



LICENSING SUB COMMITTEE

Monday, 25th April, 2016

10.30 am

Town Hall, Watford

Please note the start time of this meeting

Publication date: 15 April 2016

CONTACT

If you require further information or you would like a copy of this agenda in another format, e.g. large print, please contact Jodie Kloss/Alan Garside in Democracy and Governance on 01923 278376 or by email to legalanddemocratic@watford.gov.uk .

Welcome to this meeting. We hope you find these notes useful.

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COMMITTEE MEMBERSHIP

Councillors S Bolton, I Brown, J Brown, J Connal, K Crout, G Derbyshire, F Ewudo, M Haley, K Hastrick, M Hofman, M Mills, T Rogers, S Silver, M Watkin and S Williams

The Sub-Committee to comprise 3 members from those listed above.

AGENDA

PART A - OPEN TO THE PUBLIC

1. **COMMITTEE MEMBERSHIP/ ELECTION OF A CHAIR**
2. **DISCLOSURE OF INTERESTS (IF ANY)**
3. **APPLICATION FOR A NEW PREMISES LICENCE: GABRIEL, 69 VICARAGE ROAD, WATFORD, WD18 0EB** (Pages 5 - 30)

Report of the Head of Community and Customer Services.

This report asks the Sub-Committee to consider an application for a new premises licence following the receipt of representations.

PART A

Report to: Licensing Sub-Committee
Date of meeting: 25 April 2016
Report of: Head of Community and Customer Services
Title: Application for new premises licence:
Gabriel, 69 Vicarage Road Watford Herts WD18 0EB
16/00369/LAPRE

1.0 SUMMARY

- 1.1 An application has been received from Mr Ahmed Arfan for a new premises licence in respect of Gabriel, 69 Vicarage Road, Watford to allow alcohol sales for consumption on the premises. One representation signed by two people has been received from local residents.

2.0 RECOMMENDATIONS

- 2.1 That the Licensing Sub-Committee determines whether to grant the application (amended where appropriate for the promotion of the licensing objectives) as set out in the report.

Contact Officer:

For further information on this report please contact: Parminder Seyan
(Licensing Officer), tel: 01923 278434 email:
parminder.seyan@watford.gov.uk

Report approved by: Alan Gough, Head of Community and Customer Services

3.0 APPLICATION

3.1 Type of authorisation applied for
Grant of a new Premises Licence.

3.2 Description of premises from the application form
Gabriel's Bakery is a café. We have tables and chairs for our costumers. We serve breakfast, salads, pastas, and other snacks. We also serve tea, coffee and soft drinks. We would like to be able to serve a glass of wine or a beer for costumers who are having food only.

3.3 A map of the location of the premises is attached at appendix 1.

3.4 The premises are a small retail unit on the pedestrianised area of the Vicarage Road precinct local shopping parade, with residential accommodation nearby. The submitted plan shows a total of two tables with few chairs.

3.5 The plan of the premises is attached at appendix 2.

3.6 Licensable activities

Licensable activity	Permitted now	Proposed
Plays		
Films		
Indoor sports events		
Boxing or wrestling entertainment		
Live music		
Recorded music		
Performances of dance		
Anything of a similar description to live or recorded music or dance		
Provision of facilities for making music		
Provision of facilities for dancing		
Provision of facilities of a similar description to making music or dancing		
Provision of late night refreshment		✓
Sale by retail of alcohol for consumption on the premises		✓
Sale by retail of alcohol for consumption off the premises		

3.7 Licensable hours

	Proposed hours for alcohol sale	Proposed Late Night Refreshment	Proposed opening times
Monday-Sunday	10:00 – 23:00	23:00 – 23:30	07:00 - 23:30

4.0 **BACKGROUND INFORMATION**

4.1 The following background information is known about these premises:

4.2 Designated premises supervisor

The licensing authority has not yet been advised of the personal licence number of the proposed designated premises supervisor. If the premises licence is granted no sales of alcohol will be permitted until full details of the nominated DPS has been provided.

4.3 Current licences held

There are no previous licences associated with the premises. The applicant has previously been given temporary event notices to allow the sale of alcohol for consumption on the premises only during the periods of 22-27 March 2016 and 7-13 April 2016.

