

Public Document Pack

Your ref
Our ref
Ask for Lesley Bennett
Email Lesley.bennett@lichfielddc.gov.uk



District Council House, Frog Lane
Lichfield, Staffordshire WS136YU

Customer Services 01543 308000
Direct Line 01543 308072

8th March 2019

Dear Sir/Madam

LICENSING AND CONSENTS APPEALS COMMITTEE

A meeting of the Licensing and Consents Appeals Committee has been arranged to take place **TUESDAY, 26TH MARCH, 2019 at 2.00 PM IN THE COMMITTEE ROOM** District Council House, Lichfield to consider the following business.

Access to the Committee Room is via Reception.

Notes to Councillors and Legal Adviser

Please arrive 15 minutes before the start time.

Notes to the applicant, objectors and other parties

Please ask for Lesley Bennett on arrival at the main reception of the District Council Offices, Frog Lane, Lichfield.

Please can you advise Lesley Bennett if you intend to attend the hearing or be represented at the hearing, or further more if you consider the hearing to be unnecessary. In accordance With Regulation 8 of the Licensing Act 2003(Hearings) regulations 2005 you should inform us no later than 5 working days before the hearing

Yours faithfully

A handwritten signature in black ink, appearing to read 'Neil Turner'.

Neil Turner BSc (Hons) MSc
Director of Transformation & Resources

To: Members of Licensing and Consents Appeals Committee

Councillors Mrs Evans, Salter and B Yeates



www.lichfielddc.gov.uk



[/lichfielddc](https://www.facebook.com/lichfielddc)



[lichfield_dc](https://twitter.com/lichfield_dc)



MyStaffs App

AGENDA

1. Apologies for Absence
2. Declarations of Interests
3. Licensing Act 2003 Application for a New Premises Licence for The Walled Garden, Thorpe Estate, Thorpe Constantine, Tamworth, B79 0LH 3 - 52



REPORT FOR DECISION

FOR: LICENSING AND CONSENTS APPEALS COMMITTEE

Date: 26 March 2019

Agenda Item: 3

**Contact Officer – Sarah Bradley
Telephone Extension – 308138**

SUBMISSION BY SARAH BRADLEY, SENIOR LICENSING OFFICER

LICENSING ACT 2003

APPLICATION FOR A NEW PREMISES LICENCE FOR

The Walled Garden, Thorpe Estate, Thorpe Constantine, Tamworth B79 0LH

1. PURPOSE OF REPORT

1.1 To consider the application submitted for a new premises licence.

2. SUMMARY OF BACKGROUND INFORMATION

2.1 A premises licence permits “licensable activities”, i.e. the **sale of alcohol** or the **provision of regulated entertainment or late night refreshment**, to take place on or from a defined area, a building, part of a building, any vehicle, vessel or moveable structure or even an outdoor space.

2.2 Subject to conditions, definitions and exemptions, descriptions of entertainment to be regulated by the 2003 Act include:

- a performance of a play;
- an exhibition of a film;
- an indoor sporting event;
- a boxing or wrestling entertainment
- a performance of live music;
- any playing of recorded music;
- a performance of dance.

(This list is not exhaustive.)

2.3 As a result of deregulatory changes that have amended the 2003 Act, no licence is required for the majority of the above entertainment activities providing they take place between 08:00-23:00 on any day and the audience size does not exceed the maximum number permitted.

- 2.4 The provision of late night refreshment means the supply of hot food or hot drink to the public, for consumption on or off the premises, between 2300 hours and 0500 hours or the supply of hot food or hot drink to any persons between those hours on or from premises to which the public has access.
- 2.5 Advertising a new application is the responsibility of the applicant and is done by way of a blue notice displayed on the premises for a period of 28 consecutive days and by placing a notice in a local newspaper circulating in the area within 10 working days of the application being made.
- 2.6 Representations can be made – in opposition or support of an application - by any responsible authority or other persons likely to be effected by the application regardless of their geographical proximity to the premise. In order to be “relevant” they must relate to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives:-
- *The prevention of crime and disorder*
 - *Public safety*
 - *The prevention of public nuisance*
 - *The protection of children from harm*
- 2.7 Where relevant representations are received a hearing must be arranged for Members to determine the application as it can not be granted under officers’ delegated powers.
- 2.8 A relevant representation has been received from a responsible authority in respect of this application.
- 2.9 The licensing authority’s discretion will now be engaged in the form of this hearing.

