**South Somerset District Council** Notice of Meeting



# Licensing Sub Committee

Making a difference where it counts

# Monday 11th September 2017

# 2.00 pm

# Main Committee Room Council Offices Brympton Way Yeovil BA20 2HT

(disabled access and a hearing loop are available at this meeting venue)



Members listed on the following page are requested to attend the meeting.

The public and press are welcome to attend.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Jo Morris, Democratic Services Officer**, website: <u>www.southsomerset.gov.uk</u>

This Agenda was issued on Thursday 31 August 2017.

lan Clarke, Director (Support Services)

This information is also available on our website www.southsomerset.gov.uk



# **Licensing Sub Committee Membership**

Tony Lock

Crispin Raikes

Linda Vijeh

# South Somerset District Council – Council Aims

South Somerset will be a confident, resilient and flexible organisation, protecting and improving core services, delivering public priorities and acting in the best long-term interests of the district. We will:

- Protect core services to the public by reducing costs and seeking income generation.
- Increase the focus on Jobs and Economic Development.
- Protect and enhance the quality of our environment.
- Enable housing to meet all needs.
- Improve health and reduce health inequalities.

# Members Questions on reports prior to the Meeting

Members of the Committee are requested to contact report authors on points of clarification prior to the Committee meeting.

# Information for the Public

The Statutory Licensing Committee has responsibility for all activities under the Licensing Act 2003 and the Gambling Act 2005 except for policies and fees. Established under the Licensing Act 2003, It exercises the functions of the Licensing Authority which itself is the Council.

The Other Licensing Committee can be responsible for all other licensing matters. Established by the Council under discretionary power contained in section 101 of the Local Government Act 1972.

It is lawful for the membership of the two committees to be the same, but they are differently constituted and run under different powers.

Meetings of the Licensing Sub Committee are held as required in the Council Offices, Brympton Way.

Licensing Sub Committee agendas and minutes are published on the Council's website www.southsomerset.gov.uk

The Council's Constitution is also on the web site and available for inspection in council offices.

Further information can be obtained by contacting the agenda co-ordinator named on the front page.

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# Licensing Sub Committee

# Monday 11 September 2017

# Agenda

Preliminary Items

## 1. Declarations of Interests

In accordance with the Council's current Code of Conduct (adopted July 2012), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9. In the interests of complete transparency, Members of the County Council, who are not also members of this committee, are encouraged to declare any interests they may have in any matters being discussed even though they may not be under any obligation to do so under any relevant code of conduct.

- 2. Procedure to be followed when considering licensing applications under the Licensing Act 2003 (Pages 4 7)
- 3. Representation following the Application for a New Premises Licence at Geek Out, 98 Middle Street, Yeovil, BA20 1NE (Pages 8 35)

# Agenda Item 2

# Procedure to be followed when considering Licensing Applications under the Licensing Act 2003

Pre Prior to the start of the Hearing the Committee Administrator will check that any person wishing to address the Sub-Committee is either an Interested Party or an authorised representative of an Interested Party or a Responsible Body and is entitled therefore to do so.

Where there is any doubt about the person's eligibility to address the sub-Committee, the Committee Administrator will seek advice from the Legal Officer(s).

### 1. **The Chairman will introduce**:

- members of the Sub-Committee (which will be made up of three District Councillors);
- the officers present;
- the Parties and their representatives (if any).

The Chairman will ask, before starting the Hearing, if any representations are being withdrawn.

### 2. At the start of the hearing **the Chairman will advise:-**

- all Parties of the reason for the Hearing and the procedure to be adopted;
- that where a Party wants another person to appear at the Hearing they must ask permission (under Regulation 8(2)) although such permission will not be unreasonably withheld. No permission is needed where the other person is acting only as the Party's representative;
- that if any Party wishes to ask the Sub-Committee to consider documentary or other information at the hearing, which was not provided before the Hearing, then all Parties must consent;
- that if any Party does not attend or is not represented at the hearing, the Hearing can go ahead but the Sub-Committee will consider any application, notice or written representations received by the relevant deadline from that Party;
- that in some circumstances, the Hearing may be adjourned, where the Sub-Committee consider the public interest demands it.

# 3. The Chairman will ask each Party to confirm receipt of the following documents:-

- Officer's report relating to the case;
- The procedure to be adopted during the Hearing;
- The documents, which the authority is required to provide under the Regulations this varies according to the type of application but normally this means checking that the applicant has received copies of all the representations made in response to the application notices.

