

Agenda

Licensing Sub-Committee

Date: **Tuesday 1 October 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:

Matthew Evans

Tel: 01432383690

Email: matthew.evans@herefordshire.gov.uk

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 (Chairperson)

Councillor Dave Davies
Councillor Peter Hamblin

Agenda

	Pages
PUBLIC INFORMATION	
THE NOLAN PRINCIPLES	
1. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2. NAMED SUBSTITUTES (IF ANY)	
To receive any details of Members nominated to attend the meeting in place of a Member of the sub-committee.	
3. DECLARATIONS OF INTEREST	
To receive declarations of interest in respect of items on the agenda.	
4. APPLICATION FOR A VARIATION OF A PREMISES LICENCE IN RESPECT OF TRILOGY, 51-55 BLUE SCHOOL STREET, HEREFORD, HR1 2AR - LICENSING ACT 2003	11 - 58
To consider an application for a variation for a premises licence in respect of Trilogy, 51-55 Blue School Street, Hereford. HR1 2AR under the Licensing Act 2003.	
5. APPLICATION FOR A GRANT OF A PREMISES LICENCE IN RESPECT OF BRIDGE THAI STREET FOOD, 7 BRIDGE STREET, HEREFORD, HR4 9DF - LICENSING ACT 2003	59 - 96
To consider an application for a grant of a premises licence in respect of Bridge Thai Street Food, 7 Bridge Street, Hereford. HR4 9DF under the Licensing Act 2003.	
6. EXCLUSION OF PUBLIC AND PRESS	
In the opinion of the Proper Officer, the following item will not be, or is likely not to be, open to the public and press at the time it is considered.	
RECOMMENDATION:	
that under section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12(A) of the Act, as indicated below and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	
1 Information relating to any individual.	
RECOMMENDATION:	
that under Regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005, the public be excluded from the meeting as it is considered that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in public.	

7. TO CONSIDER THE SUSPENSION OR REVOCATION OF A PERSONAL LICENCE FOLLOWING CONVICTION OF THE HOLDER FOR A RELEVANT OFFENCE - LICENSING ACT 2003

97 - 106

To consider the suspension or revocation of a personal licence following the Licensing Authority having been made aware that the licence holder was convicted of a relevant offence as defined by the Licensing Act 2003.

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

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

RECORDING OF THIS MEETING

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

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

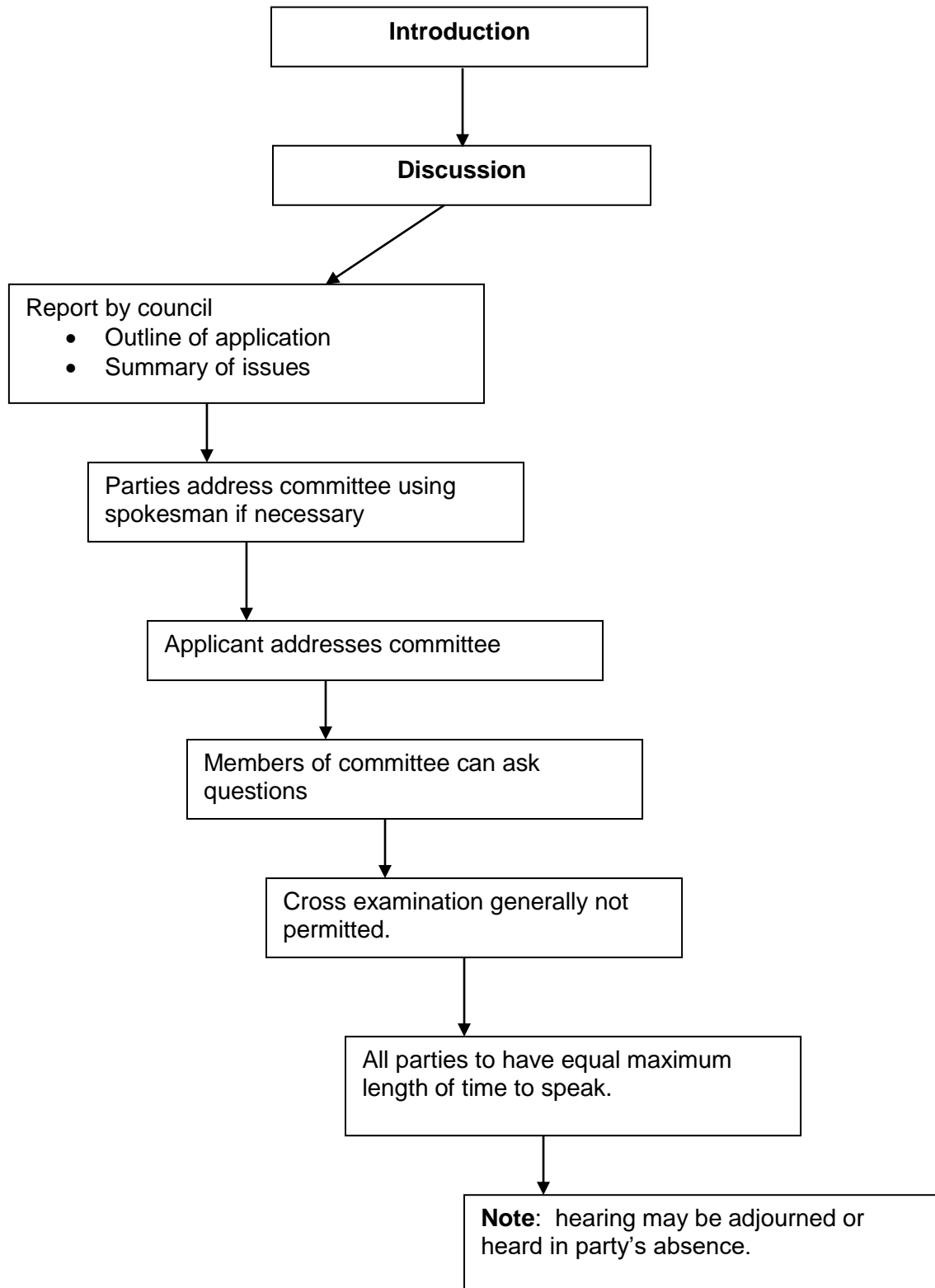
Please also note that other attendees are permitted to film, photograph and record our public meetings provided that it does not disrupt the business of the meeting.

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

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

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

Licensing Hearing Flowchart



The Seven Principles of Public Life (Nolan Principles)

1. Selflessness

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

2. Integrity

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

3. Objectivity

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

4. Accountability

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

5. Openness

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

6. Honesty

Holders of public office should be truthful.

7. Leadership

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



Application for a variation of a premises licence in respect of Trilogy, 51-55 Blue School Street, Hereford, HR1 2AR– Licensing Act 2003.

Meeting: Licensing sub-committee

Meeting date: Tuesday 1 October 2024, 10:00 a.m.

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 variation for a premises licence in respect of Trilogy, 51-55 Blue School Street, Hereford, HR1 2AR under the Licensing Act 2003

Recommendation(s)

That:

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

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

Reasons for Recommendations

Ensures compliance with the Licensing Act 2003

Alternative options

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

Key considerations

Licence Application

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

Applicant	Epic Bars (Hereford) Limited	
Agent	Woods Whur 2014 Limited	
Type of application: Grant	Date received: 29 July 2024 28 day consultation started: 30 July 2024	28 Days consultation ended: 26 August 2024

Summary of Application

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

To vary the start time of all licensable activities and opening hours to start at midday.
(Films, Live Music, Recorded Music, Performance of Dance, Anything Similar to Live, Recorded Music & Performance of Dance, Sale/Supply of Alcohol)

To vary the current condition which reads 'The premises use pet glassware for wines, spirits and draught beer throughout except the Botanic bar where toughened glass will be used'

To the new condition 'The premises use pet glassware for wines, spirits and draught beer throughout except the Botanic bar where glass vessels can be used up to 0100'.

Current Licence

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

Films

Tuesday 19:00 – 03:30

Wednesday - Monday 20:30 – 03:30

Live Music, Recorded Music, Performance of Dance, Anything Similar to Live, Recorded Music & Performance of Dance, Sale/Supply of Alcohol

Monday – Sunday 18:30 – 03:30

Late Night Refreshment

Monday – Sunday 23:00 – 03:30

Non-standard timings:

additional hour to the terminal hour of licensable activities on Fridays, Saturdays and Sundays preceding all Bank Holidays and the Saturday before Christmas. An additional hour to the standard and non-standard timings on the day when BST commences. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

The licence is also subject to a set of conditions that promote the licensing objectives.

Summary of Representations

6. A representation was received from West Mercia Police as a responsible authority. The condition requested has been agreed by the applicant and their agent. (Appendix 3).
7. An objection was received from the Local Authority as a responsible authority and can be found at Appendix 4. The basis of the objection was that over past weekends, the Principal Licensing Officer observed that the main entry at Trilogy was not used and the only entrance point was Botanic. Trilogy is a late-night venue and operates as a night club and therefore is a higher risk premises than Botanic which is more of a cocktail bar.
8. The Principal Licensing Officer attended a site visit on Thursday 5 September 2024. From that

site visit a further condition was agreed regarding the use of glass at the premises and their objection was withdrawn. (Appendix 5).

