

Report of the Assistant Director Corporate Services to a Hearing before the Keighley/Shipley Area Licensing Panel to be held on 5 June 2009

A

Subject:

Application for a Premises Licence for Spar, Unit 1, York Street, Bingley

Summary statement:

Application for a new premises licence for the sale of alcohol off the premises.

Suzan Hemingway
Assistant Director Corporate Services
(City Solicitor)

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Portfolio:

Corporate

Improvement Committee Area:

**Corporate Improvement Committee
Safer and Stronger Communities**



2006-2007
Improving Rural Services
Empowering Communities



INVESTOR IN PEOPLE

Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



Ward: Bingley

1. Summary

1.1 The applicant

James Hall & Co (Southport) Ltd. A copy of the application is included at Appendix 1.

1.2 The Premises

Spar, Unit 1, York Street, Bingley

1.3 Designated Premises Supervisor

Mr Gareth Lloyd

1.4 Application

The application is for the grant of a Premises Licence for the sale/supply of alcohol for consumption off the premises.

Hours of licensable activities:

Monday to Sunday 07.00 to 23.00

1.5 Steps proposed by the applicant to address the Licensing Objectives

a) Prevention of crime and disorder will be achieved by;

The premises will be equipped with a CCTV system that shall meet the following criteria;

- (a) The system shall comprehensively cover the public areas of the premises
- (b) The system shall catch a clear head and shoulder view of the persons entering the premises
- (c) The system shall be maintained in proper working order
- (d) The system shall display on any recording the correct time and date of the recording
- (e) The system shall be recording at all times the premises is open to the public
- (f) The recorded VCR tapes or digital recording media shall be held and made available to the Police for inspection on request
- (g) On request from the Police CCTV footage will be provided to ehm on removable media within 24 hours
- (h) CCTV signage will accompany the system both externally and internally and an A4 advisory sign will indicate that CCTV is in operation in the premises

All staff members will receive training in relation to age related sales check 25 policy and the provisions of the Licensing Act 2003 and will be trained to BIIAB Level 1. Some members of staff will also be trained to BIIAB Level 2. Records of this training will be kept on the premises and if requested, produced to the Police, Trading Standards or Local Authority Enforcement Officers.

Where the Local Constabulary inform the DPS/Premises Licence holder that an individual is subject to an Alcohol Banning Order under the Violent Crime Reduction Act 2006 that person will be refused alcohol sales.

The premises will operate a strict due diligence policy to include check 25 training in relation to age related sales and a customer age prompting facility on the till which includes a bell sounding when age sensitive products are in the process of being purchased, i.e., cigarettes, alcohol and lottery tickets.

When the DPS is absent from the premises, another individual will be nominated by the DPS as being the responsible person to manage the premises and they must have the contact details of the Designated Premises Supervisor available.

No person in possession of an alcoholic drink in a sealed or unsealed container shall be allowed to enter the premises except for the purposes of delivery.

Any record or book required to be maintained in relation to the conditions of the Licence be available for inspection on request by a Police Officer, Local Authority Licensing Officer or any other person with a responsibility for investigating offences or inspecting the premises for a minimum of 12 months.

All staff will be trained to BIIAB – Level 1 and others to Level 2.

b) Public Safety will be achieved by;

There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials. All staff will receive training with respect to public safety issues.

The premises will be subject to risk assessment under the Regulatory Reform (Fire Safety) Order 2005.

c) Prevention of public nuisance will be achieved by;

The store will operate a due diligence recording system by the way of the till in relation to the sale of age restricted products and will keep EPOS printouts where refusals of service are made which will be available for inspection by a Police Officer or an authorised person on request.

Any person having purchased alcohol from the premises seen to be consuming that alcohol in the street near to the premises, will not be sold any further alcohol from the premises and if causing a disturbance or nuisance in the vicinity will be refused entry and asked to move on. No alcohol shall be sold in an unsealed container.

At the front of the premises there will be no canopy or other erection which may encourage persons to loiter in the vicinity of the premises.

A litter bin will be placed inside the premises near to the exit route in order to promote a clean neighbourhood.

d) Protection of children from harm will be achieved by;

The premises will operate a Challenge 25 policy but do sell to 18 to 25 year olds on production of approved identification.

Refusals records will be kept by way of EPOS printouts regarding sales of age restricted products and reasons for refusals will be contained within EPOS system printouts.

Notices will be displayed at the entrance to the premises, at the check out and on the alcohol displays to indicate that it is unlawful for persons under 18 to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age.

All staff will be trained to BIIAB – Level 1 and some to Level 2 and will continue to receive 'In house' training on the sale of age restricted products.

e) General – all four licensing objectives

The premises will be equipped with a comprehensive CCTV system which shall meet the criteria as shown at (a).

The premises will operate a strict due diligence policy to include age related sales training with respect to cigarettes, alcohol, lottery or other age related products.

The exterior of the premises benefits from enhanced illumination in order to deter persons from committing anti-social behaviour and to assist the CCTV system in capturing evidential images to support any police prosecution or investigations in criminal activity within the area.

