

Public Document Pack



Regulatory Sub Committee

Monday, 9 December 2024 12.00 p.m.
The Board Room - Municipal Building,
Widnes

S. Young

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Pamela Wallace (Chair)
Councillor John Abbott
Councillor Mike Fry

*Please contact Kim Butler on 0151 511 7496 or
kim.butler@halton.gov.uk for further information.*

The next meeting of the Committee is to be confirmed.

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

Part I

Item No.	Page No.
1. MINUTES	1 - 2
2. DECLARATION OF INTEREST (INCLUDING PARTY WHIP DECLARATIONS)	
Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary Interests, to leave the meeting during any discussion and voting on the item.	
3. APPLICATION FOR A GRANT OF A PREMISES LICENCE - 71B ALBERT ROAD, WIDNES, WA8 6JS	3 - 77

REGULATORY SUB COMMITTEE

At a meeting of the Regulatory Sub Committee on Thursday, 31 October 2024 at Municipal Building, Widnes

Present: Councillors Wallace (Chair), Dourley and A. McInerney

Apologies for Absence: None

Absence declared on Council business: None

Officers present: K. Hesketh, W. Pringle and A. Strickland

Also in attendance: None

**ITEM DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE BOARD**

REGS13 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Action

The Board considered:

- 1) whether members of the press and public should be excluded from the meeting of the Board during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972, because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and
- 2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That, as in all the circumstances of the

case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of business, in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

REGS14 LICENSING ACT 2003 - PERSONAL LICENCE

RESOLVED: Following a review and confirmation from Cheshire Police that they were in agreement with the provisional decision reached on 18 October 2024, the Personal Licence Holder be issued with a formal written warning.

Meeting ended at 12.15 p.m.

REPORT:	Regulatory Sub-Committee
DATE:	9 December 2024
REPORTING OFFICER:	Director – Legal and Democratic Services
PORTFOLIO:	Resources
SUBJECT:	Application for a grant of a Premises Licence – 71b Albert Road, Widnes, WA8 6JS
WARDS:	Appleton

1. PURPOSE OF REPORT

To assist Members of the Regulatory Committee in their consideration of an application by SER Holdings Ltd for the grant of a premises licence for 71b Albert Road, Widnes, WA8 6JS.

2. RECOMMENDATION that the committee considers the contents of the report and makes a determination on the application.

3. BACKGROUND INFORMATION

- 3.1 The premises is situated on Albert Road in Widnes Town Centre. It is surrounded by commercial premises, including several licensed premises, A copy of a plan is attached at **Appendix A**.
- 3.2 The premises has been a licensed premises since 4 September 2007, and, over time, has been known as The Imperial and more recently 71b Albert Road, Widnes. 71b Albert Road, Widnes held a licence from 21 April 2021 until it was surrendered on 3 April 2023, although Officers cannot confirm if the premises was closed before this date.
- 3.3 There are several licensed premises on Albert Road and the surrounding area, attached at **Appendix B** of this report is the list of all the licensed premises including the hours open to the public and walking distance from this premises.
- 3.4 The applicant is the new owner of the premises and applies for a premises licence in the terms set out below.

4. THE APPLICATION

4.1 The application has been made under section 17, of the Licensing Act 2003 (“the Act”).

4.2 A copy of the application can be found at **Appendix C**.

4.3 According to the application, the applicant seeks:

1. Hours open to the Public

Monday to Sunday 09:00 to 04:00

2. Supply of alcohol

Monday to Sunday 09:00 to 04:00

3. Films

Monday to Sunday 09:00 to 04:00

4. Indoor Sporting, Live Music, Recorded Music, Performance of Dance, Anything similar to live music and recorded music, Late Night Refreshment

Monday to Sunday 23:00 to 04:00

4.4 With regards to point 4.3 above, the premises can open between the hours of 08:00 to 23:00 under the Live Music Act 2012, Officers have contacted the applicant’s agent, Karl Barry who has confirmed that the application has been made with reference to the Live Music Act 2012.

4.5 Within the detailed operating schedule set out in section 18 of the application, the applicant has set out the steps they intend to take to promote the four licensing objectives. These include:-

- CCTV Recording at all times;
- A minimum of two SIA will be deployed no later than 22:00 until the close of the premises;
- Drug and weapons search policy;
- Regular walkthroughs by staff;
- Forms of ID accepted valid passport, photographic driving licence, a PASS approved proof of age, HM services warrant card or other reliable photo ID (that has been approved as acceptance by the Police)

- Challenge 25 Policy;
- Operate a refusal register
- A documented training programme shall be introduced;
- Notice on the premises asking customers to leave quietly;

4.6. These steps will form the basis for conditions on the licence.

5. REQUIREMENT FOR A HEARING

5.1 The application was submitted on 14 October 2024 and was advertised in Liverpool Echo Newspaper on 16 October 2024. Officers have confirmed that the advertisement requirements were complied with.

5.2 During the 28 days representation period, the Licensing Authority received relevant representations from four local residents, two Ward Councillors and two of the Responsible Authorities namely Cheshire Police and Cheshire Fire.

5.3 Where relevant representations have been made and not withdrawn, the licensing authority must hold a hearing to consider them (unless otherwise agreed by the parties).

5.4 The hearing is held in accordance with the Act and the Licensing Act 2003 (Hearings) Regulations 2005. The procedure to be followed has been circulated to all parties and will be repeated at the beginning of the hearing.

5.5 The hearing is solely concerned with those aspects of the application, which has been the subject of the relevant representations as defined in the Act. These are the representations made by the four residents, the two Ward Councillors, Cheshire Fire and Cheshire Police.

5.6 At the time of writing this report I have not received any indication from the Cheshire Police, Cheshire Fire, Residents or the Ward Councillor if they will be making any submissions to the Sub-Committee at the hearing. All parties have all been informed of the hearing.

6. THE REPRESENTATIONS

6.1 RESPONSIBLE AUTHORITIES

Cheshire Police

Relevant representations have been received from Cheshire Police

Attached at **Appendix D** is a copy of the objection. The objection is on the grounds that it would undermine a number of the licensing objectives including that of a prevention of crime and disorder, protection of children from harm and public nuisance.

Cheshire Fire

Relevant representation have been received from Cheshire Fire.

Attached at **Appendix E** is a copy of the objection. The objection is on the grounds that the applicant for DPS fails to run safe establishments in relation to Fire Safety Measures, based on previous interactions with the applicant at other licensed premises across the Halton and Warrington area.

6.2 ANY OTHER PERSON

Four representations have been received from local residents and two Ward Councillor who object to the grant of a premises licence on all 4 licensing grounds, with the main issue being the hours of operation and likelihood of noise nuisance and anti social behaviour. A copy of the objections can be found at **Appendix F** of this report.

7. LEGAL AND POLICY FRAMEWORK

7.1 The Sub-Committee must determine the application with a view to promoting the licensing objectives which are:

- The prevention of crime and disorder;
- The prevention of public nuisance;
- Public Safety;
- The protection of children from harm.

7.2. In making its decision, the Sub-Committee must also have regard to the national guidance issued under section 182 of the Licensing Act 2003 (“the Guidance”) and the Council’s Statement of Licensing Policy (“Policy”).

7.3 Relevant sections from the Guidance can be found at **Appendix G**.

7.4 Members' attention is also drawn to the following paragraphs of the Council's Statement of Licensing Policy:-

1. Introduction

...

5. The Council wish to promote these objectives whilst still encouraging a vibrant and sustainable entertainment and leisure industry. The Council recognises both the needs of local residents for a safe and healthy environment in which to work and live and the importance of safe and well-run entertainment and leisure facilities to the area.

...

15. The Council's vision as set out within the Corporate Strategy 2018/2020 and within Halton's fifteen year Sustainable Community Strategy 2011–2026 is that:

“Halton will be a thriving and vibrant Borough where people can learn and develop their skills; enjoy a good quality of life with good health; a high quality, modern urban environment; the opportunity for all to fulfil their potential; greater wealth and equality, sustained by a thriving business community; and safer, stronger and more attractive neighbourhoods”.

...