4.4 Closing date for representations

5 April 2016

4.5 Public notice published in newspaper

18 March 2016

4.6 Visits and Enforcement action

None

5.0 **PROMOTION OF LICENSING OBJECTIVES**

5.1 The applicant's proposed operating schedule is set out at appendix 3.

6.0 **RESPONSIBLE AUTHORITIES**

6.1 No representations were received from any responsible authority.

7.0 **INTERESTED PARTIES**

7.1 One representation signed by two people (attached at appendix 4) has been received from interested parties.

Name	Address	Representative Body (Yes/No)	Relevance to which licensing objective
Miss C Gibson and Mr J Woolley	71 Vicarage Road Watford Herts WD18 0EJ	No	Public nuisance and crime and disorder

7.2 This representation is from two members of the public living nearby to the premises. Their strong concerns are that there have already been problems associated with other premises in the area. They also refer to street drinkers and young people drinking in the vicinity of the premises causing "excessive noise"

and anti-social activity.

- 7.3 The Sub-Committee should note that the presence of other licensed premises in the locality is not a factor that can be taken into account when making a determination. Any application should be considered on its own merits, and any decision made by Members shall be because that action is appropriate for the promotion of the licensing objectives.

8.0 **POLICY CONSIDERATIONS**

- 8.1 The following provisions of the Licensing Act 2003 apply to this application:

- Sections 17 and 18 (Application for premises licence):
These sections set out how an application for a premises licence should be determined where valid representations have been received.
- Sections 19 and 19A (Mandatory conditions)
Section 19 details the mandatory conditions that would apply if the sub-committee was minded to grant a licence authorising the supply of alcohol. Section 19A permits the Secretary of State to specify additional mandatory conditions which apply to all Premises Licences.
- The Licensing Act 2003 (Hearings) Regulations 2005 (as amended)
These regulations detail how hearings should be conducted to determine applications submitted under the Licensing Act.

8.2 Statutory guidance

The following provisions of the March 2015 statutory guidance, to which the licensing authority must pay regard, apply to this application:

- Paragraphs 8.33 - 8.41
These paragraphs explain how steps should be taken to promote the licensing objectives. It is for the Sub-Committee to decide in light of this guidance whether the measures offered by the applicant are appropriate to promote the licensing objectives. It is equally important to use the same measure when looking at any steps requested by a party making representations against an application.
- Paragraphs 9.30 – 9.40
These paragraphs explain that hearings should be focussed on the steps considered appropriate to the promotion of the licensing objectives, as well as how appropriate weight must be attributed to the steps to promote the licensing objectives, the representations presented by all parties, the statutory guidance and the licensing authority's statement of licensing policy.
- Paragraphs 9.41 – 9.43
These paragraphs explain that when determining applications, the authority's determination should be evidence-based, as well as how to assess if a step is 'appropriate' for the promotion of the licensing

objectives.

- Chapter 10
This chapter looks at best practice in relation to conditions that may be attached to a premises licence should it be believed that such conditions are appropriate to promote the licensing objectives. Any additional conditions requested by any party should be considered with reference to this chapter.

8.3 Statement of licensing policy

The following paragraphs of the licensing authority's statement of licensing policy apply to this application:

- Policy LP1 – Premises Definitions
The premises appear to meet the criteria for a café-bar under this policy.
- Policy LP2 – Location and Operation of Premises
Café-bars will, in the absence of any relevant representations and according to the merits of any individual case, generally be granted the hours and licensable activities according to the application.
- Policy LP6 – Prevention of Crime and Disorder
Under this policy the Sub-Committee will consider any necessary measures to deal with the potential for crime and disorder where relevant representations have been received.
- Policy LP8 – Prevention of Public Nuisance
Under this policy the Sub-Committee will consider any appropriate measures to deal with the potential for public nuisance and/or anti-social behaviour where relevant representations have been received.
- Policy LP11 – Representations About Applications
This policy recommends the type of information that should be included in a representation. It also explains how representations will be dealt with.

8.4 The Sub-Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the Borough.

8.5 The Sub-Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property, which may include licences in existence, and the protection of private and family life.

9.0 **CONDITIONS**

9.1 Members will be aware that an operating schedule forms part of the licensing process. This document outlines what activities are proposed, the opening hours,

how the activities will be managed particularly in respect of the licensing objectives.