3. CURRENT SITUATION

- 3.1 An application for a new premises licence has been received from John Dickinson on behalf of the applicant Cripps Barn Group Limited. A copy of the application is attached at **Appendix A**.
- 3.2 The proposal is to licence these premises for:-
- a. Plays, films, live music, recorded music and anything similar Monday to Sunday 1200 hours until 0100 hours
 - b. Late night refreshment, indoors & outdoors, Monday to Sunday 2300 hours until 0100 hours.
 - c. The supply of alcohol, on and off the premises, Monday to Sunday 1030 hours until 0100 hours.
 - d. hours premises will be open to the public Monday to Sunday 1000 hours until 0100 hours.

- 3.3 Representations have been received from a responsible authority, objecting to the application on the grounds that one or more of the licensing objectives would be undermined. This representation is attached at **Appendix B**.
- 3.4 Should the application be granted Staffordshire Police, responsible authorities under the Act, have negotiated and agreed with the applicant alternative conditions and hours to those offered in Sections I, J & M in order to promote the licensing objectives. This will mean that all conditions and hours currently offered in Sections I J & M of the application will be replaced by those which are attached at **Appendix C** .

4. CONCLUSION

- 4.1 Members are asked to determine whether the application for a new premises licence as outlined in paragraph 3.2 above in respect of The Walled Garden be granted, with or without conditions, having due regard to the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.
- 4.2 Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy published on 7 January 2016; including for example, if the application falls within the scope of a cumulative impact policy.
- 4.3 Members may not refuse applications in whole or in part or attach conditions to licences (other than those proffered by applicants in their operating schedules), unless it is appropriate to do so in order to promote one or more of the four licensing objectives.
- 4.4 Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.
- 4.5 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as "must", "shall" and "will" is encouraged. Licence conditions:
- must be appropriate for the promotion of the licensing objectives;
 - must be precise and enforceable;
 - must be unambiguous and clear in what they intend to achieve;
 - should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
 - must be tailored to the individual type, location and characteristics of the premises and events concerned;
 - should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;

- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met;
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

4.6 The licensing authority should give its decision within 5 working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it.

5. RECOMMENDATION

5.1 There are no recommendations.

6. FINANCIAL IMPLICATIONS

6.1 The fees for a premises licence are payable on application. They are not refundable should the application be refused.

6.2 However, if the application is refused, or granted with conditions, the applicant has the right of appeal to Magistrates' Court against the decision and, if granted by the court, any costs awarded may need to be met by the Council.

6.3 Similarly a person who made relevant representations has a right of appeal against a decision to grant a licence, or the conditions imposed upon it.

7. SUSTAINABILITY AND CLIMATE CHANGE ISSUES

7.1 The services for regulation and licensing contribute to the well-being and safety of our residents and towards protecting and providing a high quality and sustainable environment for this and future generations.

8. HUMAN RIGHTS ISSUES

8.1 Article 6 of the Human Rights Act 1998, states that in determination of a persons civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

8.2 Article 8 states that everyone has the right to respect for his private and family life, his home and his correspondence.

8.3 Part II, Article 1 states that every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to conditions provided for by law and by the general principles on international law.

9. CRIME AND COMMUNITY SAFETY ISSUES

- 9.1 Under the Crime and Disorder Act 1998, particularly Section 17, local authorities must have regard to the likely effect of the exercise of their functions on, and do all they can to prevent crime and disorder in their area. The Licensing Authority will have regard to the likely impact of licensing on related crime and disorder in the District, particularly when considering the location, impact, operation and management of licensable activities.