17. Locally due to the high levels of alcohol-related harm Halton experiences the Halton Health and Wellbeing Strategy 2017/2022 includes the reduction in the harm from alcohol as a priority area.

18. The strategy identified a number of issues which may be affected by the licensing regime in Halton including:

- A significant proportion of cases of domestic violence are alcohol related
- Alcohol related crime and alcohol related violent crimes are worse in Halton than for both the North West and England as a whole
- Alcohol specific admissions (both among adults and those aged under 18) are much higher than the national and regional averages.

19. In addition due to the high levels of alcohol-related harm Halton was one of only twenty areas in the country to be awarded the status of being a “Local Alcohol Action Area”

(LAAA). This award provided support from the Home Office and Public Health England during 2014/15 related to addressing the harm from alcohol across three areas – health, crime and anti-social behaviour, and diversifying the night time economy.

...

21. The vision of the strategy is to: “Enable people in Halton to have a sensible relationship with alcohol that promotes good health and wellbeing and ensures Halton is a safe place to live”.

22. In order to achieve this vision and minimise the harm from alcohol in Halton the strategy will seek to deliver three interlinked outcomes:

1. Reduce alcohol-related health harms
2. Reduce alcohol-related crime, antisocial behaviour and domestic abuse
3. Establish a diverse, vibrant and safe night-time economy.

22. So far as is consistent with the licensing objectives, the Council will carry out its licensing functions with a view to promoting these priorities and themes (including priorities and themes which may be adopted from time to time).

23. The Council will encourage the provision of a wide range of entertainment activities within the Halton area including promotion of live music, dance and so on, in the interests of broadening cultural opportunities within the local community.

...

34. In addressing this matter, the Council will primarily focus on the direct impact of the activities taking place at the licensed premises on members of public living, working or engaged in normal activity in the area concerned. Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in town and city centres.

[...]

48. Licensing hours

49. With regard to licensing hours, consideration will be given to the individual merits of an application.

- The Council recognises that, in certain circumstances, longer licensing hours with regard to the sale of alcohol can help to ensure that concentrations of customers leaving premises simultaneously are avoided. This is necessary to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which lead to disorder and disturbance.
- The Council also wants to ensure that licensing hours should not inhibit the development of a thriving and safe evening and night-time local economy.

50. The term “zoning” is used in the Guidance to refer to the setting of fixed trading hours within a designated area. At the moment the Council sees no need to adopt such a policy. The Council has followed the advice in the Guidance and will not be adopting such a Policy within the Borough. However, stricter conditions with regard to noise control will be expected in areas which have denser residential accommodation, but this will not limit opening hours without regard to the individual merits of any application.

...

57. Protection of children from harm

58. The Body the Council judges to be competent to act as the responsible authority in relation to the protection of children from harm is Halton Borough Council People Directorate: contact details are set out in Appendix A.

[...]

84. Plastic containers and toughened glass

85. The Council has concerns about the dangers of bottles and glasses being used as weapons. It believes that the use of safer forms of glasses can help to reduce injuries and will expect applicants to state in their operating schedule what proposals they have to minimise such injuries through the use of safer forms of glasses, bottles and other means.

86. Consideration will therefore be given to conditions requiring either the use of plastic containers or toughened glass which inflicts less severe injuries. Location and style of the venue, the activities carried on there, and the hours of operation, would be particularly important in assessing whether a condition is necessary: for example, the use of glass containers

on the terraces of outdoor sports grounds may be of concern.

87. CCTV

88. The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside licensed premises. Conditions should not just consider a requirement to have CCTV on the premises, but also the precise siting of each camera, the requirement to maintain cameras in working order, and to retain recordings for an appropriate period of time. The police should provide individuals conducting risk assessments when preparing operating schedules with advice on the use of CCTV to prevent crime.

...

92. Crime prevention

93. Conditions attached to premises licences and club premises certificates will, so far as possible, reflect local crime prevention strategies. For example, the provision of closed circuit television cameras in certain premises. Conditions will, where appropriate, also reflect the input of the local Crime and Disorder Reduction Partnership.

94 Drugs

The Council recognises that the supply and use of illegal drugs by individuals is not relevant to all licensed premises but it is recognised that conditions may need to be attached to the licences for certain venues if representations are received. The aim will be to endeavour to reduce the availability, sale, and consumption of illegal drugs and to create a safer environment for those who may have taken them. Any conditions will take into account the relevant guidance and advice from appropriate bodies. The Council expects licensees of all venues to take all reasonable steps to:

- Prevent the entry of drugs into licensed premises
- Prevent drugs changing hands within the premises

- Understand the signs of drug misuse in people so that practical steps can be taken to deal with any instances that occur
- Have appropriately trained staff to deal with drug related
- incidents.

The Council expects licensees to permit the access and use of drug dogs within the public and staff areas of the premises upon request of the Council and/or police involved in such an initiative. The increasing prominence and dangers that can occur from Novel (New) Psychotic Substances (Legal Highs) is recognised and the Council would encourage all venues to include suitable steps within their Drugs Policy to deal with legal highs. The Council will consider whether it would be appropriate to impose a condition in order to promote one or more of the statutory licensing objectives where there is evidence to do so.

95 The control of excessive Alcohol consumption

It is an offence under the Licensing Act 2003 to sell to, or obtain alcohol for, a person who is drunk on licensed premises.

In practical terms this includes:

- Selling an alcoholic drink to someone who you know is drunk
- Buying an alcoholic drink for someone who you know is drunk

The Council expects all premises licence holders to take steps to control excessive consumption and drunkenness on relevant alcohol licensed premises. All serving staff should be trained in recognising the signs of drunkenness, how to refuse service and the premises duty of care. The premise should display prominent signage at point of sale that it is an offence to sell alcohol to anyone who is drunk.

This will reduce the risk of anti-social behaviour occurring both on and away from the premises after

customers have departed. Premises licence holders are expected to be able to demonstrate a general duty of care to customers using their premises and others affected by their activities.

...

96. Capacity limits

97. Although most commonly made a condition of a licence on public safety grounds, consideration should also be given to conditions which set capacity limits for licensed premises or clubs where it may be necessary to prevent overcrowding which can lead to disorder and violence. Where such a condition is considered necessary, consideration should also be given to whether door supervisors would be needed to ensure that the numbers are appropriately controlled.

...

98. Good Management

99. Certain kinds of physical environment within places subject to premises licences (such as an over preponderance of vertical drinking) are generally thought be less conducive to avoiding crime and disorder. Good management and adequate staff training are vital. Where appropriate the provision of food in addition to alcohol can have a beneficial effect. Where food is provided it is good practice (but not mandatory under the licensing system) to have regard to current practice on healthy eating. The Council encourages premises licence holders to take an active part in local Pub Watch and Arc Angel schemes.

100. Another aspect of good management in relation to door supervision is to have proper systems in place to comply with the Private Security Industry Act 2001 and to think about how good door supervision systems can contribute to crime reduction both within and outside of premises. Applicants will be expected to have considered these and all relevant issues and to reflect these within their operating schedules

- 7.5 A full copy of the Guidance and the Council's Policy will be available at the hearing.
- 7.6 Every case must be considered on its own merits. The Sub-Committee may depart from the Guidance and Policy if there is good reason to do so. However, proper reasons must be given.
- 7.7 In addition to the above, the Committee must have regard to its wider duties under section 17 of the Crime and Disorder Act 1998 and Article 1 of the First Protocol of the Human Rights Act 1998.

8. OPTIONS

- 8.1 The Committee has the following options under Section 18 of the Act:
 - (1) Grant the variation application subject to such conditions that are consistent with the operating schedule and any mandatory conditions;
 - (2) Modify the conditions of the licence, by altering or omitting or adding to them;
 - (3) Reject the application in whole or in part.

9. POLICY IMPLICATIONS

- 9.1 None

10. FINANCIAL CONSIDERATIONS

- 10.1 There are no special financial considerations to the Authority which need to be highlighted at this stage. However, it should be noted that the decision of the sub-committee is subject to appeal to the Magistrates' Court. If an appeal is made, there will be costs associated with this.

11. IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

- 11.1 **Improving Health, Promoting Wellbeing and Supporting Greater Independence**
None
- 11.2 **Building a Strong, Sustainable Local Economy**
None
- 11.3 **Supporting Children, Young People and Families**
None

11.4 Tackling Inequality and Helping Those Who Are Most In Need

None

11.5 Working Towards a Greener Future

None

11.6 Valuing and Appreciating Halton and Our Community

None

12. RISK ANALYSIS

12.1. The Council is required to hold the hearing in accordance with the Licensing Act 2003. Failure to do so, may mean that the Council is acting in breach of its obligations under that Act.

13. EQUALITY AND DIVERSITY ISSUES

13.1 There are no equality and diversity issues to highlight.

14. CLIMATE CHANGE IMPLICATIONS

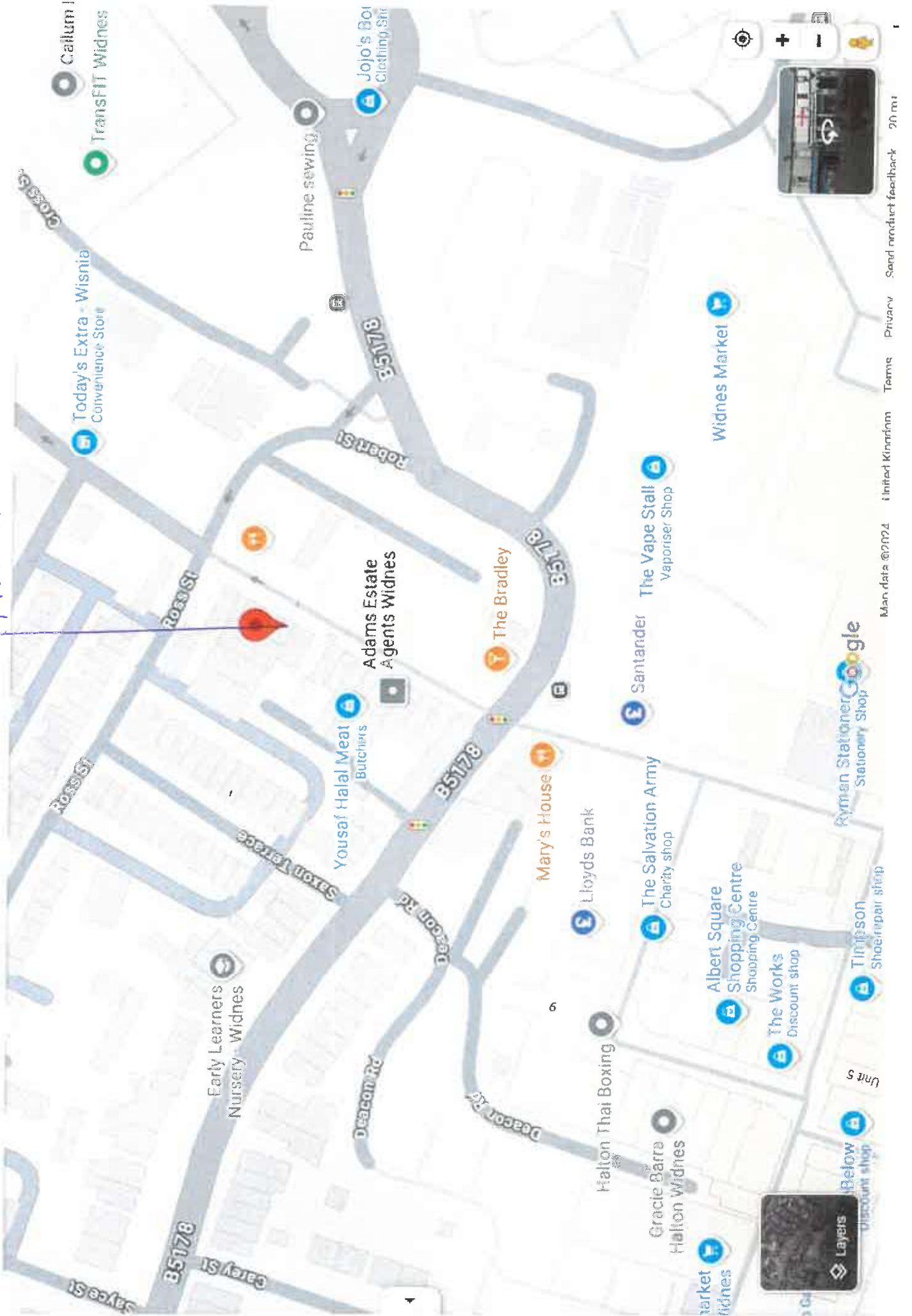
14.1 There are no climate change implications since the decision will have no effect on the environment.

15. LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Guidance issued under Section 182 of the Licensing Act 2003	Licensing Section/ Government Website see link 1 below.	Kim Hesketh
Halton Council's Statement of Licensing Policy	Licensing Section/ Council website see link 2 below.	Kim Hesketh

1. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf
2. <https://www3.halton.gov.uk/Documents/business/licencing/alcoholent/StatementofLicensingPolicy.pdf>

premises



APPENDIX B

<u>Licensed Premises</u>	<u>Distance from Banksey Bar</u>	<u>Opening hours</u>	<u>Supply of alcohol</u>
Banksey Bar 75 Albert Road Widnes	next door	Monday to Thursday 11.00 to 00.30 Friday and Saturday 11.00 to 01.30 Sunday 11.00 to 00.30	Monday to Thursday 11.00 to 00.00 Friday and Saturday 11.00 to 01.00 Sunday 11.00 to 00.00
74 Albert Road Widnes	43 ft – walking 1 min	Sunday to Thursday 11.00 to 00.00 Friday and Saturday 11.00 to 01.00	Sunday to Thursday 11.00 to 23.30 Friday and Saturday 11.00 to 00.30
Albert Local 71 Albert Road Widnes	249 ft – walking 1 min	Monday to Sunday 08.00 to 22.00	Monday to Sunday 12.00 to 22.00
Bradley 38 Albert Road Widnes	302 ft- walking 1 min	Monday to Wednesday 09.00 to 00.30 Thursday to Saturday 09.00 to 01.30 Sunday	Monday to Sunday 10.00 to 00.00

			09.00 to 00.30	
Day 2 Day Supermarket 57-59 Albert Road Widnes	203 ft – walking 1 min		Monday to Sunday 06.00 to 23.00	Monday to Sunday 06.00 to 23.00
Henry's 94 Albert Road Widnes	213ft – walking 1 min		Monday to Wednesday 16.00 to 02.30 Thursday & Friday 16.00 to 03.30 Saturday 12.00 to 03.30 Sunday 16.00 to 03.30	NO ALCOHOL SALES
Wetherspoons 93-99 Albert Road Widnes	213 ft – walking 1 min		Monday to Thursday 07:00 to 01.00 Friday & Saturday 07.00 to 01.30 Sunday 07.00 to 01.00	Monday to Thursday 09:00 to 00.00 Friday & Saturday 09.00 to 00.30 Sunday 09.00 to 00.00
Papas 105 Albert Road Widnes	364 ft – walking 1 min		Monday to Wednesday 16.00 to 01.30 Thursday 16.00 to 03.30 Friday & Saturday	NO ALCOHOL SALES

16.00 to 03.30

Sunday

16.00 to 01.30

Sweet Caroline
98 Albert Road
Widnes

515 ft – walking 2 mins

Monday to Sunday
12.00 to 00.00

NO ALCOHOL SALES

Todays Extra
78 Albert Road
Widnes

128 ft – walking 1 min

Monday to Thursday
06.00 to 00.00
Friday & Saturday
06.00 to 01.00
Sunday
06.00 to 00.00

Monday to Thursday
06.00 to 00.00
Friday & Saturday
06.00 to 01.00
Sunday
06.00 to 00.00



Halton
Application for a premises licence
Licensing Act 2003

For help contact
 legalservices@halton.gov.uk
 Telephone: 0151 511 7879

* required information

Section 1 of 21

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

System reference

Not Currently In Use

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

Your reference

KB 71b OCTOBER

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Is the applicant:

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

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

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes No

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

Is the applicant's business registered outside the UK?