Any queries on the procedure or the factual content of the Licensing Officer's report should be dealt with at this point, with the assistance of the legal officer(s), as required.

- 4. **The Chairman will then ask** the Licensing Officer to present their report on the application. The report will include confirmation that the requirements as to advertising the application and the serving of notices have been met.
- 5. **The Chairman will inform all present prior to receiving representations** that each Party will be given an equal amount of time to make their representations. This will normally be a maximum of five minutes. However, the Chairman has discretion about the time given to each Party and may vary the time limit where reasonable to do so although reasons will be given and fairness maintained.
- 6. **The Chairman will invite any Responsible Bodies present** e.g. representatives of Police/Fire Service/ Environmental Services to address the Sub-Committee on any relevant representations they have made.

### 7. **The Chairman will then invite**:

- Parties or their representatives speaking in support of the application (including the applicant for the review) to address the Sub-Committee on their relevant representations. The address shall relate only to those matters already raised in the application, representations or notice (as applicable). No new information can be presented at the hearing unless all Parties agree, however, where the authority has notified the Party that it requires clarification on any points, this should be provided at this stage;
- Parties or their representatives, speaking in opposition to the application for review, to address the Sub-Committee on their relevant representations. The address shall relate only to those matters already raised in the application, representations or notice (as applicable). No new information can be presented at the hearing unless all Parties agree, however, where the authority has notified the Party that it requires clarification on any points, this should be provided at this stage.

**The Chairman** will permit a Member to seek immediate clarification of a point made by a Party, their representative or any another person permitted to attend where, prior to this point in the Hearing, circumstances arise which make it desirable to do so, provided that the question is relevant and helps the proper conduct of the Hearing. The rules of natural justice will be followed.

No Cross examination will be permitted without the consent of the sub-Committee and this will only be given where Committee considers that cross-examination is required for it to consider the representations, application or notice.

- 8. **The Chairman will ask** whether anyone has any further relevant comments to make and whether each Party is satisfied with the conduct of the Hearing.
- 9. **The Chairman will then invite** Members of the Sub-Committee to ask any questions of any of the Parties or any other person permitted by the Sub-Committee to appear at the Hearing.
- 10. The Chairman will check with the legal adviser(s) that all relevant points have been addressed before asking the Parties to leave the room while the Sub-Committee consider its decision in private. Only the clerk and the legal adviser(s) will remain with the Sub-Committee although only the sub-committee will be making the decision.

- 11. **Once in private the Chairman will advise the other Members** that they must consider all the information before them in making their decision but will disregard any information which is not relevant to the application, representations or notice and which does not relate to promoting the Licensing Objectives. Members will take account of the Statutory Guidance and the Council's Statement of Licensing Policy but shall be free to depart from it where the merits of the case warrant it. Full reasons shall be given for any such departure. If Members require further information from any Party or any further evidence, they will reconvene the hearing with all Parties able to be present.
- 12. **The Chairman will ensure, on the Parties return to the Hearing room**, that any legal advice given to the Sub-Committee in private is summarised to the Parties.
- 13. **The Chairman will notify** all Parties of their decision and the reasons for the decision. The decision will normally be given orally, at the Hearing, in a plain English format to help those attending the Hearing to understand it more easily. This is not the official written Notice of Decision which be sent to all of the Parties shortly afterwards.

Where the Sub-Committee is unable to give a decision at the meeting, **the Chairman will advise all Parties when a decision can be expected.** The decision will be sent to all Parties within the timescales set down in the Regulations.

14. **The Chairman will inform all Parties** of their possible rights of appeal (if any).

# NOTES

- 1. A Party is anyone who has submitted an application or made a relevant representation or served a notice.
- 2. Where an adjournment is granted the Sub-Committee will notify the Parties forthwith of the date, time and place to which the Hearing has been adjourned.
- 3. Under no circumstances must the Parties or their witnesses offer Members of the Sub-Committee information in the absence of the other Party. Similarly, Members will not attempt to illicit information from any Party to the Hearing in the absence of the other. Members will not make pronouncements on the merits of the case until all the evidence has been heard. These are essential elements of the rules of natural justice.
- 4. The Chairman may vary this procedure, as circumstances require but will have regard to the rules of natural justice.
- 5. The Hearing will take place in public. However, the public can be excluded from all or part of the hearing where the Sub-Committee considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.

The Sub-Committee may also require a Party to leave the hearing if that Party is behaving in a disruptive manner. The Sub-Committee can refuse to readmit the Party or readmit upon conditions but the Party can nevertheless submit to the Sub-Committee before the end of the Hearing any written information it would have been entitled to submit orally at the Hearing.