10. RISK MANAGEMENT ISSUES

- 10.1 None identified.

Background Documents:

Appendix A – Copy of application for a new premises licence

Appendix B – Copy of representation

Appendix C – Copy of conditions agreed with Staffordshire Police

This page is intentionally left blank

- i as a limited company/limited liability partnership please complete section (B)
- i as a partnership (other than limited liability) please complete section (B)
- ii 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 6 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

E-mail address (optional)	
----------------------------------	--

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name	Cripps Barn Group Limited
Address	Cripps Barn, Fosscross Lane, Bibury, Cirenbcester, Gloucestershire GL7 5BA
Registered number (where applicable)	06521845
Description of applicant (for example, partnership, company, unincorporated association etc.)	Company
Telephone number (if any)	01285 740035

E-mail address (optional) johnnie@crippsandco.com

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	05	2019

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)

The premises are located in the Walled Garden at Thorpe Estate, Thorpe Constantine. Planning and Listed Building consents were granted on 12th June 2018 for change of use of the walled garden to a wedding and events venue and the former gardener's bothy to a bridle suite/overnight accommodation together with the retention of 3 no. Yurts to form covered entertainment space and the erection of a pavilion building.

The garden wall is constructed of red brick and within the grounds they comprise the 3 no. yurts, a cottage (former gardener's bothy), greenhouses, lawns and borders. The new pavilion building, currently under construction, will accommodate the ceremony hall, kitchen and toilets. The yurts will provide the space for the bar, dining and entertainment.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	00:00	01:00			
	12:00	23:59			
Tue	00:00	01:00			
	12:00	23:59			
Wed	00:00	01:00	<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
	12:00	23:59			
Thur	00:00	01:00	Mainly in summer months		
	12:00	23:59			
Fri	00:00	01:00	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
	12:00	23:59			
Sat	00:00	01:00			
	12:00	23:59			
Sun	00:00	01:00			
	12:00	23:59			

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>						
				Outdoors	<input type="checkbox"/>						
				Both	<input checked="" type="checkbox"/>						
Day	Start	Finish	Please give further details here (please read guidance note 4) Very occasional use								
Mon	00:00	01:00									
	12:00	23:59									
Tue	00:00	01:00									
	12:00	23:59									
Wed	00:00	01:00				State any seasonal variations for the exhibition of films (please read guidance note 5) Mainly in summer months					
	12:00	23:59									
Thur	00:00	01:00									
	12:00	23:59									
Fri	00:00	01:00							Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
	12:00	23:59									
Sat	00:00	01:00									
	12:00	23:59									
Sun	00:00	01:00									
	12:00	23:59									

C

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

D

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

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Principally in the Ceremony Hall and Yurts		
Mon	00:00	01:00			
	12:00	23:59			
Tue	00:00	01:00			
	12:00	23:59			
Wed	00:00	01:00			
	12:00	23:59			
Thur	00:00	01:00			
	12:00	23:59			
Fri	00:00	01:00			
	12:00	23:59			
Sat	00:00	01:00			
	12:00	23:59			
Sun	00:00	01:00			
	12:00	23:59			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) Principally in the Ceremony Hall and Yurts		
Mon	00:00	01:00			
	12:00	23:59			
Tue	00:00	01:00			
	12:00	23:59			
Wed	00:00	01:00			
	12:00	23:59			
Thur	00:00	01:00			
	12:00	23:59			
Fri	00:00	01:00			
	12:00	23:59			
Sat	00:00	01:00			
	12:00	23:59			
Sun	00:00	01:00			
	12:00	23:59			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	00:00	01:00	<u>Please give further details here</u> (please read guidance note 4) Very occasional us – possible ballet or contemporary dance		
	12:00	23:59			
Tue	00:00	01:00			
	12:00	23:59			
Wed	00:00	01:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
	12:00	23:59			
Thur	00:00	01:00			
	12:00	23:59			
Fri	00:00	01:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
	12:00	23:59			
Sat	00:00	01:00			
	12:00	23:59			
Sun	00:00	01:00			
	12:00	23:59			

