activities:

1. Exhibition of a film principally non-live television or educational videos.
2. The sale of alcohol.
3. The provision of late night refreshment after 23.00

The appropriate drawings deposited with this application are :-

- Detailed Licensing Ground Floor Plan Number PI1132/AM01.

It is not anticipated that the proposed development will adversely affect the four licensing objectives.

It is understood that the site does not fall within any area of cumulative impact as adopted by the local Council but it will be noted that developments of this type in any event are not normally known to undermine the licensing objectives and particularly those of crime and disorder and public nuisance.

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

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick yes

Provision of regulated entertainment (please read guidance note 2)

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
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 {Y}(please read guidance note 3).	Indoors	√
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	10:00	00:30			
Tue	10:00	00:30	As stated in Part 3 above. There shall be no films shown to a close seated audience		
Wed	10:00	00:30	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur	10:00	00:30	N/A – save as below		
Fri	10:00	00:30	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	10:00	00:30			
Sun	10:00	00:30	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

C

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

D

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

F

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

G

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

H

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

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 {Y} (please read guidance note 3).		Indoors		
Day	Start	Finish	Please give further details here (please read guidance note 4)	Outdoors			
				Both			√
Mon	23:00	00:30		To allow the provision of hot food and drink for consumption on and of the premises at the Manager's discretion and in the areas identified.			
Tue	23:00	00:30					
Wed	23:00	00:30					
Thur	23:00	00:30	N/A - save as below				
Fri	23:00	00:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)				
Sat	23:00	00:30					
Sun	23:00	00:30					
			When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)				

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 8)	On the premises	
				Off the premises	
Day	Start	Finish		Both	✓
Mon	10:00	00:30	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	10:00	00:30			
Wed	10:00	00:30	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)		
Thur	10:00	00:30			
Fri	10:00	00:30	To extend the proposed hours on New Year's Eve to New Year's Eve - terminal hour as proposed being 00:30 on 2 nd January.		
Sat	10:00	00:30			
Sun	10:00	00:30	The premises shall remain open to permit the sale of alcohol to hotel residents 24 hours a day.		

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

Name: Keshia Melisa Simpson
Date of Birth: [REDACTED]
Address: [REDACTED]
Postcode: [REDACTED]
Personal Licence number (if known): PER1431
Issuing Licensing authority (if known): Wolverhampton Council

K

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

NONE save for the presence of AWP machines the use of which is not permitted by persons under the age of 18

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variation (please read guidance note 5)
Day	Start	Finish	
Mon	06:00	01:00	
Tue	06:00	01:00	
Wed	06:00	01:00	
Thur	06:00	01:00	Non standard timings. Where you intend to use 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)
Fri	06:00	01:00	The premises shall remain open 24 hours a day for hotel residents.
Sat	06:00	01:00	For non-residents, the premises will close 30 minutes after the end of the non-standard timings identified in box J above.
Sun	06:00	01:00	

M

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

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

We have undertaken our own risk assessment to propose the following steps:-

The steps which we have identified in relation to the four licensing objectives are listed below.

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below

1. The use of door staff will be risk assessed on an ongoing basis by the licence holder of premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
2. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.
3. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
4. The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 21 years.
5. The management of the premises will liaise with police on issues of local concern or disorder.
6. CCTV will be installed with recording facilities such recordings shall be retained for a period of 31 days and made available within a reasonable time upon request by the police, such as to cover the main entrance to the premises.

There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking.

c) Public safety

No further risks have been identified which need to be addressed, save as below

1. The premises will have adequate safety and fire fighting equipment and such equipment will be maintained in good operational order.

2. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
3. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
4. Fire Exits and means of escape shall be kept clear and in good operational condition.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed, save as below

1. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
2. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises, Where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.
3. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
4. Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.

e) The protection of children from harm

1. The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.
2. No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
3. Children under the age of 16 shall not be permitted to enter the premises after 21:00 unless dining with an adult or attending a pre booked function or resident in the hotel.
4. There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.
5. The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.
5. Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage.