9. One (1) relevant representation was received from a member of the public on behalf of residents in Catherine Street & Catherine Court (which is in the vicinity of the premises) that the licensing authority accepted as being relevant and can be found at Appendix 6. The representation is in relation to noise nuisance at the premises. The Licensing Authority accepted the representation as being relevant due to the fact Botanic and Trilogy come under one premises licence and not separate ones.

Premises History

10. The premises were licenced until 17 December 2020 when the premises licence holder, became insolvent, therefore the premises licence lapsed immediately
11. The premises was first licenced as Play Nightclub in 2021 on this premises licence before you today.
12. In August 2023, the premises licence was transferred to Epic Bars (Hereford) Ltd, the current premises licence holder.
13. In October 2023, the premises changed its name to Trilogy.
14. Since being licensed as Trilogy, the Licensing Authority has received two (2) variations (not including the application before you today. One in October 2023 which was not granted as it did not comply with the advertising regulations and one in November 2023 which was granted on 22 December 2023 with some added conditions of Environmental Protection.
15. Since December 2023, the Authority has also granted one (1) minor variation and three (3) applications to Vary the Designated Premises Supervisor (DPS).

Community impact

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

Environmental Impact

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

Equality duty

18. 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.

19. There are no equality issues in relation to the content of this report.
20. 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.
21. 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

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

Financial implications

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

Legal implications

24. 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.
25. 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.

26. 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.
27. 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: -
28. 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.
29. 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.
30. This judgment is further supported in the case of The Queen on the Application of Bristol Council v Bristol Magistrates' Court, CO/6920/2008 High Court of Justice Queen's Bench Division The Administrative Court, 24 February 2009, [2009] EWHC 625 (Admin) 2009 WL 648859 in which it was said:

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

Right of Appeal

32. Schedule 5 Part 1 of the Licensing Act 2003 gives a right of appeal which states:
Variation of licence under section 35.
 - (1) This paragraph applies where an application to vary a premises licence is (in whole or in part) under section 35.
 - (2) The applicant may appeal against any decision to modify the conditions of the licence under subsection (4)(a) of that section. —
 - (3) Where a person who made relevant representations in relation to the application desires to contend—
 - (a) that any variation made ought not to have been made, or
 - (b) that, when varying the licence, the licensing authority ought not to have modified the conditions of the licence, or ought to have modified them in a different way, under subsection (4)(a) of that section he may appeal against the decision
 - (4) In sub-paragraph (3) "relevant representations" has the meaning given in section 35(5).
33. 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

34. 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

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

Appendices

- Appendix 1 – Application Form
- Appendix 2 – Current Premises Licence
- Appendix 3 – West Mercia Police Representation
- Appendix 4 – Local Authority Representation
- Appendix 5 – Agreed condition with Local Authority
- Appendix 6 – Public Representations

Background papers

None Identified

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

DPS: Designated Premises Supervisor

* required information

Section 1 of 18

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

System reference

Not Currently In Use

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

Your reference

EPI011-1-8

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

Epic Bars (Hereford) Limited

* Family name

-

* E-mail

mandy@woodswhur.co.uk

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

14897813

Business name

Epic Bars (Hereford) Limited

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

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

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

Agent Business

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

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

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

United Kingdom

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

St James House

Street

28 Park Place

District

City or town

LEEDS

County or administrative area

Postcode

LS1 2SP

Country

United Kingdom

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APPLICATION DETAILS

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

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

* Premises Licence Number

PR01938

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

Trilogy

Street

51-55 Blue School Lane

District

City or town

Hereford

County or administrative area

Postcode

HR1 2AR

Country

United Kingdom

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

48,750

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VARIATION

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

Yes No

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

Yes No

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

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

Describe Briefly The Nature Of The Proposed Variation

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

1. To vary the start time of all licensable activities (i.e. films, live music, recorded music, performance of dance, anything of a similar description to live, recorded music and performance of dance, sale/supply of alcohol) and opening hours to start at midday.
2. To vary the current condition which reads 'The premises use pet glassware for wines, spirits and draught beer throughout except the Botanic bar where toughened glass will be used' to the new condition 'The premises use pet glassware for wines, spirits and draught beer throughout except the Botanic bar where glass vessels can be used up to 0100'.

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

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

Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

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

Continued from previous page...

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the exhibition of films take place indoors or outdoors or both?

Indoors

Outdoors

Both

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

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

State any seasonal variations for the exhibition of film.

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

Continued from previous page...

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

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

As existing

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

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

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

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

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

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

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="03:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="03:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="03:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="03:30"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

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

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

State any seasonal variations for the performance of live music

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

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

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

As existing

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Continued from previous page...

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

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

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

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

State any seasonal variations for playing recorded music.

Continued from previous page...

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

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

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

As existing

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

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

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

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FRIDAY

Start

End

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End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of dance take place indoors or outdoors or both?

- Indoors Outdoors Both

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

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

State any seasonal variations for the performance of dance.

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

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

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

As existing

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

[See guidance on regulated entertainment](#)

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

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Provide a description of the type of entertainment that will be provided.

Will this entertainment take place indoors or outdoors or both?

- Indoors Outdoors Both

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

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

Continued from previous page...

State any seasonal variations for entertainment.

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

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

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

As existing

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

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

- Yes No

Section 13 of 18

SUPPLY OF ALCOHOL

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

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="03:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="03:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="03:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="03:30"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

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

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

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

As existing

Section 14 of 18

ADULT ENTERTAINMENT

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

Continued from previous page...

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

N/A

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

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.

Continued from previous page...

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

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

As existing

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

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

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

Section 16 of 18

LICENSING OBJECTIVES

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

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

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

All existing conditions to remain the same apart from the current condition which reads 'The premises use pet glassware for wines, spirits and draught beer throughout except the Botanic bar where toughened glass will be used' which is to be varied to a new condition which is 'The premises use pet glassware for wines, spirits and draught beer throughout except the Botanic bar where glass vessels can be used up to 0100'.

b) The prevention of crime and disorder

AS ABOVE

c) Public safety

AS ABOVE

Continued from previous page...

d) The prevention of public nuisance

AS ABOVE

e) The protection of children from harm

AS ABOVE

Section 17 of 18

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 18 of 18

PAYMENT DETAILS

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

* Fee amount (£)

226.00

DECLARATION

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

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

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

* Full name

Woods Whur

* Capacity

Solicitors on behalf of the applicant

* Date

29 / 07 / 2024
dd mm yyyy

Add another signatory

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

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

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

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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="EPI011-1-8"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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

Premises licence number - PR01938 (App to Vary Premises DPS)

Part 1 - Premises details

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

**Trilogy (formerly Play Nightclub)
51-55 Blue School Street
Hereford
HR1 2AR**

Telephone number:

Where the licence is time limited the dates:

Not applicable

Licensable activities authorised by the licence

**Films (Indoors)
Live Music (Indoors)
Recorded Music (Indoors)
Performance of Dance (Indoors & Outdoors)
Anything Similar to Live, Recorded Music & Performance of Dance (Indoors & Outdoors)
Late Night Refreshment (Indoors)
Sale/Supply of Alcohol (For consumption both on and off the premises)**

The times the licence authorises the carrying out of licensable activities

Films

Tuesday 19:00 – 03:30

Wednesday - Monday 20:30 – 03:30

Live Music, Recorded Music, Performance of Dance, Anything Similar to Live, Recorded Music & Performance of Dance, Sale/Supply of Alcohol

Monday – Sunday 18:30 – 03:30

Late Night Refreshment

Monday – Sunday 23:00 – 03:30

Non standard timings:

An additional hour to the terminal hour of licensable activities on Fridays, Saturdays and Sundays preceding all Bank

Holidays and the Saturday before Christmas.

An additional hour to the standard and non-standard timings on the day when British Summertime commences.

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

The opening hours of the premises

Monday – Sunday 18:30 - 04:00

Non standard timings

An additional hour to the terminal hour of licensable activities and closing of the premises on Fridays, Saturdays and Sundays preceding all Bank Holidays, the Saturday before Christmas.

An additional hour to the standard and non-standard timings on the day when British Summertime commences.

New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

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

Consumption on and off the premises

Part 2

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

**Epic Bars (Hereford) Limited
3 Bath Mews
Bath Parade
Cheltenham
Gloucestershire
GL53 7HL**

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

Registered Number: **14897813**

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

**Thomas James Danson
20 Ullswater Road
Cheltenham
Gloucestershire
GL51 3PR**

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

**Licence number: LN/199305592
Issuing authority: Harrogate Borough Council**

Annex 1 - Mandatory conditions

Irresponsible Drinks Promotions

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

Free Drinking Water

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

Age verification

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

Small Measures

4. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

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- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Below Cost Price

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

Mandatory conditions where licence authorises supply of alcohol

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

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

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

Door supervision

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

Mandatory condition: exhibition of films

Admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the film classification body or that body specified in the licence unless

- (a) the film classification body is not specified in the licence, or
- (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question

admission of children must be restricted in accordance with any recommendation made by that licensing authority

In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Annex 2 - Conditions consistent with the operating Schedule

Licensing conditions

General

Prevention of Crime & Disorder

CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;

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

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

The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format EITHER DISC or VHS to the Police, an authorised Herefordshire Trading Standards Officer or the Local Authority on demand;

If the request is made due to a serious incident (as defined by a senior police officer of the rank of Police Inspector or above); on all other occasions it will be provided within a period of no more than 48hrs., from the time the request is made.