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 Possible comedy show		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon	00:00	01:00		Outdoors	<input type="checkbox"/>
	12:00	23:59		Both	<input checked="" type="checkbox"/>
Tue	00:00	01:00	<u>Please give further details here</u> (please read guidance note 4)		
	12:00	23:59	Very occasional use		
Wed	00:00	01:00			
	12:00	23:59			
Thur	00:00	01:00	<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)		
	12:00	23:59			
Fri	00:00	01:00			
	12:00	23:59			
Sat	00:00	01:00	<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)		
	12:00	23:59			
Sun	00:00	01:00			
	12:00	23:59			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	00:00	01:00	Please give further details here (please read guidance note 4) Late night hot and cold food will be served mainly in the Yurts		
	23:00	23:59			
Tue	00:00	01:00			
	23:00	23:59			
Wed	00:00	01:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
	23:00	23:59			
Thur	00:00	01:00			
	23:00	23:59			
Fri	00:00	01:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
	23:00	23:59			
Sat	00:00	01:00			
	23:00	23:59			
Sun	00:00	01:00			
	23:00	23:59			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)					
Mon	00:00	01:00						
	10.30	23:59						
Tue	00:00	01:00						
	10.30	23:59						
Wed	00:00	01:00						
	10.30	23:59						
Thur	00:00	01:00				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)		
	10.30	23:59						
Fri	00:00	01:00						
	10.30	23:59						
Sat	00:00	01:00						
	10.30	23:59						
Sun	00:00	01:00						
	10.30	23:59						

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 John Joicey Dickinson	
Date of birth [REDACTED]	
Address [REDACTED] [REDACTED] [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) LN/199311259	
Issuing licensing authority (if known) Harrogate Borough 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)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	00:00	01:00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
	10:00	23:59	
Tue	00:00	01:00	
	10:00	23:59	
Wed	00:00	01:0	
	10:00	23:59	
Thur	00:00	01:00	
	10:00	23:59	
Fri	00:00	01:00	
	10:00	23:59	
Sat	00:00	01:00	
	10:00	23:59	
Sun	00:00	01:00	
	10:00	23:59	

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

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

This application is made following grant of planning permission and Listed Building consent by Lichfield District Council for change of use for the premises to be used as a wedding and events venue. The nature of our events will be family friendly and controlled minimising any annoyance to neighbours and complying with good social behaviour and statutory requirements. Specific steps are outlined below. The Premises Supervisor or his/her designated assistant is to be on site during all events. Trained staff on licensing issues will be used.

b) The prevention of crime and disorder

- Provision of security cameras
- Logging in Crime and Disorder Incident Book
- Lighting in grounds
- Locking of strategic gates
- Excess stock in safe stores
- Liaison with Police where appropriate

c) Public safety

- Ensuring recommended capacities for number of people at events is not exceeded
- Compliance with statutory fire safety, electrical and gas safety and food hygiene regulations
- Disabled access and toilet facilities
- First aid provision

d) The prevention of public nuisance

- Control of litter on site
- Control of noise with the sound system being fitted with a noise limiter/compressor to ensure noise does not exceed unacceptable levels and is inaudible at the nearest sensitive receptors.
Keeping doors closed whilst amplified music is playing
- The ventilation system will be designed to keep noise levels within acceptable limits
- Restricting the emptying of rubbish and bottles into the bin store to within reasonable hours
- Creating adequate car parking on site
- Notices to ask customers to leave the premises quietly and orderly

e) The protection of children from harm

- Family friendly environment
- Seek ID/Proof of Age from anyone looking under 21 before dispense of alcohol
- Ensuring site is kept safe
- No entertainment of an "adult" or immoral nature