Yes No

Business name

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

VAT number

 -

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

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Applicant Business Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

Include country code.

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

Are you:

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

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

Agent Business

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

Is your business registered outside the UK? Yes No

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

Business name

VAT number

Legal status

If your business is registered, use its registered name. Put "none" if you are not registered for VAT.

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21**PREMISES DETAILS**

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

Premises Address

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

 Address OS map reference Description
Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

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

Non Individual Applicant's Name

Name

SER HOLDINGS LTD

Details

Registered number (where applicable)

11091154

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

Continued from previous page...

A PRIVATE LIMITED COMPANY

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality Documents that demonstrate entitlement to work in the UK

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

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

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

Provide a general description of the premises

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

A PREVIOUSLY LICENSED PREMISES.

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

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

Continued from previous page...

SUNDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text" value="09:00"/>	End	<input type="text" value="24:00"/>

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

Indoors
 Outdoors
 Both

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

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

State any seasonal variations for the exhibition of film

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

AN EXTENSION OF ONE HOUR AT THE START OF BRITISH SUMMER TIME (BST)

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

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

AN EXTENSION FROM THE END OF LICENSABLE ACTIVITY ON NEW YEARS DAY UNTIL STANDARD RECOMMENCEMENT.

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes
 No

Standard Days And Timings

MONDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text" value="23:00"/>	End	<input type="text" value="24:00"/>

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

TUESDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text" value="23:00"/>	End	<input type="text" value="24:00"/>

Continued from previous page...

WEDNESDAY

Start End
 Start End

THURSDAY

Start End
 Start End

FRIDAY

Start End
 Start End

SATURDAY

Start End
 Start End

SUNDAY

Start End
 Start End

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

State any seasonal variations for indoor sporting events

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

AN EXTENSION OF ONE HOUR AT THE START OF BST.

Non-standard timings. Where the premises will be used for indoor sporting events at different times from those listed in the column on the left, list below

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

AN EXTENSION FROM THE END OF LICENSABLE ACTIVITY ON NEW YEARS DAY UNTIL STANDARD RECOMMENCEMENT.

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Continued from previous page...

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

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Start

End

THURSDAY

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FRIDAY

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SATURDAY

Start

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End

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

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

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

Continued from previous page...

State any seasonal variations for the performance of live music

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

AN EXTENSION OF ONE HOUR AT THE START OF BST.

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

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

AN EXTENSION FROM THE END OF LICENSABLE ACTIVITY ON NEW YEARS DAY UNTIL STANDARD RECOMMENCEMENT.

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

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End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text" value="23:00"/>	End	<input type="text" value="24:00"/>

SATURDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text" value="23:00"/>	End	<input type="text" value="24:00"/>

SUNDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text" value="23:00"/>	End	<input type="text" value="24:00"/>

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

Indoors
 Outdoors
 Both

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

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

State any seasonal variations for playing recorded music

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

AN EXTENSION OF ONE HOUR AT THE START OF BST.

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

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

AN EXTENSION FROM THE END OF LICENSABLE ACTIVITY ON NEW YEARS DAY UNTIL STANDARD RECOMMENCEMENT.

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes
 No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

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

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

State any seasonal variations for the performance of dance

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

AN EXTENSION OF ONE HOUR AT THE START OF BST.

Continued from previous page...

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

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

AN EXTENSION FROM THE END OF LICENSABLE ACTIVITY ON NEW YEARS DAY UNTIL STANDARD RECOMMENCEMENT.

Section 13 of 21

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

See guidance on regulated entertainment

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

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

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Start

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THURSDAY

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FRIDAY

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SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Give a description of the type of entertainment that will be provided

Will this entertainment take place indoors or outdoors or both?

- Indoors
 Outdoors
 Both

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

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

State any seasonal variations for entertainment

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

AN EXTENSION OF ONE HOUR AT THE START OF BST.

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

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

AN EXTENSION FROM THE END OF LICENSABLE ACTIVITY ON NEW YEARS DAY UNTIL STANDARD RECOMMENCEMENT.

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes
 No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text" value="23:00"/>	End	<input type="text" value="24:00"/>

WEDNESDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text" value="23:00"/>	End	<input type="text" value="24:00"/>

THURSDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text" value="23:00"/>	End	<input type="text" value="24:00"/>

FRIDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text" value="23:00"/>	End	<input type="text" value="24:00"/>

SATURDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text" value="23:00"/>	End	<input type="text" value="24:00"/>

SUNDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text" value="23:00"/>	End	<input type="text" value="24:00"/>

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

- Indoors
- Outdoors
- Both

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

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

State any seasonal variations

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

AN EXTENSION OF ONE HOUR AT THE START OF BST.

Continued from previous page...

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

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

AN EXTENSION FROM THE END OF LICENSABLE ACTIVITY ON NEW YEARS DAY UNTIL 05:00 HOURS.

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

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FRIDAY

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End

SATURDAY

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End

SUNDAY

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End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

AN EXTENSION OF ONE HOUR AT THE START OF BST.

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

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

AN EXTENSION FROM THE END OF LICENSABLE ACTIVITY ON NEW YEARS DAY UNTIL STANDARD RECOMMENCEMENT.

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

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Continued from previous page...

Issuing licensing authority
(if known)

ST. HELENS COUNCIL

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

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

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

N/A

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text" value="09:00"/>	End	<input type="text" value="24:00"/>

SATURDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text" value="09:00"/>	End	<input type="text" value="24:00"/>

SUNDAY

Start	<input type="text" value="00:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text" value="09:00"/>	End	<input type="text" value="24:00"/>

State any seasonal variations

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

AN EXTENSION OF ONE HOUR AT THE START OF BST.

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

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

AN EXTENSION FROM THE END OF LICENSABLE ACTIVITY ON NEW YEARS DAY UNTIL STANDARD RECOMMENCEMENT.

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

ACCORDANCE WITH THE LICENSING ACT (2003).
 CONFORMITY WITH FOOD HYGIENE (ENGLAND) REGULATIONS 2006.
 CONFORMITY TO THE GENERAL DATA PROTECTION REGULATIONS 2016
 ADHERENCE TO THE DATA PROTECTION ACT (2018).
 ADHERENCE TO THE PROTECTION OF FREEDOMS ACT (2012).
 CONFORMITY WITH THE REGULATORY REFORM (FIRE SAFETY). ORDER 2005.
 OBSERVANCE OF THE HEALTH ACT (2005).
 CONFORMITY WITH THE HEALTH & SAFETY AT WORK ACT (1974).
 WITH REFERENCE TO THE MISUSE OF DRUGS ACT (1971).

b) The prevention of crime and disorder

Continued from previous page...

A CCTV SYSTEM SHALL BE USED AND SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE CHESHIRE CONSTABULARY'S CCTV GUIDANCE DOCUMENT CALLED 'CCTV IN LICENSED PREMISES – AN OPERATIONAL REQUIREMENT'. THIS SYSTEM SHALL BE IN OPERATION AT ALL TIMES WHEN LICENSABLE ACTIVITIES ARE TAKING PLACE.

RECORDED CCTV IMAGES WILL BE MAINTAINED AND STORED FOR A PERIOD OF TWENTY-EIGHT DAYS.

A STAFF MEMBER FROM THE PREMISES WHO IS CONVERSANT WITH THE OPERATION OF THE CCTV SYSTEM SHALL BE ON THE PREMISES AT ALL TIMES WHEN THE PREMISES ARE OPEN TO THE PUBLIC.

THIS STAFF MEMBER SHALL BE ABLE TO SHOW/PROVIDE FOOTAGE TO A POLICE OFFICER DATA OR FOOTAGE UPON REQUEST.

THE DESIGNATED PREMISES SUPERVISOR (DPS) WILL DEMONSTRATE THAT THE CCTV SYSTEM COMPLIES WITH THE OPERATIONAL REQUIREMENTS AS FOLLOWS:-

- RECORDINGS ARE FIT FOR THEIR INTENDED PURPOSE,
- GOOD QUALITY IMAGES ARE PRESENTED TO THE OFFICER IN A FORMAT THAT CAN BE REPLAYED ON A PC, LAPTOP OR TABLET.
- THE SUPERVISOR HAS AN UNDERSTANDING OF THE EQUIPMENT/TRAINING,
- MANAGEMENT RECORDS ARE KEPT,
- MAINTENANCE AGREEMENTS AND RECORDS ARE MAINTAINED,
- DATA PROTECTION PRINCIPLES AND SIGNAGE ARE IN PLACE.