- 6. District Councillors representing the area (District Council Ward) to which the application refers, or have declared an interest, will not form part of the Sub-Committee.
- 7. Where any irregularity is brought to the attention of the Sub-Committee during the hearing, the Sub-Committee may, if it feels that a Party has been prejudiced as a result of the irregularity, take such steps as it thinks fit to cure that irregularity before it makes its determination. However, any irregularity from a failure to follow this procedure shall not of itself render the proceedings void and any clerical errors may be corrected.

# Agenda Item 3

# Representation following the Application for a New Premises Licence at Geek Out, 98 Middle Street, Yeovil, BA20 1NE

Director:Martin Woods – Service DeliveryReport Author:Rachel Lloyd – Licensing OfficerContact Details:rachel.lloyd@southsomerset.gov.uk or 01935 462134

### Purpose of the Report

To inform members that an application has been received from Geek Out Bars Limited for a premises licence to be granted under the Licensing Act 2003 at 98 Middle Street, Yeovil, BA20 1NE

### Recommendation

To determine the granting of the premises licence in accordance with the options detailed later in the report.

### Background

The Council is the authority responsible for the issue of Premises Licences issued under Section 18 of the Licensing Act 2003.

The Licensing Manager has delegated authority to determine a Premises Licence application, subject to no objections being received from a Responsible Authority or "Other Persons". In this case, relevant representations were received from three Responsible Authorities and none have been withdrawn.

### Licensing Objectives

The licensing objectives are:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

The licensing objectives are to be considered paramount and the Council has a duty to promote them in its decision making process. An application will not be refused in whole or part or any conditions attached except those offered by the applicant or required by law except where appropriate to promote the licensing objectives.

## Application

A copy of the application form is enclosed with the agenda.

The details of the application are summarised as follows:

Applicant: Geek Out Bars Limited

Licensable activity applied for:

### Films (B) - Indoors

Day	Start Time	Finish Time	
Monday	12:00	Midnight	
Tuesday	12:00	Midnight	
Wednesday	12:00	Midnight	
Thursday	12:00	Midnight	
Friday	12:00	Midnight	
Saturday	12:00	Midnight	
Sunday	12:00	Midnight	

Further Details: Viewing of streaming services (twitch, YouTube etc.) covering a range of topics such as coverage of events (E3, Insomnia etc), streaming of geek and gaming related activities such as playing video games, playing board games, playing role play games, painting, sculpting, engineering, etc.

Viewing of pre recorded films or other media

Playing of video games.

Seasonal Variations: None

Non-Standard Timings: Christmas Eve, Christmas Day, Boxing Day, New Year's Eve 12:00 to 02:00

### Supply of Alcohol (J) – Consumption On the Premises

Day	Start Time	Finish Time
Monday	12:00	Midnight
Tuesday	12:00	Midnight
Wednesday	12:00	Midnight
Thursday	12:00	Midnight
Friday	12:00	Midnight
Saturday	12:00	Midnight
Sunday	12:00	Midnight

Seasonal Variations: None.

Non-Standard Timings: Christmas Eve, Christmas Day, Boxing Day, New Year's Eve 12:00 to 02:00

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. **(K)** 

Possibility of children being exposed to video games or video media that are not age appropriate.

# Hours premises open to the public (L) – Not a licensable activity, but shown as part of the application.

Day	Start Time	Finish Time	
Monday	12:00	00:30	
Tuesday	12:00	00:30	
Wednesday	12:00	00:30	
Thursday	12:00	00:30	
Friday	12:00	00:30	
Saturday	12:00	00:30	
Sunday	12:00	00:30	

Non-Standard Timings: Christmas Eve, Christmas Day, Boxing Day, New Year's Eve: 12:00 to 02:30

Additional steps put forward by the applicant to comply with licensing objectives. (Section M (pages 16 - 17) of the application will become conditions of the licence, subject to the licence being granted, and are in addition to any further conditions imposed by the Licensing Committee).

Evidence that advertising/notice requirements have been complied with:

• The Licensing Enforcement Officer saw the notice on display at the premises on 26 July. The applicant was contacted on 31 August to find out when and where the newspaper notice was published, however, a response had not been received at the time of writing.

## **Representation – Responsible Authorities**

Representations were received from:

- Mrs Nicola King on behalf of the Chief of Police for Avon & Somerset.
- Mr Kevin Hardwill on behalf of Devon and Somerset Fire and Rescue
- Mr Andrew Collins on behalf of the Planning Service.