Checklist:

Please tick to indicate agreement

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

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

	(and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	John Dickinson
Date	29 th January 2019
Capacity	Consultant to Cripps Barn Group Limited

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

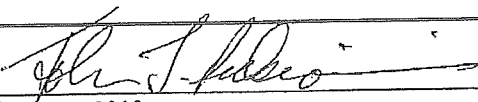
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
John Dickinson FRICS Norwood Bottom Farm			
Post town	Otley	Postcode	LS21 2RA
Telephone number (if any)	01943 468403		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) johnnie@crippsandco.com			

Notes for Guidance

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

- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and

	(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	29 th January 2019
Capacity	Consultant to Cripps Barn Group Limited

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
John Dickinson FRICS Norwood Bottom Farm			
Post town	Otley	Postcode	LS21 2RA
Telephone number (if any)	01943 468403		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) johnnie@crippsandco.com			

Notes for Guidance

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

- 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the 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.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].

- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.

- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

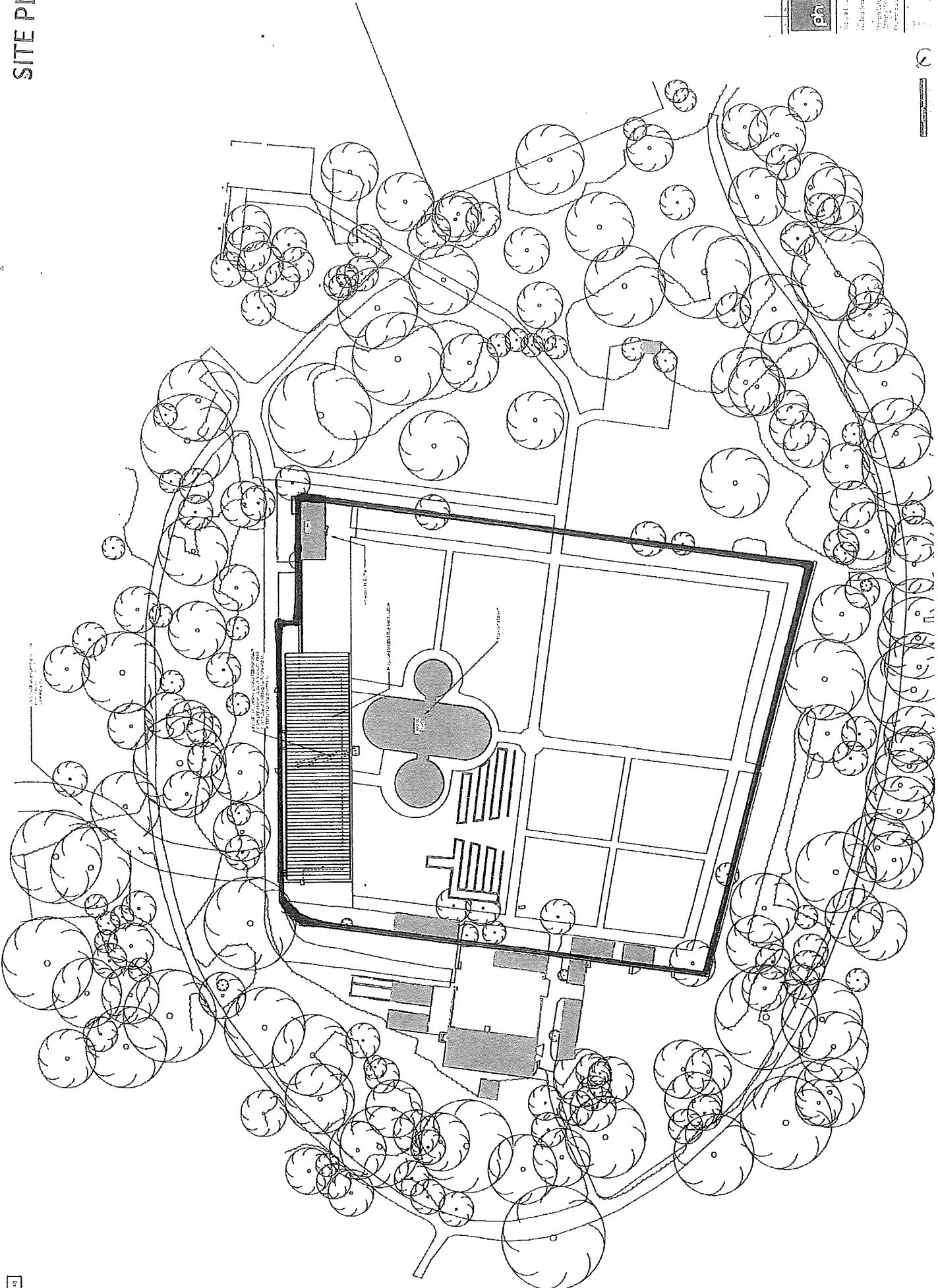
- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission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