- 9.2 The most critical part of the operating schedule is the steps taken by the applicant to promote the four licensing objectives. Applicants are always reminded to take careful consideration as to what is entered in this section as whatever is proposed will be translated as conditions on the licence.
- 9.3 Applicants should give consideration to the local area and reflect this in their application (see the statutory guidance at paragraphs 8.33 – 8.36). It should demonstrate an awareness of the local community, local crime and disorder issues, and the local environment.
- 9.4 Officers propose that the following conditions are consistent with the operating schedule submitted by the applicant, and appropriate for the promotion of the licensing objectives

9.5 General:

1. The supply of alcohol at the premises shall only be to persons who have ordered food and shall be for consumption by such persons as ancillary to their food.

1. Staff will receive training regarding the four licensing objectives. These training records are to be maintained at the premises.

Prevention of Crime and Disorder:

2. The premises shall install and maintain a comprehensive CCTV system. All recordings shall be stored for a minimum period of 31 days.

3. The Premises Licence holder shall ensure that a staff member who is conversant with the operation of the CCTV shall be on the premises at all times when the premises is open to the public.

4. The Premises Licence holder shall display and maintain signage within the premises which states that 'Customers shall not be permitted to take any open bottles or cans outside the premises'.

Prevention of Public Nuisance:

5. Notices shall be prominently displayed at all exits requesting customers to respect the needs of local neighbours and leave the area quietly.

Public Safety:

No specific conditions

Protection of Children from Harm:

No specific conditions

These conditions are contained within the draft licence attached at appendix 5.

9.6 Conditions proposed by Responsible Authorities

None

9.7 Pool of Model Conditions

The licensing authority has its own pool of model conditions. Officers do not believe that there are any conditions contained within the pool which would help to address the concerns in the representations. This is also with consideration to the conditions which have been volunteered.

- 9.8 This does not restrict the Sub-Committee's power to attach conditions from the pool of model conditions (amended or otherwise) if they consider that they appropriate, proportionate, justifiable and within the applicant's power to comply with.

10.0 **OFFICERS' OBSERVATIONS**

- 10.1 The representation refers to existing disturbances and public nuisance in the area. However it is not stated if these disturbances are currently caused by the premises which is the subject of this application. Members should be wary about refusing this application or imposing conditions unless they are satisfied that there is a direct link between Gabriel and the disturbances, anti-social behaviour and nuisance mentioned in the representations, and that their actions are appropriate for the promotion of the licensing objectives.
- 10.2 The Sub Committee should be aware that issues such as litter, antisocial behaviour etc should be considered as matters of personal responsibility and the extent to which the applicant can control this is limited. In the operating schedule the applicant has proposed steps to address litter and rubbish concerns by stating that the staff shall clear the front of the premises during the daytime on a regular basis. However the members may wish to consider attaching a condition to this effect and which clearly specifies the area to be cleared. Any such condition should also state that the rubbish collected in this manner shall be disposed off as trade waste.
- 10.3 The representation has raised issues that will potentially arise whether the licence is granted or not. Issues such as antisocial behaviour, noise and children playing in the precinct area should be considered as matters of personal responsibility and the extent to which the applicant, or any other premises, can control them is limited. The precinct area is a public space for general use. Some of these issues are already occurring and any measures may prove hard to enforce. Paragraph 2.20 of the statutory guidance clearly states:

“ Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be

perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area.”

- 10.4 The Sub Committee are asked to note that the applicant, in the operating schedule, has volunteered a condition to address the noise nuisance concern by stating that the customers shall be reminded by way of a notice at the exit to the premises to leave the premises quietly and to respect the neighbours.
- 10.5 The objectors have raised the issue of parking and cars blocking the residential properties. For the Sub-Committee to accept this as a valid ground for objection, it must be satisfied that parking and blocking the pavements is related to the current use of the applicant's premises and that allowing this premises to be used for licensable activities would have a direct further impact on this situation. There is no evidence provided to suggest that this premises is the sole cause of parking issues, and Members are reminded that there are a mixture of residential and commercial units within this locality. There is already primary legislation in force that can be used to deal with any concerns relating to parking and obstructions, and so in order to avoid statutory duplication it may not be appropriate for the Sub-Committee to consider attaching conditions relating to parking.
- 10.6 The objectors have also highlighted the use of pavement and the public seating outside the premises being used for smoking and drinking. The Sub-Committee should note that the applicant has applied to sell alcohol for consumption on the premises only and that there has been no application for a pavement licence to allow tables and chairs to be placed outside of this premises. Any application for a pavement licence would be determined on its own merits and under a separate policy. However, Members may wish to question the applicant whether there is any provision for a smoking area.
- 10.7 The objectors have strong concerns that the grant of the proposed licensable activities would further increase the public nuisance in the area. Members may wish to question whether the applicant has any intention of using his business as a take-away as such a provision might have an impact on the number of people using the precinct area as patrons coming and going from the premises.
- 10.8 The representation also highlights the impact of licensable activities on the streets. The applicant has addressed the drinking on the streets and pavement concern by only requesting a licence which permits alcohol to be sold for consumption on the premises only.
- 10.9 The Council will consider all applications on their merit and can not consider whether there are 'enough' premises or the 'need' for premises as a relevant factor to licensing.
- 10.10 The Sub-Committee have a duty to “have regard” to the licensing policy but are not bound by it. However, should Members wish to depart from the policy then detailed reasons for this must be given as part of any decision.