## **Representations – Other Persons**

None.

### **Relevant Observations**

None.

## Further Information

The premises are situated in an area where the cumulative impact policy applies. The Council's Licensing Policy states that there is a presumption that applications for new licences, variations or material variations, will normally be refused if relevant representations are received unless it can be demonstrated that the operator will not add to the cumulative impact already being experienced<sup>1</sup>.

In determining the application with a view to promoting the licensing objectives in the overall interests of the community, the Committee must have regard to and give appropriate weight to the following considerations:

- Any relevant and valid representation (including supporting documentation received)
- The Latest Guidance issued under s182 of the Act
- The Statement of Licensing Policy issued in January 2014.
- The steps appropriate to promote the licensing objectives as set out in s18(4)
- Human Rights considerations in particular Article 6, Article 8 and Article 1 of Protocol 1

## Options

The options available to the committee are stated at section 18 of the Licensing Act 2003 are as follows:

 Grant the licence subject to such conditions which are consistent with the operating schedule modified to such extent as the Authority considers appropriate for the

<sup>&</sup>lt;sup>1</sup> Page 12, Paragraph 3.2.2 of the Council's Licensing Policy dated January 2014

promotion of the Licensing Objectives and any condition, which must under s19-21, be included in the licence s18(4)(a)(i)(ii) together with the current mandatory conditions.

- Exclude from the scope of the licence any of the licensable activities to which the application relates s18(4)(b)
- Refuse to specify a person in the licence as the premises supervisor s18(4)(c)
- Reject the application s18(4)(d).

### **Right of Appeal**

Schedule 5 of the Licensing Act 2003 sets out the rights and procedures for making appeals against the decision of the Licensing Authority:

Where the Licensing Authority has rejected an application for a premises licence, the applicant may appeal to the Magistrates' Court against the decision to reject.

Where the Licensing Authority has granted the licence, the holder of the licence may appeal to the Magistrates Court against any decision to impose conditions on the licence that are consistent with the operating schedule or imposed where having regard to any relevant representations, are considered appropriate to promote the licensing objectives.

Where the Licensing Authority has granted the licence subject to the exclusion of any of the licensable activities or refused to specify a person as the premises supervisor, the holder of the licence may appeal to the Magistrates Court against the decision.

Where a person who made a relevant representation desires to contend that the licence ought not to have been granted, or that on granting the licence, the Licensing Authority ought to have imposed different or additional conditions, or ought to have taken a step to exclude a licensable activity or refused to have specified a person as the premises supervisor, he may appeal against the decision to the Magistrates Court.

The appellant commences the appeal by giving a notice of appeal to the designated officer for the Magistrates' court within 21 days beginning with the day on which the applicant was notified by the Licensing Authority of the decision appealed against.

On determining the appeal, the court may,

- Dismiss the appeal
- Substitute for the decision appealed against any other decision which could have been made by the Licensing Authority; or
- Remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court.

and may make such order as to costs as it thinks fit.

### **Background Papers**

Licensing Act 2003 SI 2005 No. 44 Licensing Act 2003 (Hearings) (Regulations) 2005 SI 2005 No. 42 Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 SI 2010 No.860 Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 The Latest Guidance issued under section 182 of the Licensing Act 2003. The Statement of Licensing Policy for South Somerset District Council January 2014.

21 Aug

#### Application for a premises licence to be granted

under the Licensing Act 2003

#### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

Geek Out Bars LIMITED I

(Insert name(s) of applicant)

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

Part 1 - Premises details

98 Middle S Yeovil BA20 1NE	treet		
Post town	Yeovil	Postcode	

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£8,700

#### Part 2 - Applicant details

Please state whether you are applying for a premises licence as

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

Page 12

Please tick as appropriate

please complete section (B)

please complete section (B)

please complete section (B)

- please complete section (B)
- please complete section (B)
- please complete section (B)

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

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

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

# (A) INDIVIDUAL APPLICANTS (fill in as applicable)

M r □	Mrs		Miss		Ν	∕ls □		Other Title (for example, Rev)	
Surname						First n	ame	es	
Date of birth	1			I am	18 yea	ars old o	r ove	ver 🗆 Plea	se tick yes
Nationality									
Current resid address if dif premises add	ferent f	from							
Post town								Postcode	
Daytime contact telephone number									
E-mail addr (optional)	ess								

## SECOND INDIVIDUAL APPLICANT (if applicable)

M r		Mrs	Miss		Ms		Other Title (for example, Rev)	
Surn	ame				Fi	rst na	mes	
Date	of bir	th		I aı	n 18 years o	old or	over 🗆 Plea	ase tick yes

Nationality	
Current residential 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
Geek Out Bars LIMITED
Address 46 Hermitage Street Crewkerne TA18 8ET
Registered number (where applicable) 10685892
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company.
Telephone number (if any) 07508957799
E-mail address (optional) <u>Tim.dodgson@my.com</u>

#### Part 3 Operating Schedule

When do you want the premises licence to start?	DD	MM	YYYY
when do you want the premises nearce to start?			