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

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information

with the Home Office. Your licence application will not be determined until you have complied with this guidance.

SITE PLAN



Architectural Firm
ph
1234 Main St
City, State, Zip
Phone: (555) 123-4567
Fax: (555) 987-6543
www.ph.com

Consent of individual to being specified as premises supervisor

I John Joicey Dickinson of [REDACTED] hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for a Premises Licence by Cripps Barn Group Limited relating to a premises licence for the Walled Garden, Thorpe Estate, Thorpe Constantine, Tamworth, Staffordshire B79 0LH and any premises licence to be granted or varied in respect of this application made by Cripps Barn Group Limited concerning the supply of alcohol at the Walled Garden, Thorpe Estate, Thorpe Constantine, Tamworth B79 0LH.

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

Personal licence number: LN/199311259

Personal licence issuing authority: Harrogate Borough Council

Address: Department of Community Services, Springfield House, Kings Road, Harrogate, North Yorkshire HG1 5NX

Signed



Name (please print) John Joicey Dickinson

Date

29th January 2019

[Illegible text]

[Illegible text]

m To: Sarah Bradley From: Jack Twomey
e Section: The Licensing Unit Section: Environmental Health
m Date: 26-02-2019 Ref: Licence application
o Re: The Walled Garden, Thorpe Estate, Thorpe Constantine, Tamworth B79 0LH

Message

Sarah,

Please find below our objections.

**The Walled Garden, Thorpe Estate, Thorpe Constantine, Tamworth B79 0LH
Premises Licence application**

Environmental Health would like to object to the application for a premises licence as we believe the application proposed will undermine the licence objective of preventing public nuisance.

We feel the level of noise from the premises has significant potential to cause nuisance to residents within the vicinity.

Information has been submitted to us which appears to confirm our view and whilst it may be possible to come to an agreement on a boundary noise limit which would satisfy our concerns, that has not been possible within the consultation period.

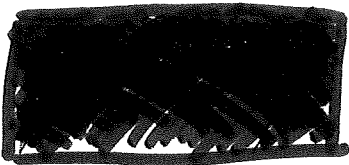
Of particular concern is the application for outdoor entertainment and the use of yurts, which would have little effect in attenuating noise originating from within them.

Music, singing and speech, both amplified and non-amplified, are a common source of noise disturbance. The application includes recorded and live music both indoors and outdoors until 01:00 hours. This type of entertainment may also encourage patrons to congregate in the court yard area which will increase the noise from raised voices and shouting.

/continued...

Good practice guide on control of noise from Pubs and clubs states that for premises where entertainment takes place on a regular basis, music and associated source should not be audible inside noise-sensitive property at any time. We feel this could not be achieved if the application was granted from the information provided. Under normal circumstances when events are relatively infrequent or even weekly it is slightly less of a concern but this application suggests noisy events could take place every night in what is an area with a very low background noise.