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 premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected
- {Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships} I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

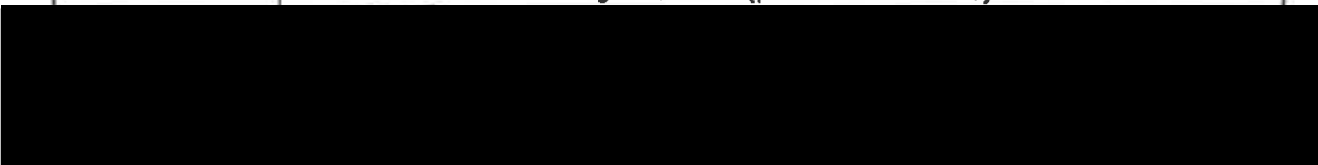
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (Please read guidance note 11). **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, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
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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: John Gaunt & Partners

Date:

Capacity: Solicitors

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)

**John Gaunt & Partners
Omega Court
372 Cemetery Road**

Post town
Sheffield

Post code
S11 8FT

Telephone number (if any) **0114 2668664**

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
TShield@john-gaunt.co.uk

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - **Plays:** no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - **Indoor sporting events:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - **Live music:** no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - **Recorded Music:** no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the

CONSENT OF INDIVIDUAL TO BEING SPECIFIED AS PREMISES SUPERVISOR

I, **Keshia Melissa Simpson**, of [REDACTED]

[REDACTED] hereby confirm that I give my consent to

be specified as the designated premises supervisor in relation to the application for ~~variation of~~ the premises licence by **Whitbread Group PLC**

relating to an application for a premises licence for the PREMISE INN

HOLMEN ROAD HOLMEN WY4 9RS

and any premises licence to be granted or varied in respect of this application made by **Whitbread Group PLC** concerning the supply of