A MINIMUM OF TWO SIA REGISTERED DOOR SUPERVISORS WILL BE DEPLOYED FROM NO LATER THAN 22:00 UNTIL THE CLOSE OF THE PREMISES ON NIGHTS WHEN THE SERVICE OF ALCOHOL CONTINUES AFTER MIDNIGHT.

A WRITTEN RECORD SHALL BE KEPT ON THE PREMISES BY THE DPS OF EVERY PERSON DEPLOYED ON THE PREMISES AS A SIA DOOR SUPERVISOR IN A REGISTER KEPT FOR THAT PURPOSE.

THAT RECORD SHALL CONTAIN THE FOLLOWING DETAILS:

- THE DOOR SUPERVISORS NAME, DATE OF BIRTH, TELEPHONE NUMBER & HOME ADDRESS
- THEIR SECURITY INDUSTRY AUTHORITY LICENCE NUMBER IN FULL
- THE TIME AND DATE THEY STARTS AND FINISHES DUTY
- THE TIME OF ANY BREAKS TAKEN WHILST ON DUTY
- EACH ENTRY SHALL BE SIGNED BY THE DOOR SUPERVISOR.

THE REGISTER SHALL BE AVAILABLE FOR INSPECTION ON DEMAND BY A POLICE OFFICER.

THE REGISTER SHALL COMPRISE OF A BOUND BOOK WITH CONSECUTIVELY NUMBERED PAGES.

DOOR STAFF SHALL WEAR EITHER A HIGH VISIBILITY VEST OR THEY WILL HAVE A HIGH VISIBILITY ARM BAND TO DISPLAY THEIR SIA BADGE AND TO ENSURE THEY ARE ALWAYS VISIBLE TO CUSTOMERS AND OTHER MEMBERS OF STAFF.

THE LICENCE HOLDER SHALL ENSURE THAT CUSTOMERS ARE CONTINUALLY MONITORED FOR SIGNS OF DISORDER SO THAT SITUATIONS ARE DIFFUSED BEFORE THEY ESCALATE.

THE PLH OR DPS WILL BRIEF DOOR SUPERVISORS AT THE START OF EACH SHIFT ON THEIR EXPECTATIONS ALONG WITH ANY POLICIES AND MEASURES REQUIRED TO COMPLY WITH THE CONDITIONS OF THE LICENCE.

THE PREMISES LICENCE HOLDER (PLH) OR DPS WILL CHECK ALL DOOR SUPERVISORS BADGE NUMBERS ON THE SIA WEBSITE ONCE A MONTH TO ENSURE THAT THERE ARE NO SUSPENSIONS OR REVOCATIONS.

THESE CHECKS ARE TO BE RECORDED IN A BOOK SPECIFICALLY KEPT FOR THAT PURPOSE.

THIS RECORD IS TO BE MADE AVAILABLE TO POLICE OFFICERS ON REQUEST.

THE LICENCE HOLDER SHALL ENSURE THAT IF PATRONS ARE REMOVED, THEY MUST BE MONITORED TO ENSURE THAT VIOLENT BEHAVIOUR DOES NOT CONTINUE IMMEDIATELY OUTSIDE.

IF NECESSARY, THE LICENCE HOLDER SHALL ENSURE THAT THE POLICE ARE INFORMED AT AN EARLY STAGE.

THE LICENCE HOLDER SHALL ENSURE THAT BAR STAFF/DOOR STAFF SHALL BE ATTENTIVE AS TO HOW INTOXICATED CUSTOMERS ARE BECOMING.

IF BAR STAFF DETECT SUCH A MATTER, THEN DOOR STAFF SHALL BE INFORMED.

THE LICENCE HOLDER SHALL ENSURE THAT IF IT IS BELIEVED THAT A CUSTOMER IS DRUNK THEN FURTHER SERVICE SHALL BE REFUSED.

THE LICENCE HOLDER SHALL ENSURE THAT DOOR STAFF SHALL REFUSE ENTRY TO POTENTIAL CUSTOMERS WHO APPEAR TO BE DRUNK.

THE PREMISES SHALL MAINTAIN AN INCIDENT LOG, WHICH WILL RECORD THE FOLLOWING INFORMATION:

- ANY INCIDENTS OF DISORDER
- WHERE REPORTED TO THE POLICE THE INCIDENT NUMBER SHOULD BE RECORDED.
- ANY VISITS BY RESPONSIBLE AUTHORITIES WITH ANY ISSUES OR RECOMMENDATIONS
- REQUESTS TO PROVIDE CCTV
- THE INCIDENT BOOK WILL BE MADE AVAILABLE TO THE POLICE UPON REQUEST.

Continued from previous page...

THE LICENCE HOLDER SHALL ENSURE THAT A RANDOM DRUGS AND WEAPONS SEARCH POLICY IS IMPLEMENTED. THAT THE POLICY IS TO BE DOCUMENTED, AND POSTERS DISPLAYED ADVISING PATRONS THAT THE POLICY IS IN PLACE ANYONE FAILING TO COMPLY SHALL BE REFUSED ENTRY.

THE LICENCE HOLDER SHALL ENSURE THAT ALL STAFF ARE VIGILANT FOR SIGNS OF DRUG ABUSE AND REPORT ANY SUSPICIOUS ACTIVITY TO THE DPS OR DUTY MANAGER.

THE MANAGEMENT SHALL ENSURE THAT ALL POSITIVE SEARCHES ARE NOTIFIED TO POLICE IMMEDIATELY AND CCTV IMAGES ARE TO BE RETAINED AND PROVIDED TO THE POLICE.

NO STAFF SHALL PUT THEMSELVES AT RISK IN ATTEMPTS TO DETAIN OFFENDERS.

THERE SHALL BE NO ENTRY/RE-ENTRY TO THE PREMISES 1 HOUR BEFORE THE TERMINAL HOUR FOR THE SALE/SUPPLY OF ALCOHOL.

A METHOD OF COMMUNICATION BETWEEN ANY PREMISES DESIGNATED BY THE COUNCIL OR POLICE, FROM TIME TO TIME, OR THE COUNCIL'S CCTV CONTROL ROOM WATCH BY WAY OF TEXT/PAGER OR RADIO LINKS SHALL BE PROVIDED AT THE PREMISES.

SUCH COMMUNICATIONS EQUIPMENT SHALL BE KEPT IN GOOD WORKING ORDER AND BE SWITCHED ON AND IMMEDIATELY AVAILABLE AT ALL TIMES WHEN THE PREMISES IS OPEN FOR LICENSABLE ACTIVITY.

THE COMMUNICATIONS LINK WILL BE MONITORED BY THE DPS OR A NOMINATED MEMBER OF STAFF.

NO PERSON IN POSSESSION OF ALCOHOL IN A SEALED OR UNSEALED CONTAINER SHALL BE ALLOWED TO ENTER THE PREMISES EXCEPT FOR THE PURPOSES OF DELIVERY.

NO DRINK SHALL BE SOLD FROM A BAR OR BY STAFF SERVICE OR CONSUMED ON THE OUTSIDE AREA OTHER THAN IN A CONTAINER MADE FROM NON-SPLINTERING PLASTIC, PAPER OR SHATTERPROOF GLASS.

NO DRINK SHALL BE REMOVED FROM THE PREMISES IN AN UNSEALED CONTAINER.

c) Public safety

STAFF MEMBERS WILL CONDUCT REGULAR WALKTHROUGHS TO MONITOR ALL AREAS TO ENSURE GOOD ORDER. STAFF WILL REGULARLY REMOVE BOTTLES, GLASSES AND REMOVE ANY BREAKAGES IMMEDIATELY TO REDUCE RISK OF INJURY.

APPROPRIATE AND SUFFICIENT FIRST AID PROVISIONS WILL BE AVAILABLE AT THE PREMISES AT ALL TIMES.