The Recording 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 '101' immediately

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 reported to the venue
- All ejections of patrons
- Any incidents of disorder
- Seizures of drugs or offensive weapons
- Any faults in the CCTV system or searching equipment or scanning equipment
- Any refusal of the sale of alcohol

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 they have completed this training. All trained staff will be retrained every 6 months. Training records shall be kept at the premises and produced to West Mercia Police, an 'authorised person' (as defined by S13 of the Licensing Act 2003) or an authorised trading standards officer of Herefordshire Council.

All staff (including SIA registered door staff) dealing with customers/guests will be trained in 'drug awareness' (drug awareness skills will involve the recognition of suspected illegal substances, their seizure and security until handed to the police and procedure to follow with regards to dealing with a member of the public who is suspected of being under the influence of an illegal drug, or in possession of a suspected illegal drug). This training will be provided within 4 weeks of employment and will be refreshed every 12 months. All existing staff will be trained within 4 weeks of this condition being applied to the premises licence. Training records will be made available on demand to the Licensing Authority, the police or other authorised person defined by S13 Licensing Act 2003. All training records will be retained for 12 months

The venue shall operate a last entry time for all customers. (Save for 'late night workers' who will provide written information that they have come from a place of work which has concluded after the last entry time). There shall be no re-entry to premises allowed after these times.

A minimum of 1 (one) SIA registered door supervisor will be deployed at the front (main) door to the venue 30 minutes prior to the commencement of the last entry time, until the end of all licensable activities.

The premises licence holder or designated premises supervisor will give written notice a minimum of 14 days to the police and the Licensing Authority prior to any children event and teen/16+ event.

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

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The premises shall be an active member of any locally operating pub watch scheme while such a scheme or similar exists.

A minimum of 1 (one) 'pub watch' radio shall be held on the premises. It will be switched on and monitored at all times when the premises is open and undertaking licensable activities.

A personal licence holder will be on the premises from 2100hrs on all days from opening until the end of licensable activities.

The premises licence holder will have a floor walker policy which will be provided on request to the police and Licensing Authority.

The premises use pet glassware for wines, spirits and draught beer throughout except the Botanic bar where toughened glass will be used

The premises licence holder and all other staff shall ensure that no open vessels are taken off the premises by customers with the exception of bottled water in plastic bottles.

A documented search policy shall be in place, and will be available for inspection by the police and the Licensing Authority upon request. Details of the search policy to be adopted for any event/function is to be contained in the written risk assessment

A documented dispersal policy shall be in place, and will be available for inspection by the Police and the Licensing Authority upon request.

Public Safety

First Aid

An accredited First Aid Trained person must be on duty at all times when the premises operate for licensable activities. An accredited First Aid trained person is defined as a person who holds a current certificate in first aid at work (FAW) issued by a training organisation approved by the Health & Safety Executive (HSE) or a current certificate in emergency first aid at work (EFAW) issued by a training organisation approved by the HSE or by a recognised awarding body of Ofqual or the Scottish Qualifications Authority or any other equivalent qualifications accepted by the Licensing Authority.

A HSE Compliant Industrial High Response First Aid Kit for 21-50 people shall be kept fully stocked at the premises.. Such kit shall contain:

- 1 x Guidance Leaflet
- 60 x Washproof Plasters
- 6 x Eye Pads with Bandage
- 8 x Triangular Bandages
- 12 x Safety Pins
- 16 x Assorted Sterile Dressings
- 20 Moist Wipes
- 3 Pairs Disposable Gloves

Hypnotism

The Licensed premises shall not be used for any exhibition, demonstration or performance of hypnotism without the express written consent of the Licensing Authority and in accordance with any conditions attached to such consent.

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

register (GSR). The sign off certificate shall be produced to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or Police.

Electrical & Gas Installations

All electrical wiring and distribution systems shall be tested at least once a year and signed off by an NICEIC competent person.

Maintenance, Repair and Cleanliness

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

Special Effects

The installation and use of laser beams, pyrotechnics or real flames, for any purpose shall not be permitted without prior notification to the Licensing Authority. Notification, together with a detailed description of the method of use, shall be made to the Licensing Authority not less than 14 days prior to the day on which the laser equipment is to be used.

Strobe lights shall be operated on a fixed rate of not more than four flashes per second. Where more than one strobe light is used, the flashes shall be synchronised.

The use of foam shall not be permitted without prior notification, in writing, to the Licensing Authority.

Disabled people

When disabled people are present, arrangements must exist to enable their safe evacuation in the event of an emergency. Details of the arrangements shall be recorded in writing and shall be made immediately available to the Licensing Authority or Police on demand.

Disabled people on the premises must be made aware of the evacuation procedure.

Lighting

Automatic emergency lighting, powered by an independent source, shall be provided. Any emergency lighting batteries shall be fully charged before the admission of the public, members or guests. In the event of the failure of normal lighting, arrangements shall be in place to ensure that the public, members or guests leave the premises within the period of one-third of the total predicted life of the emergency lighting battery, unless within that time normal lighting has been restored and the battery has been fully re-charged.

The maximum permitted numbers of persons in the premises including staff shall be in accordance with the premises Fire Risk Assessment.

A system shall be in place which is capable of showing the number of persons on the premises from 2030hrs until the end of licensable hours. This number shall be given immediately on demand to an officer from the Licensing Authority or police

Prevention of Public Nuisance

The Trilogy outside bar will cease to sell alcoholic drinks by 02:00hrs.

Any external areas of the premises used for licensable activities shall be monitored by the designated premises supervisor or appointed member of staff, to prevent public nuisance

Staff at the premises must ensure that patrons leaving the premises do so in an orderly manner and that they do not cause annoyance/disturbance to occupiers of premises in the vicinity which is likely to give rise to complaint.

The Botanic's outside smoking area must be closed by 01:00hrs.

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

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The Premises Licence Holder or DPS or the responsible person must immediately comply with any request to adjust noise levels/ frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police

After 2400hrs (midnight), any external areas of the premises used for licensable activities shall be monitored by the designated premises supervisor or appointed member of staff, to prevent public nuisance.

Prominent, clear and legible signage 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.

No 'bottling out' will take place at the venue between the hours of 2300hrs and 0700hrs between 23:00 and 07:00.

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

All external doors to the beer garden must be kept closed except for entrance and exit at all times from 2200hrs. Windows shall be closed at 23:00 hours and adequate ventilation provided.

A dispersal policy agreed with the Police and Local Authority to be in place.

Staff at the premises shall ensure that the immediate vicinity of the premises are cleared of any rubbish or litter after the premises have closed.

The additional outside smoking area for the Botanic's Cocktail Bar area must be closed by 01:00hrs

After 2400hrs (midnight), any external areas of the premises used for licensable activities shall be monitored by the designated premises supervisor or appointed member of staff, to prevent public nuisance.

No amplified music to be played in any of the external areas.

Loudspeakers shall not be located in the entrance lobby or external to any part of the premises.

Protection of Children of Harm

No person under the age of 18 years (save for employees or performing artists) will be allowed on the premises at anytime when the premises undertakes licensable activities – (save for times when teen events or 16+ events take place.) In addition when performers are engaged at the premises and they are under the age of 18 years, they will be accompanied by a responsible person of the age of 21 years or above

Children events - (defined as age 14 – 18yr events)

No alcohol shall be visible and alcohol dispensers rendered unusable for the duration of the event. Non-alcoholic beverages only shall be made available and the premises shall offer a free supply of drinking water;

A search policy will be implemented; any drink containers found will be removed from individuals seeking to gain entry;

At each and every event and for the full duration of the event there shall be present within the entertainment area a person who has received training as approved by Herefordshire Council in respect of the Safeguarding of Children to a minimum of Level 2.

Additional persons who have received safeguarding awareness skills shall be present at a ratio of 1:100 for the first 100 children and 1:50 thereafter. Such safeguarding awareness skills to be documented and records retained for a period of 12 months.

With the exception of staff and performers, an upper age of 18 years will be in place for customers and guests attending the premises.