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 is: A vacant restaurant with no external customer areas. Located at the intersection of Middle Street and South Western Terrace in Yeovil. Comprised of a open plan ground floor, first floor customers area, first floor kitchen, first floor toilet facilities connected to the ground floor by a general use flight of stairs and a private flight of stairs Additionally benefited by a second floor residence.

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)

Prov	ision 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)	YES
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)	
<u>Supply of alcohol</u> (if ticking yes, fill in box J) YES	凶
In all cases complete boxes K, L and M	

A

	Standard days and timings (please read		Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
			(prease read guidance note 5)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guida	ance note 4)	
Tue					
Wed			State any seasonal variations for performing pla guidance note 5)	ys (please read	l
Thur					
Fri			Non standard timings. Where you intend to use the performance of plays at different times to the column on the left, please list (please read guidand	ose listed in th	
Sat				187V.	
Sun					

B

	Standard days and timings (please read		Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	Y
timings (please read guidance note 7)				Outdoors	
Day	Start	Finish		Both	
Mon	Mon         12:00         00:00         Please give further details here (please read guidated viewing of streaming services (twitch, YouTube et range of topics such as coverage of events (E3, Inservices		c.) covering a		
Tue	12:00	00:00	streaming of geek and gaming related activities suc games, playing board games, playing role play gam sculpting, engineering, etc. Viewing of pre recorded films or other media. Playing of video games.	h as playing vi	deo
Wed	12:00	00:00	State any seasonal variations for the exhibition of read guidance note 5)	o <mark>f films</mark> (please	
Thur	12:00	00:00			
Fri	12:00	00:00	Non standard timings. Where you intend to use the exhibition of films at different times to those column on the left, please list (please read guidand	listed in the	for
Sat	12:00	00:00	Christmas eve, Christmas day, Boxing day, New Yo 02:00		-
Sun	12:00	00:00			

С

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

D

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

				1	1
Live music Standard days and timings (please read			Will the performance of live music take place indoors or outdoors or both – please tick	Indoors	
timings (please read guidance note 7)			(please read guidance note 3)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guida	ance note 4)	
Tue					
Wed			State any seasonal variations for the performance of live music		
			(please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use	the premises	for
			the performance of live music at different times	to those listed	
Sat			the column on the left, please list (please read gui	dance note 6)	
out					
Sun					
Sun					

F

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

G

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

descri falling (g) Standa timing	ing of a si ption to th within (e rd days ar s (please r ce note 7)	hat e), (f) or nd read	Please give a description of the type of entertainme providing	ent you will be	
Day	Start	Finish	Will this entertainment take place indoors or	Indoors	
Mon			outdoors or both – please tick (please read guidance note 3)	Outdoors	
				Both	
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment description to that falling within (e), (f) or (g) (g guidance note 5)	of a similar blease read	
Fri					
Sat			Non standard timings. Where you intend to use the entertainment of a similar description to tha (e), (f) or (g) at different times to those listed in left, please list (please read guidance note 6)	t falling within	<u>n</u>
Sun					

I

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

Supply of alcohol Standard days and			Will the supply of alcohol be for consumption <u>– please tick</u> (please read guidance note 8)	On the premises	Y
timings (please read guidance note 7)				Off the premises	
Day	Start	Finish		Both	
Mon	12:00	00:00	State any seasonal variations for the supply of al guidance note 5)	cohol (please	read
Tue	12:00	00:00			
Wed	12:00	00:00			
Thur	12:00	00:00	Non standard timings. Where you intend to use the supply of alcohol at different times to those li column on the left, please list (please read guidance	isted in the	<u>for</u>
Fri	12:00	00:00	Christmas eve, Christmas day, Boxing day, New Years eve: 12:00 - 02:00	1-	
Sat	12:00	00:00	02.00		
Sun	12:00	00:00			

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 Tim Dodgson

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).