REGULAR SAFETY CHECKS SHALL BE CARRIED OUT BY STAFF.

THE VENUE WILL PUT IN PLACE A VULNERABILITY POLICY WHICH WILL SET OUT HOW THE VENUE WILL MANAGE SPECIFIC SITUATIONS AROUND VULNERABILITY TAKING INTO ACCOUNT THE GUIDANCE ON THIS PROVIDED BY THE NATIONAL PUBWATCH.

d) The prevention of public nuisance

A NOTICE(S) SHALL BE ON DISPLAY IN THE PREMISES ASKING CUSTOMERS TO LEAVE THE PREMISES QUIETLY.

THE PREMISES LICENCE HOLDER SHALL HAVE A WRITTEN DISPERSAL POLICY WHICH ALL STAFF WILL BE AWARE OF AND COMPLY WITH TO ENSURE THE SAFE AND QUICK DISPERSAL OF CUSTOMERS AT THE END OF TRADING.

DOOR SUPERVISORS WILL MONITOR THE EXTERIOR OF THE PREMISES TO REMIND CUSTOMERS TO RESPECT RESIDENTS ON THEIR WAY HOME AND TO ENSURE CUSTOMERS LEAVE THE AREA QUICKLY AND QUIETLY.

e) The protection of children from harm

A "CHALLENGE 25" POLICY SHALL BE OPERATED AT THE PREMISES AT ALL TIMES.

THE ONLY FORMS OF ID THAT SHALL BE ACCEPTED (AT THE DISCRETION OF THE MANAGEMENT) AS PROOF OF AGE ARE A VALID PASSPORT, A VALID PHOTOGRAPHIC DRIVING LICENCE, A PASS APPROVED PROOF OF AGE CARD, HM SERVICES WARRANT CARD OR OTHER RELIABLE PHOTO ID (THAT HAS BEEN APPROVED FOR ACCEPTANCE BY THE POLICE).

PUBLICITY MATERIALS NOTIFYING CUSTOMERS OF THE OPERATION OF THE "CHALLENGE 25" SCHEME SHALL BE DISPLAYED AT THE PREMISES.

THE DPS OR PLH SHALL OPERATE AND MAINTAIN AN UP-TO-DATE REGISTER OF REFUSALS OF SALE OF ALCOHOL, INDICATING THE DATE, TIME AND REASON FOR REFUSAL WHICH SHALL BE MADE AVAILABLE FOR INSPECTION BY LOCAL AUTHORITY OFFICERS AND THE POLICE.

THE DPS OR OTHER RESPONSIBLE PERSON SHALL CHECK AND SIGN THE REGISTER ONCE A WEEK.

ALTERNATIVELY, AN ELECTRONIC POINT OF SALE REFUSALS LOG SHALL BE KEPT.

A DOCUMENTED TRAINING PROGRAMME SHALL BE INTRODUCED FOR ALL STAFF IN A POSITION TO SELL, SERVE OR

Continued from previous page...

DELIVER ALCOHOL. A WRITTEN RECORD FOR EACH MEMBER OF STAFF SHALL BE KEPT OF THE CONTENT OF SUCH TRAINING AND SHALL BE MADE AVAILABLE FOR INSPECTION AT THE REQUEST OF WEIGHTS & MEASURES OFFICERS AND POLICE. THE DPS OR PREMISES LICENCE HOLDER SHALL CONDUCT SIX MONTHLY TRAINING REVIEWS WITH ALL MEMBERS OF STAFF AUTHORISED TO SELL, SERVE OR DELIVER ALCOHOL IN ORDER TO REINFORCE THE TRAINING AND TO PROMOTE BEST PRACTICE.

A WRITTEN RECORD FOR EACH MEMBER OF STAFF SHALL BE KEPT OF THE CONTENT OF SUCH REVIEWS AND SHALL BE MADE AVAILABLE FOR INSPECTION AT THE REQUEST OF WEIGHTS & MEASURERS OFFICERS AND POLICE.

A LIST OF PERSONS AUTHORISED TO SELL ALCOHOL SHALL BE KEPT ON SITE AND MADE AVAILABLE FOR INSPECTION AT THE REQUEST OF WEIGHTS & MEASURES OFFICERS AND POLICE.

CLEARLY VISIBLE SIGNAGE IS TO BE DISPLAYED AT THE ENTRANCES AND AT POINTS OF SALE INDICATING IT IS ILLEGAL TO SELL ALCOHOL TO PEOPLE UNDER THE AGE OF 18.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

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

Section 21 of 21**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

315.00

DECLARATION

Continued from previous page...

[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)

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

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

* Full name

* Capacity

* Date / /
 dd mm yyyy

[Add another signatory](#)

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

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

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

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

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

OFFICE USE ONLY

Applicant reference number	KB 71b OCTOBER
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) Next >

CONSENT OF INDIVIDUAL TO BEING SPECIFIED AS DESIGNATED PREMISES SUPERVISOR (DPS)

I **STEVEN WILLIAM HEWITT**

[full name of prospective premises supervisor]

of

[home address of prospective premises supervisor]

[REDACTED]

hereby confirm that I give my consent to be specified as the DPS in relation to the application for

[type of application]

THE GRANT OF A PREMISES LICENCE.

by

[name of applicant]

SER HOLDINGS LTD

for

[name and address of premises to which the application relates]

71b ALBERT ROAD, WIDNES, CHESHIRE WA8 6JS.

and any premises licence to be granted or varied in respect of this application made by

[name of applicant]

SER HOLDINGS LTD

concerning the supply of alcohol at

[name and address of premises to which application relates]

71b ALBERT ROAD, WIDNES, CHESHIRE WA8 6JS.

I also confirm that I am entitled to work in the United Kingdom and am a currently hold a personal licence,

details of which I set out below:

Personal licence number

[insert personal licence number, if any]

PA1149

Personal licence issuing authority:

[insert name of personal licence issuing authority, if any]

ST. HELENS COUNCIL

Signed

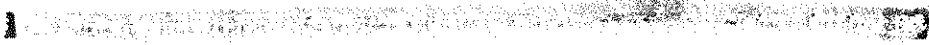
[REDACTED]

Name (please print)

STEVEN WILLIAM HEWITT

Date

3rd OCTOBER 2023



Representation Form.

Responsible Authority.

POLICE

Your Name	Lesley Halliday
Job Title	Police Licensing Officer
Postal and email address	Warrington Police Station, Charles Stewart House, 55 Museum Street, Warrington, WA1 1NE [REDACTED]
Contact telephone number	[REDACTED]

Name of the premises you are making a representation about.	
Address of the premises you are making a representation about.	71b Albert Road, Widnes, WA8 6JS

Which of the four licensing Objectives does your representation relate to? Please state yes or no.	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
The Prevention of harm to children	Yes	See below
To prevent Public Nuisance	Yes	See below
To prevent crime and disorder	Yes	See below
Public Safety		

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	See Below:
--	------------

COMMENTS:

On behalf of Cheshire Constabulary, I would like to record an objection to the application for the grant of a new premises licence in respect of 71B Albert Road, Widnes, WA8 6JS.

It is the considered view that if granted this premises licence would undermine a number of the licensing objectives including that of prevention of crime and disorder, protection of children from harm and Public Nuisance.

This premises has previously operated as a sports bar/public house with the latest hours being until 02:00am. The plans submitted with this application suggest that the new applicant is going to be operating the premises more as a nightclub, which is not appropriate given the location and that there are residential properties close by.

The hours the applicant is seeking which would see the premises operating until 04:00 are also not appropriate for the location of the premises and would likely have a negative impact on the local community in terms of public nuisance and anti-social behaviour which can be associated with such establishments. It is also the Constabulary's experience that later drinking hours increase the risk in alcohol related crime and disorder.

The Constabulary also have concerns regarding the proposed DPS Mr Steven Hewitt, the Constabulary have recently tried to prosecute Mr Hewitt for licensing offences and therefore feel that he would not be an appropriate person to be operating a late-night establishment.

I am aware of a number of premises operated by Mr Hewitt where compliance with the conditions on the premises licence is not being adhered to, so although the applicant has offered a robust operating system, it is the Constabulary's view that these conditions would not be adhered to.