2. Relevant Representations Received

2.1 Interested Parties

Local Residents – A letter of representation has been received from a local resident. The representation raises concerns of underage drinking and anticipated anti-social behaviour and noise nuisance.

The letter of representation is attached at Appendix 2.

3. Legal Appraisal

3.1 The Licensing Act 2003 requires the Council to carry out its various licensing functions so as to promote the following four licensing objectives:

- a) the prevention of crime and disorder
- b) public safety
- c) the prevention of public nuisance
- d) the protection of children from harm

- 3.2 The Council must also have regard to the guidance issued by the Department of Culture Media and Sport under Section 182 of the Licensing Act 2003. Regard must also be taken of the Council's statement of Licensing Policy for the District.
- 3.3 Where it is decided it is necessary to depart from the statutory guidance or the Licensing Policy on the merits of a particular case; then special reasons justifying this must be given that can be sustained.
- 3.4 Only "relevant representations" by or expressly on behalf of a defined "interested party" or "responsible authority" can be taken into account. In order to be "relevant" a representation must fairly relate to achieving a licensing objective. If it does not, it must be discounted.
- 3.5 Any licensing conditions that Members may propose attaching must also relate to achieving one of the licensing objectives; be tailored to the actual premises and style of licensable activity; must be reasonably achievable by the applicant and in his/her control.

4. **Statement of Policy Issues**

- 4.1 The following parts of the Licensing Policy are of particular importance; Part 4 (prevention of crime and disorder), Part 6 (prevention of Public Nuisance) and Part 7 (protection of children from harm).
- 4.2 The Annexes to the Policy sets out various types of model condition that could be considered.

5. **Legal Options**

- 5.1 Members may:
 - (a) Grant a premises licence as applied for subject to any mandatory conditions and the precautions specified in the operating schedule submitted.
 - (b) Grant a premises licence subject to such additional conditions relating to achievement of the licensing objectives as members think fit; or
 - (c) Refuse the application for a premises licence.
- 5.2 Should the applicant or any other party to the hearing feel aggrieved at any decision with regard to the licence or to any conditions or restrictions attached by Members they may appeal to the Magistrates Court.

6. **Financial and resource appraisal**

- 6.1 There are no apparent finance or resource implications.

7. **Other implications**

7.1 **Equal Rights**

There are no apparent equal rights implications.

7.3 **Community safety implications**

There are no apparent community safety implications.

7.4 **Human Rights Act**

The following rights are applicable:

Article 1 First Protocol to the Convention – Right to peaceful enjoyment of possessions subject to the state’s right to control the use of property in accordance with the general interest. The Council’s powers set out in the recommendations fall within the states right. A fair balance must be struck between public safety and the applicant’s rights.

Article 6 – A procedural right to a fair hearing. As refusal of the application is an option, adherence to the Panels’ usual procedure of affording a hearing to the applicant is very important. The applicant should also be able to examine the requirements of the fire authority. If the decision is to refuse then reasons should be given.

8. **Not for publication documents**

8.1 None

9. **The Role of the Panel**

9.1 Members are invited to consider the information and documents referred to in this report and, after hearing interested parties, determine the related application(s).

10. **Appendices**

1. Application form received 14th April 2009. In the interests of economy this document has been sent to Members of the Panel only. A public inspection copy is available in Committee Secretariat, Room 112, City Hall, Bradford or on www.bradford.gov.uk).
2. Letter of representation.

11. **Background documents**

Application form, plan etc

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We James Hall & Co (Southport) Ltd.

(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Spar (formerly part of Bingley District Working Men's Club) Unit 1 York Street			
Post town	Bingley, West Yorkshire	Post code	BD16 2QW

Telephone number at premises (if any)	TBC
Non-domestic rateable value of premises	£11000

Part 2 - Applicant Details

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

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

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

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

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

Name James Hall & Co. (Southport) Ltd
Address Hoghton Chambers Hoghton Street Southport Merseyside PR9 0TB
Registered number (where applicable) 01022295
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 01772 706666
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
1	2	0 5 2 0 0 9

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

Please give a general description of the premises (please read guidance note1)
A convenience Store to include Off Sales.

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

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

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

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

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

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>		
				Outdoors <input type="checkbox"/>		
				Both <input type="checkbox"/>		
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue						
Wed					<u>State any seasonal variations for performing plays</u> (please read guidance note 4)	
Thur						
Fri					<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish		
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun					

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
Day	Start	Finish	<u>Please give a description of the facilities for dancing you will be providing</u>		
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	07.00	23.00			
Tue	07.00	23.00			
Wed	07.00	23.00			
Thur	07.00	23.00			
Fri	07.00	23.00			
Sat	07.00	23.00			
Sun	07.00	23.00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

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

Name Mr. Gareth Lloyd	
Address 38 The Gallops Acombe York	
Postcode	YO2 3NF
Personal Licence number (if known) CYC 010144	
Issuing licensing authority (if known) City of York	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
 None - refer to P21 of the application.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Mon	07.00	23.00	
Tue	07.00	23.00	
Wed	07.00	23.00	
Thur	07.00	23.00	
Fri	07.00	23.00	
Sat	07.00	23.00	
Sun	07.00	23.00	

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The Premises will be equipped with a comprehensive CCTV system which shall meet the criteria as shown at b).