alcohol at the PREMISE INN HOLMEN RD

HOLMEN WY4 9RS

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

Personal Licence number: PER1431

Personal Licence issuing authority: **City of Wolverhampton**

Date of birth: **21st November 1988**

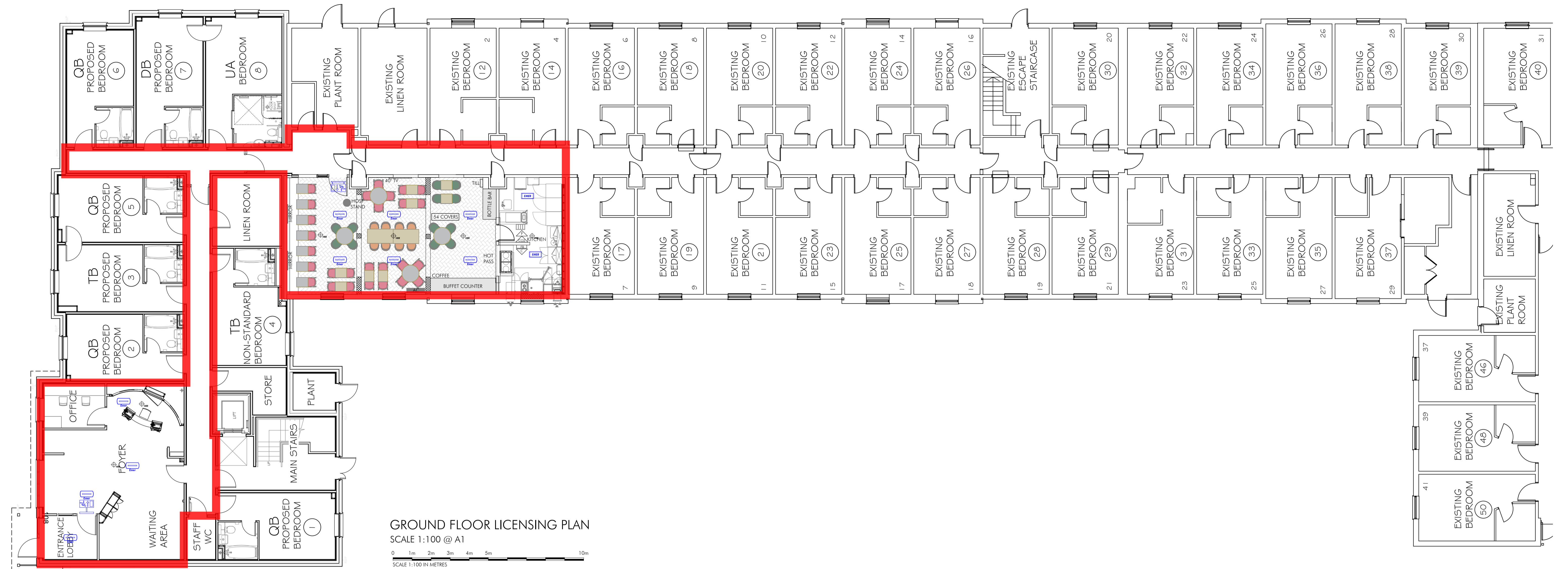
Place of birth: **Wolverhampton**

Nationality: **British**

Mobile/contact telephone number: **07802 773 288**

[REDACTED]
Name (please print): **Keshia Melissa Simpson**

Date: 24/07/2024



GROUND FLOOR LICENSING PLAN
SCALE 1:100 @ A1
SCALE 1:100 IN METRES

FIRE ALARM SYMBOLS	
	FIRE ALARM PANEL
	HEAT DETECTOR (RATE OF RISE)
	MULTI SENSOR
	COMBINED MULTI-SENSOR AND SOUNDER BASE
	COMBINED MULTI-SENSOR SOUNDER BASE AND FLASHING BEACON (IN UA ROOMS & 10% STANDARD)
	MANUAL CALL POINT
	EMERGENCY GAS SHUT-OFF BUTTON
	FLASHING BEACON

NOTES:
EXISTING EMERGENCY LIGHTING TO CORRIDORS AND PUBLIC AREAS INSTALLED IN ACCORDANCE WITH BS5266.
EXISTING FIRE ALARM SYSTEM TO HOTEL INSTALLED IN ACCORDANCE WITH BS5839.

SMALL POWER DISTRIBUTION & LUMINAIRES SYMBOLS	
	THORN 2D 16W POLYCARBONATE LUMINAIRE 28W TO STAIRS (E-DENOTES COMBINED 3 HOUR NON-MAINTAINED EMERGENCY)
	WALL MOUNTED FITTING (E-DENOTES COMBINED 3 HOUR NON-MAINTAINED EMERGENCY)
	CORRIDOR CEILING MOUNTED BULKHEAD FITTINGS WITH 3 HOUR (NON-MAINTAINED EMERGENCY)
	CENTRAL STAIR WELL WALL MOUNTED LIGHT FITTING (WITH 3 HOUR NON-MAINTAINED EMERGENCY)

CONTRACTOR SUPPLIED EMERGENCY LUMINAIRES SYMBOLS	
	PUBLIC CORRIDORS - VENTILUX VANTAGE VAM3/FBCR RECESSED OVERDOOR LUMINAIRE 3 HOUR MAINTAINED FITTING CHROME c/w LEGEND
	RESTAURANT / RECEPTION - RECESSED LUMINAIRE 3 HOUR NON-MAINTAINED FITTING WHITE
	BACK OF HOUSE - JSB ZETA 1 1 ZE/3/ICEL SURFACE MOUNTED LUMINAIRE 3 HOUR NON-MAINTAINED FITTING
	JSB AG8/3M/ICEL SURFACE MOUNTED LUMINAIRE 3 HOUR IP65 RATED MAINTAINED FITTING
	BACK OF HOUSE - VENTILUX ELLUX EMX3/FB SURFACE MOUNTED LUMINAIRE 3 HOUR MAINTAINED FITTING WHITE c/w LEGEND
	RESTAURANT / RECEPTION - VENTILUX GLADE GDM3/FBCR CEILING MOUNTED LUMINAIRE 3 HOUR MAINTAINED FITTING CHROME c/w LEGEND