The constabulary would therefore ask the licensing committee to refuse this application as we feel that granting it would undermine the licensing objectives and have a detrimental effect on the residents.

Signed:

Lesley Halliday

Date: 08/11/2024



Cheshire
Fire & Rescue Service



FAO Kim Hesketh
Licencing Manager
Via E Mail

Please ask for: Mark Pollard
Address: Cheshire Fire & Rescue Service
Winwick Road
Warrington
WA2 8HH

Telephone: [REDACTED]

Email: [REDACTED]

Ref: H0401339

Website: <https://www.cheshirefire.gov.uk/fire-protection/>

Date: 01 November 2024

To Whom It May Concern,

LICENSING ACT 2003 - MAKING AN OBJECTION

PREMISES: 71B ALBERT ROAD, WIDNES, WA8 6JS

The information supplied in support of an application for a grant of approval of licence dated 14 October 2024 has been examined by the Cheshire Fire Authority. We wish to make an objection to the Local Authority because we are of the opinion that general fire precautions have not been adequately addressed.

The applicant will also be contacted to notify them of this.

The area(s) of concern are as follows:

- We are of the opinion that the applicant for DPS fails to run safe establishments in relation to Fire Safety Measures. This opinion is based on previous interactions with the applicant at other licenced premises across the Halton and Warrington area.
- Furthermore; We are of the opinion, based on previous interactions that persons living at premises operated by the applicant are placed at risk of death or serious injury in the event of a fire.

We are not at liberty to provide further details as part of this correspondence, however Information can be provided directly to the licencing committee if required.

This letter is without prejudice to any enforcement action that Cheshire Fire Authority may take under fire safety legislation.

Please contact the inspecting officer named above should you wish to discuss this matter.

Yours faithfully,



Mark Pollard

for CHESHIRE FIRE AUTHORITY

Objection received from Cllr E Jones received on 26 October at 11.55 – Cllr Jones has confirmed that he is objecting to the application as a Ward Councillor.

Hello Kim. I too object to this application , on behalf of neighbouring residents, due to obvious and unavoidable detriment to local wellbeing . Thank you.
Eddie.

Objection received from Cllr G Philbin received on 22 October at 12.25 – Cllr Philbin has confirmed that he is objecting to the application as a Ward Councillor.

Hi Kim

Can I register my objections to the license premises Application of 71B Albert Road Widnes . my objections are based on the hours of opening although this is a town centre facility. It is extremely close to residential properties. and my concern is that it will have a detrimental effect on local residence
Regards.

Kim Hesketh nee Fisher

From: Kev O'Brien [redacted]
Sent: 10 November 2024 17:46
To: Kim Hesketh nee Fisher
Subject: Imperial license application

Follow Up Flag: Follow up
Flag Status: Completed

To whom it may concern

I am a home owner on Saxon Terrace who's property starts less than a couple of metres from the rear of the Imperial night club rear doors.

Firstly its location is in a very densely populated area which homes a lot of young families (I have a 1 year old and a 5 year old) the request for a 4am license is a recipe for a lot of large drunken groups creating anti social behaviour.

The request to play Music til 4am in the morning would create a nuisance for all local residents and just isnt viable, it would also affect house prices because who would want to be kept awake til 4am every weekend?

Thank you.

Kim Hesketh nee Fisher

From: yvonne jones [REDACTED]
Sent: 10 November 2024 13:39
To: Kim Hesketh nee Fisher
Subject: Licensing hours of imperial pub

Follow Up Flag: Follow up
Flag Status: Completed

Dear Kim

I'm writing this e-mail to object to the proposed licencing hours of former pub the Imperial on Widnes Road. The 4am closing hours is absolutely our worst nightmare for us residents in Ross Street and Saxon terrace which is directly behind the Imperial. We have resided in Ross Street for 30 years. Banksey's bar have been granted a 1am licence (which we did object to no avail) surely 4am in a residential area is far too late, people have to get up for work, children have to get up for school. Please take into consideration the effects this will have on us residents.

Regards

Anthony and Yvonne Jones

[REDACTED]
Widnes
[REDACTED]

10 Nov 2024

Dear Sir/Madam,

Re: Application for a Premise Licence 71B Albert Road, Widnes
WA8 6JS.

Applicant: SER Holdings Ltd

I would like to submit an objection to the application that has been submitted to the Council, by the above named, on the grounds of The Prevention of Public Nuisance and The Protection of Children from Harm.

My objection to the application is as follows;

Although the premises are on the section of Albert Road that runs between Deacon Road and Peelhouse Lane it is close to a residential area. The area is currently already saturated with 8 takeaways, 3 pubs, 2 cafes, and an ice cream parlour. The premises { 71B Albert Road } was previously a pub which never reopened after Covid. When it was open there was music played, both live and taped, and football games shown on the tv. the premises does have double set of doors into the premise which when closed cut down potential noise nuisance. However Neighbours in Saxon Terrace which back onto the pub, were often disturbed late at night when the back doors of the pub were open. They were also disturbed when staff went outside the back of the pub when they had their break as voices travel when its late at night. Also when the empty bottles were being thrown into the trade bin throughout the evening including the end of trading hours causing a noise nuisance.

Perhaps to reduce the risk of potential noise disturbance the Committee could consider restricting the times when staff empty bottles bottles into the trade waste bin. Also perhaps the back doors to the premises should remain closed at all times and should staff want to smoke/vape then they should use the

designated smoking area within the establishment.

Unfortunately I haven't been able to see the full application as I have been out of the country for over 3 weeks so have had limited time to forward my objection. From the application I am assuming that the applicant wishes to operate the premises as a club and not a pub given the closing time of 4am! I understand that there is currently an establishment called The Venue, The Old Town Hall in Victoria Square that opens Friday and Saturday till 4am. Its location is ideal as when customers come out of the establishment at the end of the evening there are no residential properties affected by noise. I do not believe that Widnes needs a second venue open till 4am? And definitely not in a residential area.

I am very concerned that the application wishes to be open for **19** hours a day, **seven days a week**. Who is going to frequent the premises till 4am every morning? How much noise nuisance will this bring to local residents?

The notice that is taped to the window of the premises states:

- showing films from **9am**, I assume this means that this would continue till closing time??
- indoor sporting events from **23:00**. Not sure what this actually means.
- live and recorded music and performance of dance and anything of similar description from **23:00** seven days a week. Does this mean that there won't be any music from 9am till 23:00??
- sell alcohol **both on and off** the premises from **9am to 4am** seven days a week. I assume this means that customers can use the premises as an off licence if they haven't had enough to drink during their time there?

There will be additional foot and vehicle traffic as customers visit the premises resulting in noise and disturbance to residents in surrounding streets as customers come and go. Residents

experienced this when the premises was previously trading,

There is no dedicated car park to the premises and very limited parking on Albert Road. There is a small car park at the back of Albert Road/Deacon Road but this is always full as residents of the surrounding flats who live above the shops park there. It is likely that customers will then look to park in the residential streets surrounding the premises rather than park in the car park at Albert Square.

The part of Albert Road where the premises are situated has double yellow lines on both sides of the road. Drivers currently park on the double yellow lines, on a regular basis making the road narrow. Buses struggle to get through especially when deliveries are being made to other retail businesses on that section of road. Taxis dropping customers off to the pub or picking them up will have to stop on the double yellow lines causing congestion. Also when the premises were previously trading taxis would regularly make an informal taxi rank, on Albert Road, on the same side of the road as the pub is on whilst awaiting customers coming out of the pub. Taxis also used to park across the bus stop preventing the buses from driving to the kerb for disabled access. I myself had experience on numerous occasions being unable to board the bus due to being on crutches. This isnt a problem once the buses stop at 11pm but will cause a nuisance during the day if the taxis do the same thing as previously.

There are people living in some of the flats above the retail businesses in the vicinity of the pub and these people will be affected should the application be successful. There is also a development of luxury flats in the building opposite the premises. Whoever owns the properties is unlikely to find tenants who want to live opposite a pub that is open 19 hours a day 7 days a week.