Regards



Jack Twomey
Environmental Protection and Housing Manager

Bradley, Sarah

From: Nicola Bills <Nicola.Bills@staffordshire.pnn.police.uk>
Sent: 08 February 2019 14:46
To: Generic - Licensing
Cc: Caddy, Tracy
Subject: FW: The Walled Gardens, Tamworth
Attachments: The Walled Gardens.docx

Categories: Licence Conditions

Dear Sirs/Madam,

Please find attached a set of conditions in relation to the premise licence application for The Walled Gardens. These are to replace all offered conditions and the hours reduced as follows:

Late night Refreshment & last alcohol sales	0045hrs each day
Close of business	0100hrs each day

Providing the above form part of the premises licence, if granted, then we have no representations to make in this matter.

Kind Regards

Nicky Bills
Licensing Officer
Staffordshire Police
Northern Licensing Unit
Smithfield One
Leonard Coates Way
Hanley
Stoke on Trent
Staffs
ST1 4FA
Tel: 01785 232846
official

From: Johnnie Dickinson [mailto:johnnie@crippsandco.com]
Sent: 08 February 2019 14:39
To: Nicola Bills <Nicola.Bills@staffordshire.pnn.police.uk>
Subject: RE: The Walled Gardens, Tamworth

Hi Nicky,

That would be preferable for us to have it to 0045 from a sales viewpoint with some customers. In practice we however normally give them 30 minutes drinking up time.

Kind regards,

Johnnie



Johnnie Dickinson FRICS

johnnie@crippsandco.com

+44 1943 468 403

+44 7768 708 225

crippsandco.com

From: Nicola Bills [<mailto:Nicola.Bills@staffordshire.pnn.police.uk>]

Sent: 08 February 2019 14:36

To: Johnnie Dickinson

Subject: RE: The Walled Gardens, Tamworth

Hi,

Yes that is fine, however, it would be for you to manage that persons have finished their drinks in time for closing, ½ hour normally makes things more manageable by staff.

Please confirm what you would prefer.

Thanks

Nicky Bills
Licensing Officer
Staffordshire Police
Northern Licensing Unit
Smithfield One
Leonard Coates Way
Hanley
Stoke on Trent
Staffs
ST1 4FA
Tel: 01785 232846
official

From: Johnnie Dickinson [<mailto:johnnie@crippsandco.com>]

Sent: 08 February 2019 14:29

To: Nicola Bills <Nicola.Bills@staffordshire.pnn.police.uk>

Subject: RE: The Walled Gardens, Tamworth

Hi Nicky,

Thank you for letting me have your proposed conditions to be applied to the Premises Licence at the above property. They seem entirely fair and reasonable which we can accept. There is just one point I wish to put forward and that is whether you would accept last alcohol sales to be the same as late night refreshments – 0045hrs.

Kind regards,

Johnnie

The Walled Gardens
Thorpe Estate
Thorpe Constantine
Tamworth
B79 0LH

Prevention of Crime and Disorder

CCTV must be installed and operating correctly to manufacturer's instructions internally and externally and must cover all public areas where licensable activity takes place whilst the premises is open to the public.

The time and date must be set to the correct time relating to BST/GMT

A competent trained person in the use of and operation of the CCTV must be in attendance at the premises at all times that licensable activities take place and be able to fully operate the CCTV system to be able to down load at the time of the visit/when requested in a recognised format any information requested by the Police or any Responsible Authority

All CCTV images must be retained for a period of not less than 31 days and any evidential incidents must be down loaded and stored in a secure system until such time as collected by an appropriate authority.

All persons involved in the sale of alcohol who are not the holder of a Personal Licence to sell alcohol must receive initial and regular 6 monthly refresher training by the Designated Premises Supervisor or training provider with regards to the law in relation to the sale of alcohol. Such training must be recorded and up to date training records of all such persons must be maintained at the premises and produced and made available for inspection at the time of the visit/or requested by a responsible authority. There must be eighteen months records retained.