Youth events/16+ nights:

Any bar at the premises shall be separate from the area used for regulated entertainment (as defined by the Licensing Act 2003);

No person under 18 shall be permitted access to the bar area unless accompanied by a parent, guardian or responsible person aged over 21;

Each and every person entering the bar shall on every occasion on entry be subject to the Challenge 25 policy;

A valid driver's licence, a valid passport or an identity card carrying the PASS hologram shall be the only acceptable documentation in respect of proof age;

No alcohol shall be removed from any bar area;

A bar area, which will contain non-alcoholic beverages shall be made available at the premises and shall offer a free supply of drinking water;

At each and every event and for the full duration of the event there shall be present within the entertainment area a person who has received training as approved by Herefordshire Council in respect of the Safeguarding of Children to a minimum of Level 2;

Additional persons who have received safeguarding awareness skills shall be present at a ratio of 1:100 for the first 100 customers and 1:50 thereafter. Such safeguarding awareness skills to be documented and records retained for a period of 12 months.

The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of an authorised person' (as defined by Section 13 of the Licensing Act 2003), an authorised Herefordshire Trading Standards Officer or the police. Prominent, clear and legible signage (in not less than 32 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 register of refusals will be kept including a description of the people who have been unable to provide required Identification to prove their age. Such records shall be kept for a period of 12 months and will be collected on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand

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

(Adult Entertainment includes, but is not restricted to, such entertainment or services which would generally include topless bar staff, striptease, lap-table, or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language).

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

None

Annex 4 – Plans

As attached — Drawing Number EH-23-301 dated September 2023

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

Premises licence number -PR01938 (App to Vary Premises DPS)

Premises details

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

**Trilogy (formerly Play Nightclub)
51-55 Blue School Street
Hereford
HR1 2AR**

Telephone number:

Where the licence is time limited the dates:

Not applicable

Licensable activities authorised by the licence

**Films (Indoors)
Live Music (Indoors)
Recorded Music (Indoors)
Performance of Dance (Indoors & Outdoors)
Anything Similar to Live, Recorded Music & Performance of Dance (Indoors & Outdoors)
Late Night Refreshment (Indoors)
Sale/Supply of Alcohol (For consumption both on and off the premises)**

The times the licence authorises the carrying out of licensable activities

Films

Tuesday 19:00 – 03:30

Wednesday - Monday 20:30 – 03:30

Live Music, Recorded Music, Performance of Dance, Anything Similar to Live, Recorded Music & Performance of Dance, Sale/Supply of Alcohol

Monday – Sunday 18:30 – 03:30

Late Night Refreshment

Monday – Sunday 23:00 – 03:30

Non standard timings:

An additional hour to the terminal hour of licensable activities on Fridays, Saturdays and Sundays preceding all Bank

Holidays and the Saturday before Christmas.

An additional hour to the standard and non-standard timings on the day when British Summertime commences.

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

The opening hours of the premises

Monday – Sunday 18:30 - 04:00

Non standard timings

An additional hour to the terminal hour of licensable activities and closing of the premises on Fridays, Saturdays and Sundays preceding all Bank Holidays, the Saturday before Christmas.

An additional hour to the standard and non-standard timings on the day when British Summertime commences.

New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

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

Consumption on and off the premises

Part 2

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

**Epic Bars (Hereford) Limited
3 Bath Mews
Bath Parade
Cheltenham
Gloucestershire
GL53 7HL**

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

Registered Number: **14897813**

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

Thomas James Danson

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

The premises shall operate a Challenge 25 Policy

A written register of refusals will be kept including a description of the people who have been unable to provide required Identification to prove their age

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

No person under the age of 18 years (save for employees or performing artists) will be allowed on the premises at anytime when the premises undertakes licensable activities.

Children events - (defined as age 14 – 18yr events)

No alcohol shall be visible and alcohol dispensers rendered unusable for the duration of the event

Youth events/16+ nights:

Any bar at the premises shall be separate from the area used for regulated entertainment (as defined by the Licensing Act 2003);

No person under 18 shall be permitted access to the bar area unless accompanied by a parent, guardian or responsible person aged over 21



WEST MERCIA POLICE REPRESENTATION – TRILOGY

21.08.2024

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 Trilogy

West Mercia Police do not object to this application, 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.

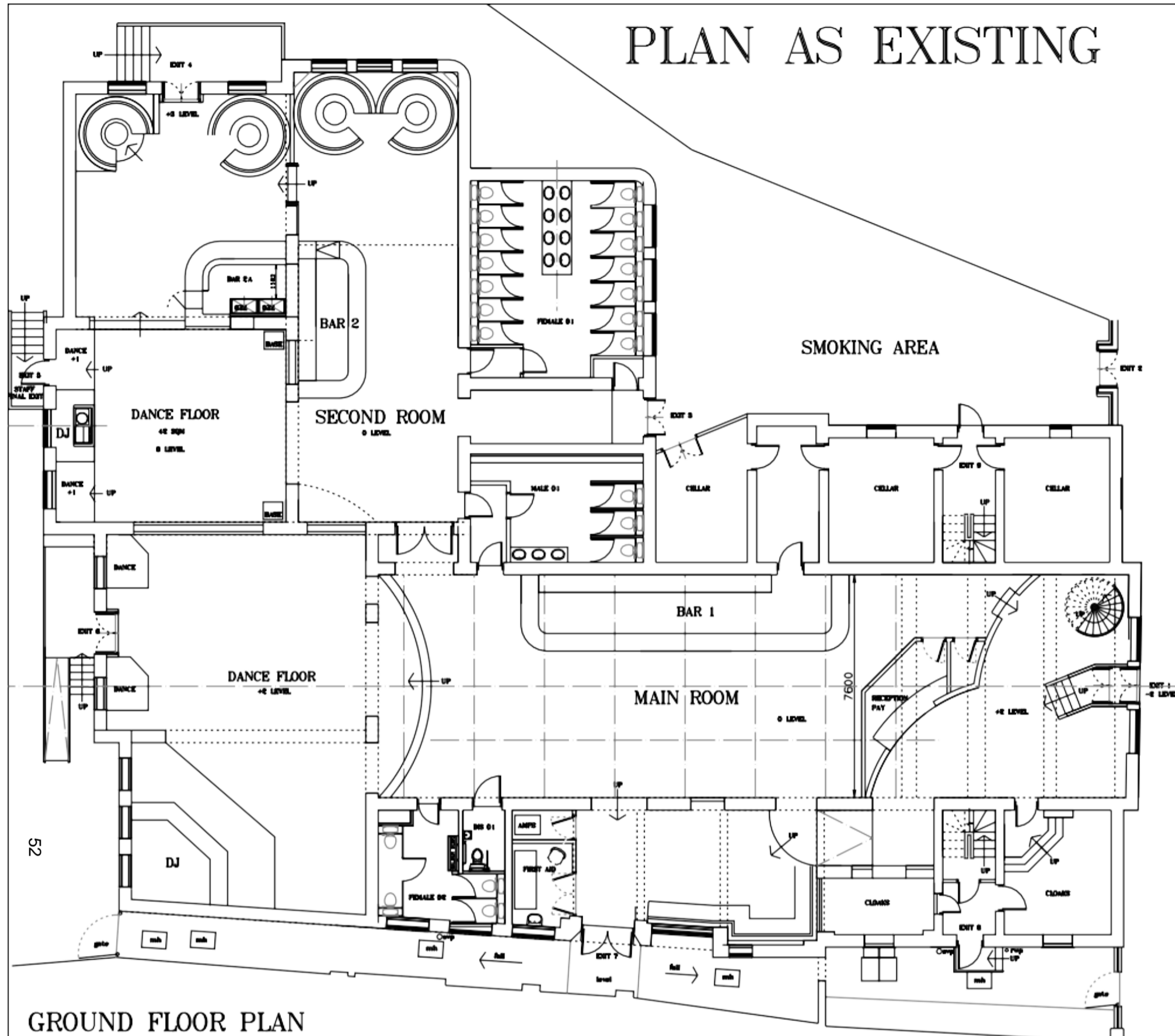
Prevention of Crime & Disorder

The premises use pet glassware for wines, spirits and draught beer throughout the premises, except the Botanic bar (area shaded in yellow on the plan submitted 20/08/2024) where glass vessels can be used up to 0100hrs