10.11 In determining this application, the Sub-Committee must have regard to the representations and take such steps as it considers appropriate for the promotion of licensing objectives. The steps are:

- (a) grant the application in full.
- (b) modify the conditions of the licence volunteered by the applicant in the operating schedule, by altering or omitting or adding them.
- (c) refuse the whole or part of the application.

Appendices

Appendix 1 - map of the premises' location

Appendix 2 - plan of the premises

Appendix 3 – operating schedule

Appendix 4 – representations from other persons

Appendix 5 – draft premises licence

Background Papers

The following background papers were used in the preparation of this report.

If you wish to inspect or take copies of the background papers, please contact the officer named on the front page of the report.

Licensing Act 2003

Revised guidance issued under section 182 of the Licensing Act 2003 (March 2015)

Licensing Act (Hearings) Regulations 2005

Watford Borough Council Licensing Policy (November 2013)

Watford Borough Council Pool of Model Conditions (March 2013)

File Reference

Gabriel



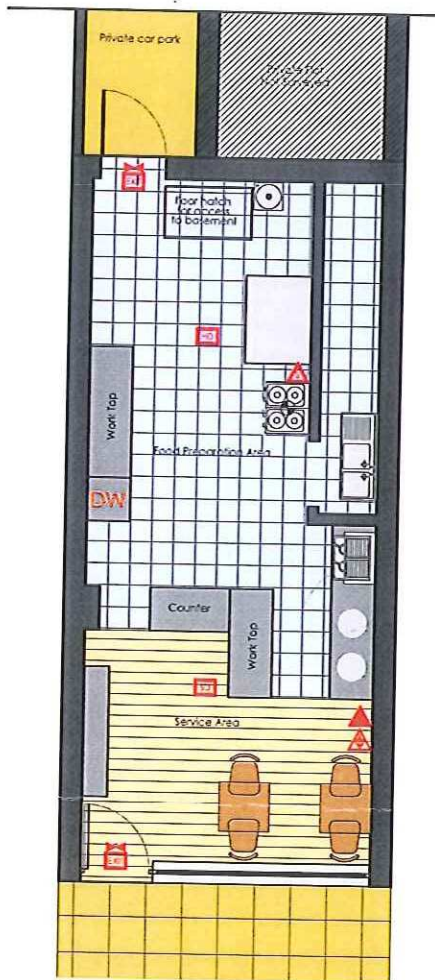
69 Vicarage Road

Date: 13/04/2016

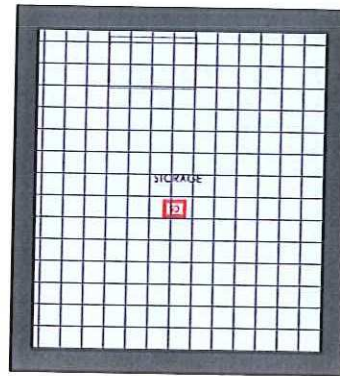
0 0.006 0.012 0.018 0.024 Kms

Scale 1:500





Ground Floor Plan



Basement

- mechanical extract
- FF fridge freezer
- FG fridge
- FZ freezer
- OV ovens

FIRE SYMBOLS:

- 1 hour fire compartment (E20/60FR)
- all fire doors to be 30/30 with self closers and intumescent strips

- fire blanket
- 9 litre water fire extinguisher
- 5kg CO2 extinguisher
- fire door keep locked (5mm letters)
- smoke detector (TO BS5839)
- heat detector (TO BS5839)
- sound alarm (fire alarm)

- emergency light with exit sign
- emergency lighting

0 0.5 1 2 5 m

Mr./Ms.