There will potentially be constant noise disturbance for local residents during the day and evening when the premises is open from people talking as they walk back to their car, or are walking through the streets to get to their own home. In addition noise from people getting in and out of taxis with doors slamming and noise

from people waiting for taxis. It is likely that people will have had a drink and as we all know people get louder and louder as time goes on and as everyone knows sound travels late at night causing a noise nuisance.

I am also very concerned that if this application is successful and the premises are allowed to trade till 4am will other bars apply to extend their hours? Will the late shop [which is yards away from the pub] currently open till 1:30am apply to extend their hours so people leaving the pub can buy alcohol, cigarettes and food etc from them? Will the pizza and kebab shops apply to extend their hours as well?? Where will it end?

As local residents we accept that some noise is expected due to the number of pubs/takeaways that are in this small area but we are entitled to live our lives in peace and quiet and go to bed for a peaceful nights sleep, 7 nights a week. Residents have to get up and go to work and children should not have to go to school feeling tired because their sleep has been disturbed by potential noise up to 7 days a week.

I would ask the Committee to consider amending the proposed hours of opening to reflect the closing times of the other pubs which are in the same road as the applicants premises, i.e. The Bradley, Bankseys Bar and Wetherspoons and not be allowed to open till 4am every day.

I believe that by restricting the opening hours in the application, it will prevent any risk of public nuisance and will protect children living in the surrounding streets from harm.

I would ask the Committee, that when considering this application that the health and wellbeing of local residents is taken into consideration and the impact of approving such long hours on local residents.

Residents of Ross Street/Saxon Terrace have worked together with the Council and Council Members over the past few years in relation to noise nuisance from pubs in the area and with their help have improved the quality of life for most of the local residents. I

would ask the Committee, that when considering this application that the health and wellbeing of local residents is taken into consideration and the impact of approving such long hours would have on them.

I would like to thank the Committee in anticipation for considering the points made in my letter of objection.

Kind regards,

Lyn Fletcher

Kim Hesketh nee Fisher

From: Annmarie McNamara [mailto:annmarie16@googl...]
Sent: 11 November 2024 17:54
To: Kim Hesketh nee Fisher
Subject: Imperial Application

Dear Kim,

I'm sending this email as I wish to object to the application for the imperial new licensing and opening hours. The new opening hours will most definitely increase noise and disorder for nearby residents including myself. I live in Saxon Terrace and our house is directly opposite the back of the Imperial. I have two young children, one of which sleeps in a bedroom at the back of our house. We already have an awful lot of noise at the back of our property coming from other establishments nearby. This would certainly be intensified by the proposed later opening hours. It would become impossible for us to have windows open at the back of our property, especially in the warmer months. I am also greatly concerned about the increase of drunken disturbances in our street by people coming/going from the premises. A number of residents in my street have already had damage to our cars by people leaving other pubs nearby. They have been scratched with keys and other objects, food thrown over them and more recently sprayed with spray paint. During the weekend it is not unusual to open the front door to find glasses/bottles and take away food left by people leaving these pubs. This will only be increased once another establishment is opened nearby. There is a entrance at the side of our property and there is often broken glass left by people who have smashed bottles on their way home from the pub. Very worrying when you have two small children in the house.

The proposal for such late opening times will only bring stress and duress to all the residents living in this area. I hope it is carefully considered.

Kind Regards
Annmarie McNamara
Sent from my iPhone

Licensing objectives and aims

1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

1.3 The licensing objectives are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

1.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
- recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

[...]

Licence conditions – general principles

1.16 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.

Each application on its own merits

1.17 Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. 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.

[...]

Crime and Disorder

2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led

operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.

2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.

2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that evidence of a right to work check, either physical or digital (e.g. a copy of any document checked as part of a right to work check or a clear copy of the online right to work check) are retained at the licensed premises.

Public nuisance

2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.

2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

Protection of children from harm

2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.

2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:

- adult entertainment is provided;
- a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

2.24 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific

incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

2.25 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- restrictions on the hours when children may be present;
- restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
- restrictions on the parts of the premises to which children may have access;
- age restrictions (below 18);
- restrictions or exclusions when certain activities are taking place;
- requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place.

2.28 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.

2.29 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.

2.30 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

2.31 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

[...]

Late night refreshment

3.12 Schedule 2 to the 2003 Act provides a definition of what constitutes the provision of late night refreshment. It involves the supply of 'hot food or hot drink' between the hours of 23.00 and 05.00 to the public for consumption on or off the premises. It includes the supply of hot food or hot drink between those hours on premises to which the public has access. Under Schedule 2, food or drink is considered to be 'hot' if, before it is supplied, it has been heated on the premises or elsewhere for the purpose of enabling it to be consumed at a temperature above the ambient air temperature and at the time of supply it is above that temperature; or after it is supplied, may be heated on the premises for the purpose of enabling it to be consumed at a temperature above the ambient air temperature.

3.13 Shops, stores and supermarkets selling only cold food and cold drink, whether it is immediately consumable or not, from 23.00 are not licensable as providing late night refreshment. The 2003 Act affects premises such as night cafés and takeaway food outlets where people may gather to purchase hot food or drink at any time from 23.00 and until 05.00. In this case, supply takes place when the hot food or hot drink is given to the customer and not when payment is made. For example, supply takes place when a table meal is served in a restaurant or when a takeaway is handed to a customer over the counter.

3.14 Some premises provide hot food or hot drink between 23.00 and 05.00 by means of vending machines. The supply of hot drink by a vending machine is not a licensable activity and is exempt under the 2003 Act provided the public have access to and can operate the machine without any involvement of the staff.

3.15 However, this exemption does not apply to hot food. Premises supplying hot food for a charge by vending machine are licensable if the food has been heated on the premises, even though no staff on the premises may have been involved in the transaction.

3.16 It is not expected that the provision of late night refreshment as a secondary activity in licensed premises open for other purposes such as public houses, cinemas or nightclubs or casinos should give rise to a need for significant additional conditions.

3.17 The supply of hot drink which consists of or contains alcohol is exempt under the 2003 Act as late night refreshment because it is licensed by the provisions relating to the sale or supply of alcohol.

3.18 The supply of hot food or hot drink free of charge is not a licensable activity. However, where any charge is made for either admission to the premises or for some other item in order to obtain the hot food or hot drink, this will not be regarded as “free of charge”. Supplies by a registered charity or anyone authorised by a registered charity are also exempt.

3.19 Supplies made on moving vehicles (for example boats, trains or coaches) are also exempt. However supplies made from a vehicle which is permanently or temporarily parked, such as from a mobile takeaway van, are not exempt (see section 3.34 below for more detail on provisions for ‘Vessels, vehicles and moveable structures’).

3.20 Supplies of hot food or hot drink from 23.00 are exempt from the provisions of the 2003 Act if there is no admission to the public to the premises involved and they are supplies to: Revised Guidance issued under section 182 of the Licensing Act 2003 I 17 • a member of a recognised club supplied by the club; • persons staying overnight in a hotel, guest house, lodging house, hostel, a caravan or camping site or any other premises whose main purpose is providing overnight accommodation; • an employee of a particular employer (for example in a staff canteen); • a person who is engaged in a particular profession or who follows a particular vocation (for example, a tradesman carrying out work at particular premises); • a guest of any of the above.

8. Applications for premises licences

Steps to promote the licensing objectives

8.41 In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these

matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

8.42 Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
- any risk posed to the local area by the applicants' proposed licensable activities; and
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

8.43 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact assessment), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

8.44 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

8.45 The majority of information which applicants will require should be available in the licensing policy statement in the area. Other publicly available sources which may be of use to applicants include:

- the Crime Mapping website;
- Neighbourhood Statistics websites;
- websites or publications by local responsible authorities;
- websites or publications by local voluntary schemes and initiatives; and
- on-line mapping tools.

8.46 While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. Licensing authorities may wish to encourage co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.

8.47 Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.

8.48 All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached to premises licences with the minimum of fuss.

8.49 For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the consideration given to the licensing objectives and any measures that are proposed to promote them.

[...]

Determining actions that are appropriate for the promotion of the licensing objectives

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is 76 | Revised Guidance issued under section 182 of the Licensing Act 2003 imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when

imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.