Prior to an event where licensable activity is to take place there must be a written risk assessment which must include the need for door supervisors and where door supervisors are not used the rationale for that decision must be recorded. These risk assessments must be retained for 12 months and made available at the time of the visit/upon request to any Responsible Authority.

Public safety

No persons will be permitted to take any opened vessels containing any alcoholic/non-alcoholic drinks from the boundaries of the premises.

The Prevention of Public Nuisance

A notice advising customers to leave the premises quietly must be displayed at the exit of the premises.

The Protection of Children from Harm

A Challenge 25 policy must be adopted and enforced at the premises where all persons who appear to be under the age of 25 must be challenged for acceptable identification to prove they are over the age of 18 prior to the purchase of alcohol.

The only acceptable forms of identification will be a valid photo driving licence, valid passport or a valid PASS approved proof of age card.

Challenge 25 posters must be displayed at all entrances to the premises, all areas where alcohol is displayed and at the cash till payment area.

A refusals register with details of all refusals must be maintained at the premises. The register must contain details of the staff member refusing the sale and must be checked on a monthly basis by the Designated Premises Supervisor and signed and dated by the Designated Premises Supervisor.

The refusals register must be produced and made available for inspection at the time of the visit/ or upon request by any Responsible Authority.

LICENSING AND CONSENTS APPEALS COMMITTEE

Further Information

- Copies of the representations received are enclosed with the Licensing Authority's report and made available to the Licensing and Consents Appeals Committee
- You are entitled to attend the meeting if you wish. You may also be assisted or accompanied by another person. You are also entitled to be represented by any person whether or not they are legally qualified.
- You will have the opportunity to address the Licensing and Consents Appeals Committee and will be able to question any other party.
- The Legal Adviser present to aid the Committee may question any party or approved representative to ensure that the hearing is conducted fairly and to clarify any matter arising.
- Please note that if you do not attend, the Licensing and Consents Appeals Committee may still consider the matter in your absence. However the Licensing and Consents Appeals Committee will still consider any application or representations that you have made at the meeting.
- The Licensing and Consents Appeals Committee has the right to exclude any person who is being disruptive although they may be permitted to return on specified conditions. However, if they had been entitled to provide information verbally to the hearing, they will still retain the right to provide that information in writing.
- The enclosed Procedure will be the one followed at the Committee hearing.

This page is intentionally left blank

**PROCEDURE TO BE FOLLOWED FOR CONSIDERATION OF
APPLICATIONS FOR PREMISES OR PERSONAL LICENSES
HAVING REGARD TO THE LICENSING ACT 2003**

(The Licensing Act 2003 (Hearings) Regulations 2005 require that a hearing shall take the form of a discussion led by the Authority and generally cross examination shall not be permitted. The procedure set out below is designed to give some structure to the Hearing and all parties should be aware that the hearing could continue in the absence of the applicant if they fail to attend or fulfil their obligations to the Licensing authority.)

1. The Chairman will introduce the Members of the Committee and invite those present at each hearing to introduce themselves.
2. The Chairman will ask those present if they are aware of and understand the Procedure to be followed. No additional representations to that already submitted can be considered.
3. The Licensing Officer will present the application and report.
4. The Applicant will present his/her application and may comment on any representations made.

The Panel, responsible authorities and interested parties may ask questions of the Applicant through the Chair.

5. Responsible authorities will then be allowed to make their representations in respect of the application.

The Panel and Applicant may ask questions of the responsible authorities through the Chair

6. Interested Parties who have made written representations will then be allowed to make their representations in respect of the application.

The Panel and Applicant may ask questions of the interested parties through the Chair.

7. Finally, the Applicant or his representative can make a short closing speech.

8. All parties will then withdraw to allow the Committee to consider the case. When a decision is made all parties will return and be told the decision and reasons for that decision by the Chairman of the Committee. Written notice of the decision will follow.

This page is intentionally left blank