Gabriel's Bakery
69 Vicarage Road Walford WD18 0DE

Bakery
Planning Application

Ground floor and basement plan

Jose Manuel Rocha
Unit 35 Battersea Business Centre 99-109 Lavender Hill London SW11 5QL
Tel. +44 (0) 7868 697 778 - email. manuetrocha01@hotmail.com

2015.11.08

1:100

16/00369/LAPRE

**OPERATING SCHEDULE FOR
Gabriel, 69 Vicarage Road
Watford
WD18 0EJ**

Description of premises

GABRIEL'S BAKERY IS A CAFE. WE HAVE TABLES AND CHAIRS FOR OUR COSTUMERS. WE SERVE BREAKFAST , SALADAS , PASTAS, AND OTHER SNACKS. WE ALSO SERVE TEA, COFFEE AND SOFT DRINKS. WE WOULD LIKE TO BE ABLE TO SERVE A GLASS OF WINE OR A BEER FOR COSTUMERS WHO HAVING FOOD ONLY.

General observations

CCTV WILL BE INSTALED WITH 31 DAYS DATA. STAFF TRAINING REGARDING THE FOUR LICENSE OBJECTIVES, UNDER 25 CHALLENGES, SIGNAGE LIKE NO PROOF NO SALE, RESPECT OUR NEIGHBOURS WHEN YOU LEAVE THE PREMISES, REFUSAL BOOK, STAFF TRAINING RECORDS. DRUNK OR VIOLENT COSTUMERS WILL NOT BE SERVED. WE WILL HAVE A FIRE AND HEALTH SAFETY RISK ASSESSEMENT. WE WILL PARTICIPATE IN PUB WATCH MEETINGS IF INVITED.

Prevention of crime and disorder

CCTV WITH DATA FOR 31 DAYS. THE BUSINESS WILL HAVE ALWAYS A STAFF MEMBER THAT IS FAMILIAR WITH THE CCTV OPERATION. STAFF WILL BE TRAINED TO DO NOT SERVE DRUNK AND VIOLENT COSTUMERS. DPS AND PREMISES LICENSE HOLDER WILL PARTICIPATE IN PUB WATCH AND LOCALS NEIGHBOURS ASSOCIATION MEETINGS IF INVITED. OUR BUSINESS WILL NOT ENGAGE ON IRRESPONSABLE ALCOHOL PROMOTIONS.

Public safety

DRUNK AND VIOLEN PEOPLE WILL NOT BE SERVED. CCTV WITH DATA FOR 31 DAYS WILL BE INSTALED. WE WILL PARTICIPATE IN PUB WATCH MEETINGS AND WITH LOCAL NEIGHBOURS ASSOCIATION. WE WILL HAVE A FIRE RISK ASSESSEMENT AND ALSO HEALTH SAFETY RISK ASSESSEMENT. ALCOHOL TO BE STORED IN A COOL DRY PLACE AND AWAY OF ANY HEAT SOURCE. NO IRRESPONSABLE PROMOTIONS. WE WILL IMPLEMENT ANY RECOMMENDATIONS GIVEN BY THE

POLICE AND OTHER AUTHORITIES

Prevention of public nuisance

DELIVERIES DONE BY OUR SUPPLIERS WILL TAKE PLACE WITHIN THE RECOMENDED TIMES BY THE AUTHORITIES. RUBISH BIN COLLECTION WILL TAKE PLACE WITHIN THE RECOMMENDED HOUR BY THE AUTHORITIES. STAFF MEMBER TO CLEAN ANY RUBISH OR LITTERING IN FRONT OUR PREMISES DURING THE DAY ON A REGULAR BASIS. COSTUMERS WILL NOT BE ALLOWED TO TAKE ANY OPEN BOTLLES OR CANS OUTSIDE THE PREMISES (ON LICENSE) SIGNAGE WILL BE IN PLACE. STAFF TRAINING.

Protection of children from harm

STAFF WILL BE TRAINED REGARDING THE PROTECTION OF CHILDREN FROM HARM.OUR BUSINESS WILL HAVE A UNDER 25 CHALLENGE POLICY. NO PROOF, NO SALE. SIGNAGE AND POSTERS WILL GO UP. STAFF TRAINING RECORDS. REFUSAL BOOK.