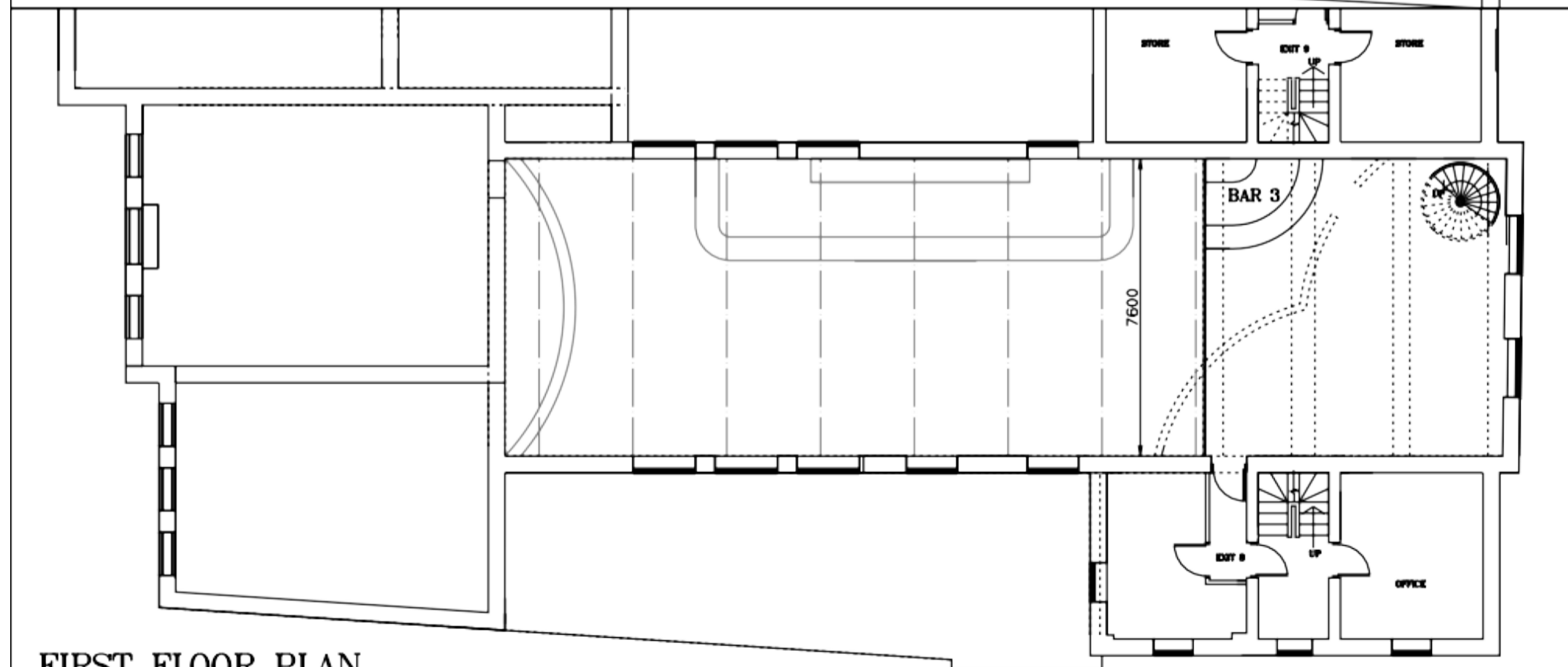
Licensing and MATES Officer (Herefordshire) Hereford Police Station, Bath Street, Hereford
HR1 2HT