The premises will operate a strict due diligence policy to include age related sales training with respect to cigarettes, alcohol, lottery or other age related products.

The exterior of the premises benefits from enhanced illumination in order to deter persons from committing anti-social behaviour and to assist the CCTV system in capturing evidential images to support any Police prosecution or investigations in criminal activity within the area.

b) The prevention of crime and disorder

The premises will be equipped with a CCTV system that shall meet the following criteria

(a) The system shall comprehensively cover the public areas of the premises

(b) The system shall catch a clear head and shoulder view of the persons entering the premises.

(c) The system shall be maintained in proper working order

(d) The system shall display on any recording the correct time and date of the recording.

(e) The system shall be recording at all times the premises is open to the public.

(f) The recorded VCR tapes or digital recording media shall be held and made available to the Police for inspection on request.

(g) On request from the Police CCTV footage will be provided to them on removable media within 24 hours.

(h) CCTV signage will accompany the system both externally and internally and an A4 advisory sign will indicate that CCTV is in operation in the premises.

All staff members will receive training in relation to age related sales check 25 policy and the provisions of the Licensing Act 2003 and will be trained to BIIAB Level 1. Some members of Staff will also be trained to BIIAB Level 2. Records of this training will be kept on the premises and if requested, produced to the Police, Trading Standards or Local Authority Enforcement Officers.

Where the Local Constabulary inform the DPS/Premises Licence holder that an individual is subject to an Alcohol Banning Order under the Violent Crime Reduction Act 2006 that person will be refused alcohol sales.

The premises will operate a strict due diligence policy to include check 25 training in relation to age related sales and a customer age prompting facility on the till which includes a bell sounding when age sensitive products are in the process of being purchased, i.e., cigarettes, alcohol and lottery tickets.

When the DPS is absent from the premises, another individual will be nominated by the DPS as being the responsible person to manage the premises and they must have the contact details of

the Designated Premises Supervisor available.

No person in possession of an alcoholic drink in a sealed or unsealed container shall be allowed to enter the premises except for the purposes of delivery.

Any record or book required to be maintained in relation to the conditions of the Licence be available for inspection on request by a Police Officer, Local Authority Licensing Officer or any other person with a responsibility for investigating offences or inspecting the premises for a minimum of 12 months.

All staff will be trained to BIIAB – Level 1 and others to Level 2.

c) Public safety

There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials. All staff will receive training with respect to public safety issues.

The premises will be subject to risk assessment under the Regulatory Reform (Fire Safety) Order 2005.

d) The prevention of public nuisance

The store will operate a due diligence recording system by way of the till in relation to the sale of age restricted products and will keep EPOS printouts where refusals of service are made which will be available for inspection by a Police Officer or an authorised person on request.

Any person having purchased alcohol from the premises seen to be consuming that alcohol in the street near to the premises, will not be sold any further alcohol from the premises and if causing a disturbance or nuisance in the vicinity will be refused entry and asked to move on. No alcohol shall be sold in unsealed containers.

At the front of the premises there will be no canopy or other erection which may encourage persons to loiter in the vicinity of the premises.

A litter bin will be placed inside the premises near to the exit route in order to promote a clean neighbourhood.

e) The protection of children from harm

The premises will operate a Challenge 25 policy but do sell to 18 to 25 year olds on production of approved identification.

Refusals records will be kept by way of EPOS printouts regarding sales of age restricted products and reasons for refusals will be contained within the EPOS system printouts.

Notices will be displayed at the entrance to the premises, at the check out and on the alcohol displays to indicate that it is unlawful for persons under 18 to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age.

All staff will be trained to BIIAB – Level 1 and some to Level 2 and will continue to receive "In-house" training on the sale of age restricted products.

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	<i>DWF LLP</i>
Date	9th April 2009
Capacity	Solicitors for and on behalf of the Applicant

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) DWF LLP 6 Winckley Square			
Post town	Preston	Post code	PR1 3AN
Telephone number (if any)	01772 554200		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) andrea.forrest@dwf.co.uk			

York street
Bingley
BD16 2NL
16/4/2009

To whom it may concern,

My husband and I live on York street directly opposite the Bingley Working men's club. It has come to our attention that there are plans in the pipeline to convert the club into an outlet for the sale of alcohol to be consumed off the premises, with opening hours from 11pm until 11pm. We strongly object to this. This is the last thing the people in the area want as it is bound to attract noise and gangs of teenagers, both of age and underage along with other undesirable. This will be horrendous for the people of York street and the surrounding area as this is bound to lead to gangs of youths and

underage drinkers. gathering I have
sent an email to my local councillor
expressing my concerns. The people
who live opposite the club and
around the club are all over sixty
and can well do without this
sort of establishment in the area.

Regards.

20 APR 2011