Designated premises supervisor

None specified

Licence number: None specified

Case officer: Mrs P Seyan

WATFORD BOROUGH COUNCIL

MRS P Sagar

Sagar

4 - APR 2016

Environmental
Services

Miss C. GIBSON

Mr. J. Woolley

91 Vicarge Road

Watford

Herts

WD18 0EJ

31st March 2016.

Dear Sir / Madam

I am replying to a Application for a alcohol licence for 69, Vicarge Road, we already have a bar called Bar Celos. Life has become unbearable, all ready Men drinking all day + night shouting, Swearing, late night row's, police being called, arrests being made, Saturdays / Sunday's children play outside from 11am-11pm shouting + screaming, kids should not be at bars for 12 hours. I have a balcony and watch this at weekends its child abuse.

I have c.c. t.v. and have caught men late at night pissing up my walls, and one in the day this is disgusting you have turned this area into the top of the town, chewing gum is everywhere, Parking is a problem, Men park their cars + vans drink too much blocking residents in, returning in the morning.

Many a night on the seats
outside 69 vicarge Road
Men sit or stand smoking
Cannibis already, drinking beer,
if they could access more alcohol
at 69 vicarge Road this would
cause more of a problem.
Alcohol is not Supposed to be on the
pavements but you already allow
this.

Grabriels already have bottles of
alcohol up on the wall, why,
Surely this is wrong when you do
not have a hlicence

This man just wants to turn
Grabriels into a wine bar, which
would spill out onto the streets Like
his other bar / bar Cellos,

This man is rude, abusive, and
threatens people,

I Cannot believe you would ~~consider~~
Consider him a hlicence.

We have enough bars in Watford
now, when will you Consider people
that live in a area,

yours Sincerely

Appendix 5

Licensing Act 2003 Schedule 12 Part A

Regulation 33,34

Premises Licence

Premises Licence Number

16/00369/LAPRE

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Gabriel
69 Vicarage Road
Watford
WD18 0EB

Telephone number

Where the licence is time limited the dates

From – 25 April 2016

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

On premises alcohol sales	Mon, Tues, Weds, Thurs, Fri, Sat, Sun	10:00 – 23:00
Late night refreshment	Mon, Tues, Weds, Thurs, Fri, Sat, Sun	23:00 – 23:30

The opening hours of the premises

Opening times of premises	Mon, Tues, Weds, Thurs, Fri, Sat, Sun	07:00 – 23:30
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Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption on the premises

Part 2

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

Mr Arfan Ahmed
FANMAR LTD
4 Chase Side
Enfield
EN2 6NF

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

08651468

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

Arfan Ahmed
152 Toms Lane
Kings Langley
WD4 8NZ

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

Personal Licence Number: None specified
Licensing Authority: None specified

Annex 1 – Mandatory conditions

- (1) 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 premises licence or his personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (3)
 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).
 2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- (4)
 - (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.

(5). 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

(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.

(6). 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.

For the purposes of this condition -

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$

where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

(7). Where the permitted price would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- (8). (1) Sub-paragraph (2) applies where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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Annex 2 – Conditions consistent with the Operating Schedule

The following conditions are considered by officers to be consistent with the Operating Schedule submitted with this application

General

1. Staff will receive training regarding the four licensing objectives. These training records are to be maintained at the premises.
2. The supply of alcohol at the premises shall only be to persons who have ordered food and shall be for consumption by such persons as ancillary to their food.

Prevention of Crime and Disorder

3. The premises shall install and maintain a comprehensive CCTV system. All recordings shall be stored for a minimum period of 31 days.
4. The Premises Licence holder shall ensure that a staff member who is conversant with the operation of the CCTV shall be on the premises at all times when the premises is open to the public
5. The premises holder shall display and maintain signage within the premises which states that 'Customers shall not be permitted to take any open bottles or cans outside the premises.

Prevention of public nuisance

6. Notices shall be prominently displayed at all exits requesting customers to respect the needs to local neighbours and leave the area quietly.

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

There have not been any additional conditions proposed to be attached in response to the representation against this application.

However, this does not restrict the Sub-Committee's power to attach conditions from the licensing authority's pool of conditions (amended or otherwise) or to compose their own conditions if they consider that they are appropriate, proportionate, justifiable, and within the applicant's power to comply with.

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Annex 4 – Plans