Email – licensing.herefordshire@westmercia.police.uk

PLAN AS EXISTING

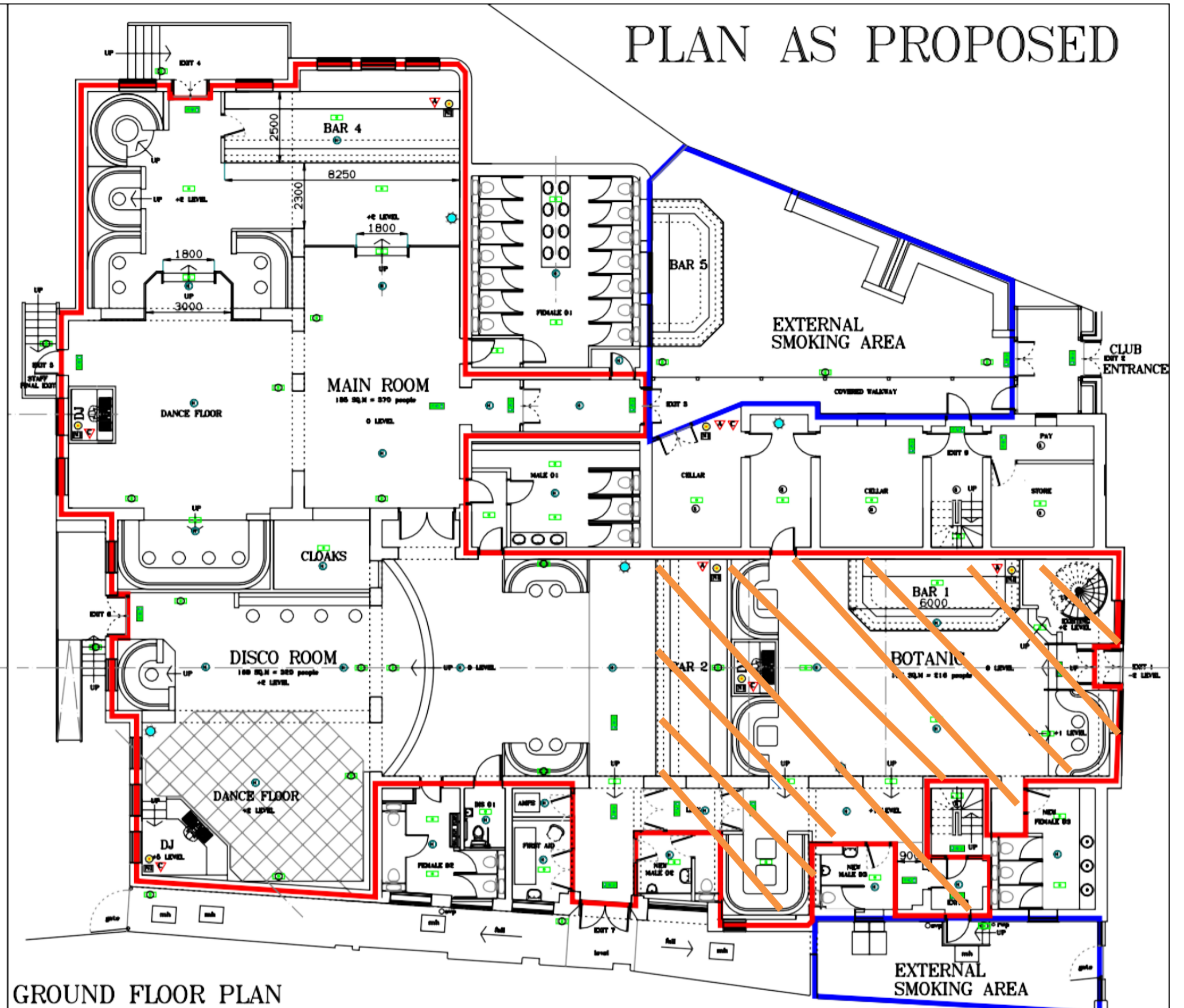


GROUND FLOOR PLAN

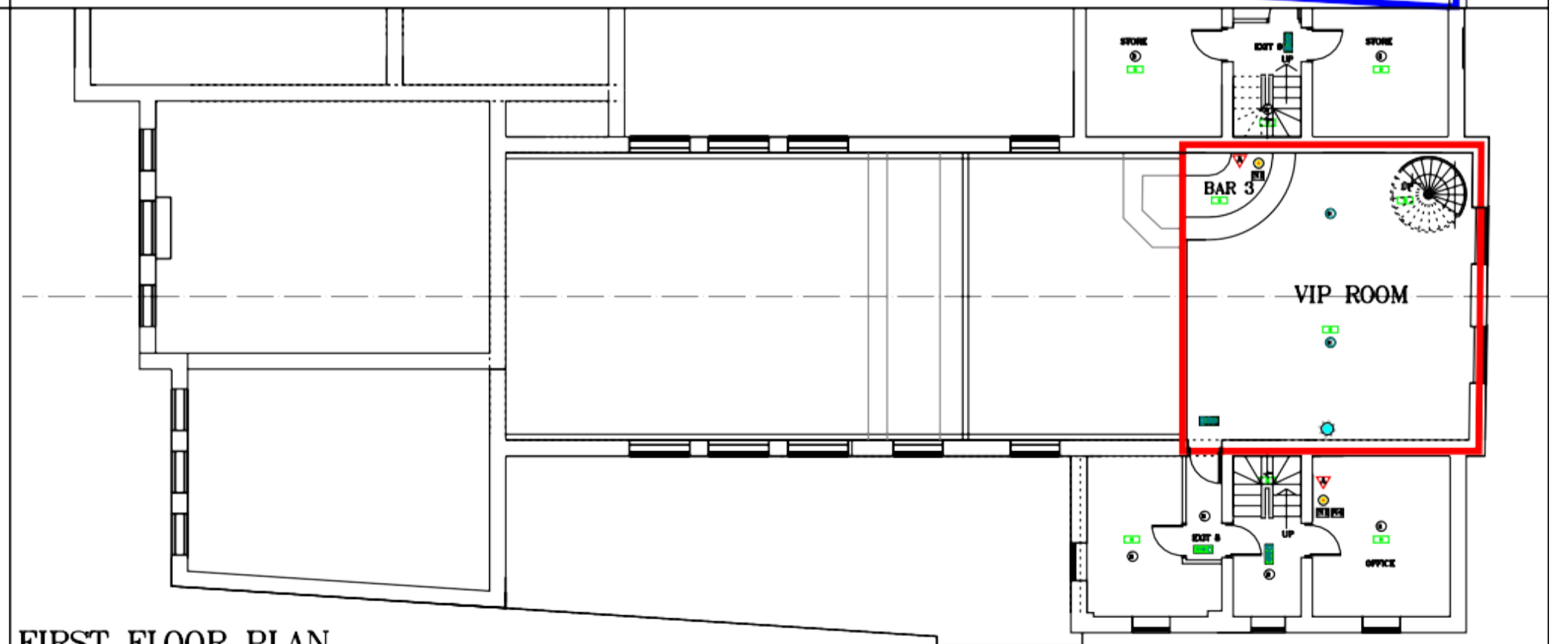


FIRST FLOOR PLAN

PLAN AS PROPOSED



GROUND FLOOR PLAN



FIRST FLOOR PLAN

EMERGENCY LIGHTING www.edesign.com.au EMERGENCY LIGHT 240V 5/10 BULBING LIGHT BOX REF AC3000 PUBLIC AREA COMBINE OR WATT 20 DEGRATIVE FITTING EMERGENCY SIGN 240V 50 BOX REF AC3004 PUBLIC AREA AC3019 EMERGENCY / CLEARWAY LIGHT 240V 5/10 5000 TWIN SPOT WITH MULTI DIRECTIONAL BEAMS REF AC3007	FIRE EQUIPMENT 5kg NEUL-FLUORINE FOAM EXTINGUISHER FIRE BLANKET 5kg CARBON DIOXIDE EXTINGUISHER	FIRE NOTICES 100mm SIGN BY EACH CALL POINT STAFF KITCHEN DUTY MANAGER	FIRE ALARM 100mm SIGN BY EACH CALL POINT HEAT DETECTOR MANUAL CALL POINT FIRE STAKE BELLWIND-LED VOID DETECTOR	FIRE ALARM PANEL FIRE ALARM REPEATER PANEL 50mm SIGN BY EACH INTERCOM POINT 50mm SIGN BY EACH INTERCOM POINT
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AREA BOUNDED BY THE BLUE LINE INDICATES LATE NIGHT REFRESHMENT AND SALE OF ALCOHOL WITHIN THE EXTERNAL AREA	AREA BOUNDED BY THE RED LINE INDICATES THE PROVISION OF REGULATED ENTERTAINMENT LATE NIGHT REFRESHMENT AND SALE OF ALCOHOL	EDS The Edge 1000 Top Mills Quarry Lane Loughborough Leics LE11 3BB 01509 827044 01509 827044 www.edesign.com.au	Client: EPIC BARS & CLUBS Project: PLAY HEREFORD Title: LICENSING PLAN Drawn by: GRT Checked by: EDS Project Manager: EDS Date: SEP-23 Scale: 1:100 Drawing no: EH-23-301
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MEMORANDUM

To : **LICENSING OFFICER**
From : **Principal Licensing Officer**
Tel : **01432 261761** My Ref : **FSP**
Date : **26.8.2024** Your Ref :

**LICENSING ACT 2003
APPLICATION FOR VARIATION OF PREMISES LICENCE
Trilogy (formerly Play Nightclub) 55 Blue School Street, Hereford, Herefordshire, HR1
2AR**

Having assessed the above application, I would like to make the following representation:

Having observed these premises operating on Friday and Saturday night – the Licensing Authority Objects to the application as applied for.

Having spoken to the DPS, a couple of weeks it was made clear to me that the intention was to operate this as two separate premises. The idea being that Botanic would open earlier in the evening and Trilogy would open later on.

The application asks for:

To vary the current condition which reads 'The premises use pet glassware for wines, spirits and draught beer throughout except the Botanic bar where toughened glass will be used' to the new condition 'The premises use pet glassware for wines, spirits and draught beer throughout except the Botanic bar where glass vessels can be used up to 0100'.

Over the weekend it was observed that the main entry at Trilogy was not used. Trilogy is a late-night venue and operates as a night club and therefore is a higher risk premises than Botanic which is more of a cocktail bar.

Should the variation be granted as applied for it would undermine the licensing objectives of the prevention of crime and also public safety.

Therefore, the licensing authority must object.

**PRINCIPAL LICENSING OFFICER
HEREFORDSHIRE COUNCIL**

From: Woods Whur
Sent: 09 September 2024 11:29
To: licensing@herefordshire.gov.uk
Subject: RE: Trilogy, Hereford - Variation Objections

Hi

I confirm that I agree to the condition being worded as you suggest;

The use of standard glass will be permitted within the cocktail bar (currently called Botanic). Where there is to be any transfer of customer between the cocktail bar and the night club (currently called Trilogy) through internal doors, then the cocktail bar shall only supply alcohol, in pet glassware from 2245 hours until the end of licensable activities. Standard glasses shall not be permitted within the night club and to ensure this there shall be in place a SIA Door person in the doorway between the cocktail bar and the club.

Woods Whur 2014 Ltd
Tel: +44 (0)113 234 3055
Mobile: 07738 170138
andrew@woodswhur.co.uk
St James House, 28 Park Place, Leeds LS1 2SP

From:

Sent: 25 August 2024 18:30

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

Subject: Objection email regarding extending opening hours - Trilogy Nightclub, Hereford

Date email sent - 25th August 2024

For the attention of: Licensing Department, Plough Lane, Hereford, HR4 0LE

Dear Sir/Madam,

Re: Objection to Extended Opening Hours of Trilogy Nightclub, Epic Bars, 51-55 Blue School Lane, Hereford, HR1 2AR

We, the residents of Catherine Street & Catherine Court, wish to formally object to the application for extended opening hours of Trilogy Nightclub. Our concerns are as follows:

- 1. Excessive Noise:** The current noise levels from 9:30 PM to 4 AM on weekends are already intolerable. The music is so loud at times that we can hear the lyrics of most songs, and the bass causes vibrations. The Environment Agency has been notified by various residents regarding this issue.
- 2. Inability to Open Windows:** The noise pollution prevents us from opening our windows in the evenings. Extending the nightclub's hours and increasing the number of days it operates would exacerbate this problem, severely affecting our quality of life.
- 3. Fire Exit Doors:** Fire exit doors are frequently left open, especially during themed events, resulting in extremely loud music escaping into the surrounding area. Also seeing revellers gaining entrance to the premises this way when they are left open as not being manned.
- 4. Rubbish Management:** The rubbish in the back car park is not stored properly, leading to overspills that spread onto the road and into residential areas.
- 5. Staff Behaviour:** Staff members arriving and leaving their shifts via the back car park are inconsiderate, revving their cars, playing loud music, and shouting to each other. This behaviour is disruptive and unacceptable in a residential area.
- 6. Congestion and Safety:** the front of the venue becomes highly congested on the pavements with revellers and staff, creating an uncomfortable and potentially dangerous situation, especially given the proximity to a main road. Extending the opening hours would likely worsen the issue.

We kindly request that you reconsider the application for extended opening hours, taking into account the significant negative impact on residents and the public.

Yours faithfully,



Application for a grant of a premises licence in respect of Bridge Thai Street Food, 7 Bridge Street, Hereford, HR4 9DF – Licensing Act 2003

Meeting: Licensing Sub-Committee

Meeting date: Tuesday 1 October 2024, 10:00 a.m.

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 Bridge Thai Street Food, 7 Bridge Street, Hereford, HR4 9DF 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	Can Be The One Ltd	
Agent	The Licensing Guys	
Type of application: Grant	Date received: 7 August 2024 28 day consultation started: 8 August 2024	28 Days consultation ended: 4 September 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)

Monday – Sunday 23:00 – 02:00

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

Monday – Sunday 10:00 – 02:00

The application also states that the sale/supply of alcohol, alcohol will only be ancillary to a food order at all times.

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. No representations were received from any of the responsible authorities.
7. Four (4) 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 3. The representations are based on the noise disturbance the objectors would incur, crime and disorder and anti-social behaviour should the licence be granted.

Community impact

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

Environmental Impact

9. 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

10. 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.
11. There are no equality issues in relation to the content of this report.
 12. 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.
 13. 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

14. 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

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

Legal implications

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

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

Right of Appeal

24. 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).

25. 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

26. 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

27. 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 – Public representations

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**

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 CAN BE THE ONE LTD
(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			
Bridge Thai Street Food, 7 Bridge Street			
Post town	HEREFORD	Postcode	HR4 9DF
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£10,500	

Part 2 - Applicant details

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

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

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

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

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

(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 CAN BE THE ONE LTD
Address 8a Bridge Street, HEREFORD, HR4 9DF
Registered number 15558769
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any) [REDACTED] - (application enquiries to The Licensing Guys, details below)

E-mail address

██████████ - (enquiries to *The Licensing Guys*, details below)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	5	092024

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)

Bridge Thai Street Food is an established and successful restaurant, providing authentic freshly cooked Thai cuisine for patrons to enjoy in the restaurant, for collection to take away, or to be supplied by delivery.

Having an established, loyal, and regular clientele, this application is to enable the business to enhance the dining experience, to enable customers to enjoy alcoholic beverages with their table meal in the restaurant or in the comfort of their homes with food ordered for delivery.

Having had regard to the Licensing Act 2003, the Section 182 Guidance issued by the Secretary of State, and the Herefordshire Council Statement of Licensing Policy, this application seeks authorisation for the following:

Late Night Refreshment: by way of takeaway or delivery.

Sale of alcohol: at all times alcohol will only be ancillary to a food order.