Possibility of children being exposed to video games or video media that aren't age appropriate.

L

open t Standa timing	premises o the pub rd days an s (please r ce note 7)	lic id ead	State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	12:00	00:30	
Tue	12:00	00:30	
Wed	12:00	00:30	Non standard timings. Where you intend the premises to be open
Thur	12:00	00:30	to the public at different times from those listed in the column of the left, please list (please read guidance note 6) Christmas eve, Christmas day, Boxing day, New Years eve: 12:00 - 02:30
Fri	12:00	00:30	
Sat	12:00	00:30	
Sun	12:00	00:30	

 ${f M}$  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)

Outside of the property I will display a notice clearly stating opening times of the venue. Outside of the property I will display a notice clearly stating CCTV usage.

Outside of the property will be kept clean and tidy by staff during opening hours.

Outside of the property customers will be provided with tamper resistant cigarette bins.

Deliverys to the venue will not be scheduled for before 9am or after 9pm

Customers and staff leaving the venue after 21:00 will be verbally instructed by staff to behave in a quiet civil manner so as not to disturb local residents.

The disposal of waste and recycling after 21:00 will be kept to a minimum so as not to disturb local residents.

The town link system shall be employed to assist staff in identifying problem customers and passing on information to police and other businesses.

All staff will be trained in the policy and laws of alcohol licensing ie. Refusal of service, proof of age, challenge 25.

Manager to live on site so as to maintain a constant supervisory presence for staff.

Management staff to be trained to access, retrieve and burn off CCTV images.

CCTV images will be provided within 48 hours of data protection request.

## b) The prevention of crime and disorder

CCTV will be employed both externally and internally and regularly maintained.

CCTV images to be kept for a minimum of 31 days.

High value items, electronics and electronic media will be secured down or only handled by staff to prevent theft.

Drunk or unruly customers will be excluded from the premises immediately and information passed via town link.

All personal or private information in any format shall be securely stored to prevent possible breached of information protection laws or fraud.

A ban list of disruptive indeviduals such as but not limited to underage drinkers, known drug addicts, violent indeviduals to be assembled from pubwatch and town link sources.

The ban list to be updated regularly and strictly adhered too.

An age refusals register and incid-ent register will be kept to reco-rd when sales are re-fused and if there are any incidents such as an individual is banned from the pr-emises.

A strict zero tolerance policy on drugs and drug related activities will be enforced. Offenders will be reported to the police, information circulated to Yeovil pub watch and banned for life.

# c) Public safety

All staff to be trained in the location and usage of fire fighting equipment and procedures. Staff to be trained in the location and usage of first aid equipment and procedures.

All Glassware to be toughened and only sourced from reputable suppliers.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices and the seating, lighting, heating, electrical, ventilation, sanitary accommodation, washing facilities and other installations, will be maintained at all times n good order and in a safe condition.

A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

# d) The prevention of public nuisance

Customers that become drunk shall be cut off by staff and asked to leave. Noise levels from games consoles shall be kept at conversation level to reduse disturbing the public

Games consoles and any other equipment that produces significant noise levels shall be placed away from openable windows and entrances to the venue.

A ban list of problem indeviduals to be kept and strictly adhered too to help reduce the presence of such indeviduals in the town centre.

All bins to be kept away from public highways and kitchen ventilation to be filtered to help manage odours coming from the business.

### e) The protection of children from harm

All staff to be trained in challenge 25 policies and procedures for checking ID documents. A strict challenge 25 policy to be maintained by staff at all times.

Under 18s to be acompanyed by a responsible adult at all times while in the venue.

No under 18 to be allowed in the venue after 21:00

All abandoned part finished drinks to be cleared away quickly and regularly.

Under 18s to be stopped from playing age restricted games.

#### Checklist:

#### Please tick to indicate agreement

0	I have made or enclosed payment of the fee.	
0	I have enclosed the plan of the premises.	
0	I have sent copies of this application and the plan to responsible authorities and others where applicable.	
0	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.	
0	I understand that if I do not comply with the above requirements my application will be rejected.	
0		
	[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> <li>[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).</li> <li>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)</li> </ul>	
Signature	Tim Dodgson	
Date	16/7/17	
Capacity	y Company director	

For joint applications, signature of  $2^{nd}$  applicant or  $2^{nd}$  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).

 Tim Dodgson

 46 Hermitage Street

 Crewkerne

 Post town
 TA18 8ET

 Post town
 07508957799

 If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

 Tim.dodgson@my.com

#### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout

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

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