DISABLED ALARM SYSTEM SYMBOLS	
	DISABLED ALARM PULL SWITCH
	DISABLED ALARM INDICATOR
	STAND ALONE LOOP SOUNDER / BEACON
	DISABLED REFUGE INTERCOM
	DISABLED ALARM INDICATOR PANEL

FIRE FIGHTING EQUIPMENT	
	6 LITRE AFFF FOAM EXTINGUISHER
	6 LITRE POWDER ABC FIRE EXTINGUISHER
	2KG Co2 EXTINGUISHER
	WET CHEMICAL EXTINGUISHER
	FIRE BLANKET

LICENSING PLAN

ALLISON PIKE
ARCHITECTS & DESIGNERS

7 Buxton Road West, Disley, Stockport, Cheshire, SK12 2AE.
Website: www.allisonpike.com

Telephone: 01663 763000
Facsimile: 01663 766772
Email: studio@allisonpike.com

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BN DRAWN	DRAWN REVISION	20/05/24 DATE	VER
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PROJECT
PREMIERE INN HEREFORD

TITLE
GROUND FLOOR LICENSING PLAN

SCALE
1:100 @ A1

JOB No PI1132	DRAWING No AM 01	REV //
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WEST MERCIA POLICE REPRESENTATION – The Premier Inn (Holmer road)

I am an officer authorised under the Licensing Act 2003.

I refer to the application made for a Grant of a premises licence in respect of the Premier Inn site on Holmer road, Hereford HR4 9RS.

West Mercia Police do not object to this application and note the applicants have offered steps to promote the licensing objectives, however they have the following representations to promote the licensing objectives and wish to see them applied to any premises licence granted to this location and are in-line with the ones at a sister hotel in the city.

The 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.

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 following receipt of a request from the Police for disclosure demonstrating an exemption to the first data protection principle as per the Data Protection Act 1998. The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in recordable media format, an authorised Herefordshire Trading Standards Officer or the Local Authority on demand.

The Recording equipment and suitable tapes/discs/memory stick shall be kept in a secure environment under the control of the DPS or other responsible named individual.

An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded. In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Police on contact number '101' as soon as practicable following discovery of the malfunction.

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

An incident log must be kept at the premises. Incident log records will be retained for a period of 12 months from the date it occurred. It will be made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), an authorised Herefordshire Trading Standards Officer or the Police, which must record the following:

- all crimes (relevant to the licensing objectives) reported to the venue,
- all ejections of patrons,
- any complaints (relevant to the licensing objectives) received,
- any incidents of disorder,
- seizures of drugs or offensive weapons,
- any refusal of the sale of alcohol, and
- any visit by a relevant authority or emergency service

Toughened glasses will be used in the premises where appropriate.

No open containers will be removed from the premises save for consumption in the hotel bedrooms and any external area provided for such purpose.

The Prevention of Public Nuisance

Where appropriate, prominent clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.

The Protection of Children from Harm

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). This condition does not seek to prohibit the use of permitted gaming machines or other permissible forms of gaming

Regards

Licensing and MATES Officer (Herefordshire) Hereford Police Station, Bath Street, Hereford HR1 2HT
Email – licensing.herefordshire@westmercia.police.uk

From: Trading Standards
Sent: 01 August 2024 10:58
To: Licensing
Subject: Premier Inn , Hereford

Good morning,

With reference to the application for a premises licence at Premier Inn, Holmer Road, Hereford, I would wish to make the following representations.

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

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

No under 16's will be allowed on the premises after 21:00hrs unless dining with an adult aged 18yrs or over, attending a pre booked function, or a resident at the hotel.

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).

Trading Standards Practitioner
Herefordshire Trading Standards Service
Herefordshire Council
Plough Lane
Hereford
HR4 0LE