The comprehensive operating schedule is intended to robustly promote the Licensing Objectives while enabling the business to further meet customer expectations.

Through its consultant, The Licensing Guys Ltd, the applicant wishes to engage fully with all responsible authorities and other interested parties.

Should any person wish to discuss any aspect of the application or proposed activities, early contact and dialogue would be welcomed.

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

Not applicable

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

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

- | Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| <u>Supply of alcohol</u> (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |

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 (please read guidance note 3)	Indoors				
				Outdoors				
				Both				
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for performing plays (please read guidance note 5)		
Thur								
Fri								
Sat						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)		
Sun								

B

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

C

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

D

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

E

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

F

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

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23:00	02:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	23:00	02:00			
Wed	23:00	02:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00	02:00			
Fri	23:00	02:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	23:00	02:00			
Sun	23:00	02:00			

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	
				Off the premises	
				Both	✓
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	02:00			
Tue	10:00	02:00			
Wed	10:00	02:00			
Thur	10:00	02:00			
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun	10:00	02:00			
			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)		

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 Chintana KIRK	
Date of birth ██████████	
Address ██████████	
Postcode	██████████
Personal licence number (if known)	606
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).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	10:00	02:00	
Tue	10:00	02:00	
Wed	10:00	02:00	
Thur	10:00	02:00	
Fri	10:00	02:00	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)
Sat	10:00	02:00	
Sun	10:00	02:00	

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

a) General – all four licensing objectives

CCTV

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

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

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

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

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

The Recording equipment along with any footage shall be kept in a secure environment under the control of the DPS or other responsible named individual/s.

An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings, actions taken are to be recorded.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Police on contact number **101** immediately.

Written Delegated Authority

All staff involved in the sale of alcohol shall be authorised to sell alcohol in writing and a record of the authorisation will be kept on site available for inspection.

Staff Training

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.

Alcohol On Sales

The supply of alcohol for consumption on the premises must be ancillary to the consumption of food, or to persons waiting for a takeaway order to be processed, with the exception of private events.

Alcohol Off Sales

Alcohol for consumption off the premises may only be provided in sealed containers.

Alcohol supplied by delivery must be delivered to a residential or business address, and may not be delivered to an open space, street, car park, or public park.

The alcohol part of any order placed for delivery shall be packaged separately from the food, for ease of retention by the driver in the event of refusal.

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

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.

Incident Log

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) seizures of drugs or offensive weapons
- f) any faults in the CCTV system or searching equipment or scanning
- g) any refusal of the sale of alcohol
- h) any visit by a relevant authority or emergency service.

c) Public safety

A Fire Risk Assessment will be conducted, kept on the premises, and made available to an officer of any Responsible Authority for inspection on request.

d) The prevention of public nuisance**General**

The premises licence holder will operate the business with general consideration in respect of the neighbouring properties.

Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. This includes the avoidance of slamming doors, playing loud music, shouting, over-revving engines and sounding horns to signal their arrival.

Clear and prominent notices will be displayed at the exit, requesting patrons be quiet and have consideration for neighbours in the vicinity.

Bottles or commercial waste collections and staff decanting empty bottles or other glass vessels into waste containers must do so between 08:00 and 21:00hrs.

e) The protection of children from harm

Age Verification Scheme – Challenge 25

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

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

Challenge 25 - Deliveries

All people and staff involved in the delivery of alcohol, including the premises licence holder/designated premises supervisor, employees, or third-party couriers, must be satisfied that the person to whom an order containing alcohol is being delivered is 18 years or over.

If acceptable photographic age verification documents cannot be produced on request, the delivery shall be refused, and alcohol returned to the licensed premises.

Deliveries must be given to a person who satisfies the Challenge 25 criteria and not left in a safe place for later collection.

Deliveries shall be refused to any person who is, or who appears to be intoxicated by through alcohol or drugs, in which case the alcohol shall be returned to the licensed premises.

The premises licence holder shall keep records of or have access to all alcohol orders. For each order containing alcohol, records shall include:

- a. the name and address of who made the order
- b. age verification at the point of order
- c. any refusals made at the point of order
- d. the items ordered
- e. the date and time of the despatch
- f. details of the delivery provider/driver
- g. the date and time of delivery
- h. the full postal delivery address

- i. detail of identification/proof of age documents received
 - j. details of any refusals at the point of delivery including reasons.
- Records shall be retained by the Licence-Holder for a period of 12 months and be produced on request for inspection by a police officer or an authorised person of the licensing authority.

Checklist:

Please tick to indicate agreement

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

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


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

Part 4 – Signatures (please read guidance note 11)

Privacy Notice

The Licensing Service will store your personal data and share it with other agencies in accordance with Stroud District Council’s privacy policy Please see the Council’s website www.stroud.gov.uk/privacynotice . Section 1 to 10 is the Council’s general privacy notice and section 15 gives details for the Licensing Service.

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	
Date	07 August 2024
Capacity	Licensing Consultant

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
The Licensing Guys, Rural Enterprise Centre Vincent Carey Road Rotherwas Business Park			
Post town	HEREFORD	Postcode	HR2 6FE
Telephone number (if any)	07983 922180		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) reba@thelicensingguys.com			



Consent of Individual to being specified as Premises Supervisor

I, Chintana KIRK

.....
[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:

the grant of a new Premises Licence

.....
[type of application]

by CAN BE THE ONE LTD (Company reg 15558769)

.....
[name of applicant]

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

Bridge Thai Street Food, 7 Bridge Street, HEREFORD, HR4 9DF

.....
[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:

CAN BE THE ONE LTD (Company reg 15558769)

.....
[name of applicant]

concerning the supply of alcohol at

Bridge Thai Street Food, 7 Bridge Street, HEREFORD, HR4 9DF

.....
[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/hold a personal licence, details of which I set out below.

Personal licence number

606

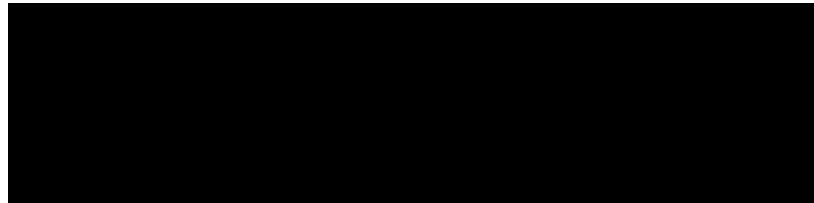
[insert personal licence number, if any]

Personal Licence Issuing Authority

Herefordshire Council

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

Signed

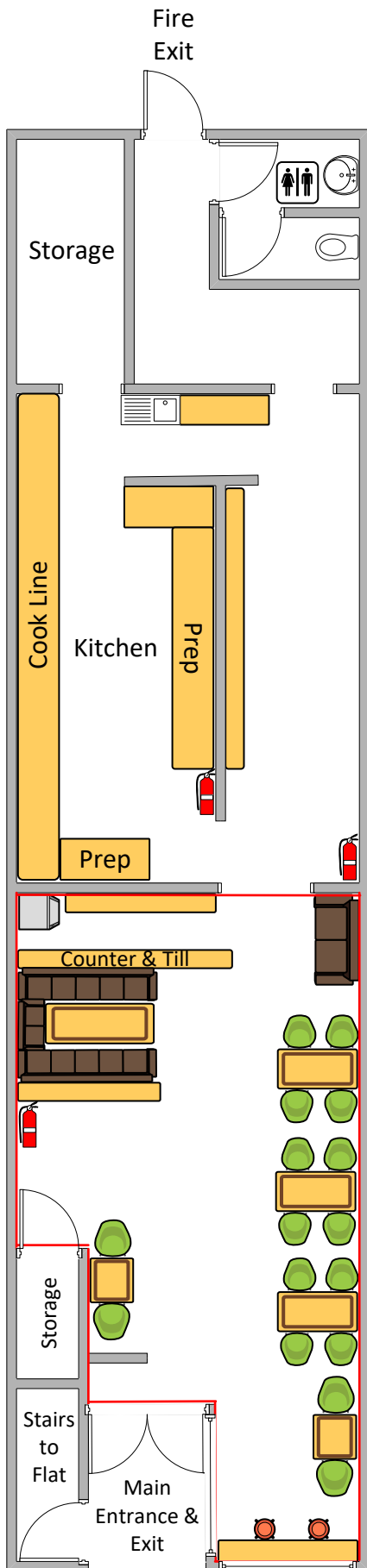


Name (please print)

Chintana KIRK

Date

2024



Bridge Thai Street Food,
7 Bridge Street,
Hereford,
HR4 9DF



Foam Fire Extinguisher



Licensable Activity &
Consumption Area

Scale 1:100



Conditions Agreed – Appendix 2

Prevention of Crime & Disorder

CCTV

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

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

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

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

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

The Recording equipment along with any footage shall be kept in a secure environment under the control of the DPS or other responsible named individual/s.

An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings, actions taken are to be recorded.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Police on contact number 101 immediately

Staff Training

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

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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) seizures of drugs or offensive weapons
- f) any faults in the CCTV system or searching equipment or scanning
- g) any refusal of the sale of alcohol
- h) any visit by a relevant authority or emergency service.

Public Safety

Fire Risk Assessment will be conducted, kept on the premises, and made available to an officer of any Responsible Authority for inspection on request

Prevention of Public Nuisance

The premises licence holder will operate the business with general consideration in respect of the neighbouring properties.

Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. This includes the avoidance of slamming doors, playing loud music, shouting, over-revving engines and sounding horns to signal their arrival

Clear and prominent notices will be displayed at the exit, requesting patrons be quiet and have consideration for neighbours in the vicinity.

Bottles or commercial waste collections and staff decanting empty bottles or other glass vessels into waste containers must do so between 08:00 and 21:00hrs.

Protection of Children from Harm

Age Verification Scheme – Challenge 25

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.

Written Delegated Authority

All staff involved in the sale of alcohol shall be authorised to sell alcohol in writing and a record of the authorisation will be kept on site available for inspection

Alcohol On Sales

The supply of alcohol for consumption on the premises must be ancillary to the consumption of food, or to persons waiting for a takeaway order to be processed, with the exception of private events.

Alcohol Off Sales

Alcohol for consumption off the premises may only be provided in sealed containers. Alcohol supplied by delivery must be delivered to a residential or business address, and may not be delivered to an open space, street, car park, or public park. The alcohol part of any order placed for delivery shall be packaged separately from the food, for ease of retention by the driver in the event of refusal.

Refusal Log

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).

Challenge 25 - Deliveries

All people and staff involved in the delivery of alcohol, including the premises licence holder/designated premises supervisor, employees, or third-party couriers, must be satisfied that the person to whom an order containing alcohol is being delivered is 18 years or over.

If acceptable photographic age verification documents cannot be produced on request, the delivery shall be refused, and alcohol returned to the licensed premises. Deliveries must be given to a person who satisfies the Challenge 25 criteria and not left in a safe place for later collection.

Deliveries shall be refused to any person who is, or who appears to be intoxicated by through alcohol or drugs, in which case the alcohol shall be returned to the licensed premises.

The premises licence holder shall keep records of or have access to all alcohol orders. For each order containing alcohol, records shall include:

- a. the name and address of who made the order
- b. age verification at the point of order
- c. any refusals made at the point of order
- d. the items ordered
- e. the date and time of the despatch
- f. details of the delivery provider/driver
- g. the date and time of delivery
- h. the full postal delivery address
- i. detail of identification/proof of age documents received
- j. details of any refusals at the point of delivery including reasons.

Records shall be retained by the Licence-Holder for a period of 12 months and be produced on request for inspection by a police officer or an authorised person of the licensing authority.

From: [REDACTED]
Sent: 04 September 2024 13:25
To: Licensing <licensing@herefordshire.gov.uk>
Subject: Bridge Thai Street Food, 7 Bridge Street Hereford

Dear Sir or Madam,

I am writing to register my objection to the application for a premises licence by Bridge Thai Street Food at 7 Bridge Street in Hereford. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

Bridge Street has numerous flats and houses and light offices now adjacent to this restaurant/takeaway and enabling the premises to sell alcohol from 11 pm to 2 am all week and weekend would be totally detrimental to its aims and objectives. This will continue to attract all the late night drinkers to loiter and create noise and nuisance along this now residential and office area.

There are other areas in Hereford City Centre which are more commercially based and set up to cater for late night drinkers such as the nightclubs and hotels around the High Street. Granting an extended 11pm to 2am licence for food and liquor, take away or eat in, on Bridge Street would provide a further source of alcohol within walking distance of other areas already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local police.

Commercial offices in this area already suffer damage to offices and nuisance and antisocial behaviour at all hours of the night from pedestrians walking back from the nightclubs and hotels/pubs elsewhere in town every weekend. This extended liquor licence being till 2 am 7 days a week will create a new issue and create antisocial behaviour and it is totally unacceptable to expect commercial offices and residents who live and work in Hereford to continue to do so. Isn't the aim of Herefordshire to attract more city centre residents? In view of the above, I would urge the Licensing Authority to refuse the application.

We regularly have to clean our step as during bad weather the food purchased at these premises is eaten on our doorstep and wrappings discarded in the doorway and flower bed adjacent. Indeed we have suffered damage to our window when a group of youths decided to sit on our windowsill to eat, pushing the frame back over 3 inches into the premises. This could have resulted in a nasty injury and we bore the cost of repairs. We were relieved when the adjacent building was converted to residential from its previous use as a drop in centre – we suffered from anti social behaviour, groups loitering in our doorway and what was then Fancy Pants doorway. I feel with extended hours we will simply see more of the same in an area which has recently been improved!

Yours faithfully,

[REDACTED] (Please keep my objection private and confidential)

From: [REDACTED]
Sent: 04 September 2024 10:40
To: Licensing <licensing@herefordshire.gov.uk>
Subject: Objection to extended alcohol licence 7 Bridge Street

Dear Sir or Madam,

I am writing to register my objection to the application for a premises licence by Bridge Thai Street Food at 7 Bridge Street in Hereford. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

Bridge Street has numerous flats and houses now adjacent to this restaurant/takeaway and enabling the premises to sell alcohol from 11 pm to 2 am all week and weekend would be totally detrimental to its aims and objectives. This will continue to attract all the late night drinkers to loiter and create noise and nuisance along this now residential area, which now has some 30 flats and houses housing professionals and families with school aged children adjacent to this establishment. There are other areas in Hereford City Centre which are more commercially based and set up to cater for late night drinkers such as the nightclubs and hotels around the High Street. Granting an extended 11pm to 2am licence for food and liquor, take away or eat in, on Bridge Street would provide a further source of alcohol within walking distance of other areas already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local police. Residents in this area already suffer noise nuisance and antisocial behaviour at all hours of the night from pedestrians walking back from the nightclubs and hotels/pubs elsewhere in town every weekend. This extended liquor licence being till 2 am 7 days a week will create a new issue and create antisocial behaviour and it is totally unacceptable to expect residents who live and work in Hereford to continue to do so. Isn't the aim of Herefordshire to attract more city centre residents?

In view of the above, I would urge the Licensing Authority to refuse the application.

Yours faithfully,

[REDACTED]

(Please keep my objection private and confidential)

From: [REDACTED]
Sent: 04 September 2024 13:50
To: Licensing <licensing@herefordshire.gov.uk>
Subject: Bridge Thai Street Food request for late night licence

I am writing to register my objection to the application for a premises licence by Bridge Thai Street Food at 7 Bridge Street in Hereford. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

In recent times Bridge Street has increased the number of residential properties that are adjacent to this restaurant/takeaway and whilst i feel the present licence enables the owner to run a successful

and thriving business with limited detrimental effect to the local residents an increase in the hours to enable them to sell alcohol from 11 pm to 2 am all week and weekend would cause issues for the local community, as set out in the Representation Form. If successful this will attract late night drinkers to loiter and create noise and nuisance along this now mostly residential area. With flats housing professionals and families with school aged children adjacent to this establishment.

We already suffer noise nuisance and antisocial behaviour at all hours of the night from pedestrians walking back from the nightclubs and hotels/pubs elsewhere in town every weekend. This extended liquor licence being till 2 am 7 days a week will create a new focus in this street and create antisocial behaviour and it is totally unacceptable to expect residents who live and work in Hereford to continue to do so. There are other areas within the City Centre which are more commercially based, which already have late night establishments in the vicinity.

In view of the above, I would urge the Licensing Authority to refuse the application

Regards

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If my name can be withheld from being published this would be appreciated.

From: ██████████
Sent: 04 September 2024 11:51
To: Licensing <licensing@herefordshire.gov.uk>
Subject: Proposed liquor licence for 7 bridge street

Dear Sir or Madam,

I am writing to register my objection to the application for a premises licence by Bridge Thai Street Food at 7 Bridge Street in Hereford. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

The establishment already has their customers sitting on the front steps, which blocks the entrance to my flat and there is always damage to my front door, empty drink bottles, people being sick and the music is already a problem too as I have depression and daily epileptic seizures ,adhd . The stress from this, will make them worse .

Bridge Street has lots of newly and historic converted flats and houses above the offices and hair dressers, daytime cafes etc which are now adjacent to this recently opened shop/cafe/restaurant and if you let this shop sell alcohol from 11 pm to 2 am all week and weekend this will cause even more damage and noise and will attract more problem drinkers to loiter along this now residential area. There are other areas in Hereford City Centre which are set up to cater for nightclubs etc. Granting an extended 11pm to 2am licence for food and liquor, take away or eat in, on Bridge Street is not required and will attract more

trouble for lots of residents who keep regular working hours and need to sleep at night. There are already police around on weekends to move on late night drinkers around Left Bank and this will create more problems for the police too.

Please don't grant this extension of their existing licence, there is no reason to have a shop selling alcohol from 11pm to 2am Monday to Sunday in a street that has so many long term residents affected by some loitering by drinkers already. I would urge the Licensing Authority to refuse the application.

Yours faithfully,

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