

REPORT OF THE HEAD OF HUMAN RESOURCES AND DEVELOPMENT

**DETERMINATION OF A PREMISES LICENCE APPLICATION FOR  
KNIGHTSHAYES, TIVERTON, DEVON, EX16 7RQ**

**REASON FOR REPORT**

1. An application has been received for a new premises licence for Knightshayes, Tiverton, Devon, EX16 7RQ. Relevant representations have been received. Accordingly, Mid Devon District Council as the licensing authority is obliged to hold a hearing to determine the application.

**RECOMMENDATIONS**

1. That this application is decided in accordance with the licensing objectives

**RELATIONSHIP TO CORPORATE PLAN**

1. None

**FINANCIAL, LEGAL AND RISK ASSESSMENT IMPLICATIONS**

Any financial, legal and/or risk assessment implications are set out below:

<b>Financial</b>	If there is an appeal against the decision the Council could find itself bearing the costs
<b>Legal</b>	If the decision is not lawful the Council could find itself subject to appeal or judicial review
<b>Risk Assessment</b>	If the decision is not reasonably and lawfully made it could be overturned on appeal to the Magistrates' Court

## **CONSULTATION CARRIED OUT WITH:**

1. The process of applying for these licences is prescribed by regulations made under the Licensing Act 2003. The applicant must copy their applications to the “Responsible Authorities” consisting of the Police, Fire Service, Weights and Measures, body responsible for Health and Safety (Environmental Health), Environmental Health for nuisance, the Planning Authority, the Licensing Authority, the local Director of Public Health and the body responsible for Child Protection. If the application is submitted online the Licensing Authority must forward it to all Responsible Authorities.
- 2 This Council notifies the relevant town or parish council for where the premises is.
- 3 Applicants are also obliged to advertise their applications in two ways – on the premises so as to be visible to passers-by and in a local newspaper.

### **1.0 PREMISES**

- 1.1 The premises are described in the application as a ‘prestigious venue of national historic value, which is owned by the National Trust. The property is comprised of a main Victorian country house and ancillary buildings, with gardens and other open land. The property is some distance from any other property in different ownership’.
- 1.2 The application goes on to state that ‘the premises already holds a licence for part of the estate and it is anticipated that if the current application is granted as requested, the existing licence will be surrendered. This application seeks to extend the areas which are licensed, which are too large to be dealt with by way of a minor variation’.

### **2.0 APPLICATION**

- 2.1 The application was submitted by Horsey Lightly Fynn on behalf of National Trust (Enterprises) Ltd.
- 2.2 In summary, the following licensable activities have been applied for:
  - Plays (indoors and outdoors) from 09:00 until 00:00, Monday to Sunday.
  - Films (indoors and outdoors) from 09:00 until 00:00, Monday to Sunday.
  - Indoor sporting events from 09:00 until 00:00, Monday to Sunday.
  - Live music (indoors and outdoors) from 09:00 until 00:00, Monday to Sunday.
  - Recorded music (indoors and outdoors) from 09:00 until 00:00, Monday to Sunday.
  - Performance of dance (indoors and outdoors) from 09:00 until 00:00, Monday to Sunday.
  - Anything of a similar description to live music, recorded music and dance (indoors and outdoors) from 09:00 until 00:00, Monday to Sunday.
  - Late night refreshment (indoors and outdoors) from 23:00 until 00:00, Monday to Sunday.
  - Supply of alcohol (on and off the premises) from 09:00 until 00:00, Monday to Sunday.
- 2.3 The application also includes further details for some of these activities and also some Non-standard timings (i.e. extension to 01:00 for Christmas and New Year). These can be seen on the application itself which is attached as Annex 1. The plans submitted with the application are attached as Annex 2.

### **3.0 LICENSING OBJECTIVES**

3.1 All applicants are required to set out in their application the steps they intend to take to promote the four licensing objectives. These are:

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

3.2 The applicant has provided information and proposals on this which can be seen within section M of the application (attached as Annex 1).

### **4.0 RESPONSIBLE AUTHORITIES**

4.1 Responsible Authorities under the Licensing Act are notified of all new premises licence applications. The onus is on each Responsible Authority to determine when they have appropriate grounds to make a representation.

4.2 The Responsible Authorities are:

- Police
- Fire service
- Environmental Health (nuisance and health and safety)
- Planning Authority
- Licensing Authority
- Health and Safety Executive
- Weights and Measures
- the body responsible for Child Protection
- the local Director of Public Health

4.3 The Police provided a response to the application and agreed the following condition with the applicant:

*Where an event with a planned attendance of over 1999 people is intended, at least eight calendar weeks' notice of the event be given to the Police and the Licensing Authority.*

4.4 No further comments or representations were received from Responsible Authorities.

### **5.0 OTHER PERSONS**

5.1 The Licensing Act allows 'other persons' to make representations provided they are relevant. To be relevant, a representation must relate to the likely effect of the grant of a licence on the promotion of one or more of the licensing objectives. The licensing authority will not accept representations considered to be frivolous or vexatious.

5.2 In this case the licensing authority has received two representations. These were submitted by Mrs Helen Mead and Ms Frances Thomson and are attached as Annex 3 and Annex 4 respectively.

5.3 In brief, Mrs Helen Mead has raised the following points:

- The proximity of residential properties to the proposed licensed site

- The potential to hear noise from licensable activities being held on the premises, as experienced last year when a 'Soup Stock' event was held
- The lack of information included in the application on the events to be held and their frequency
- The potential behaviour of people who have consumed alcohol and the potential for litter

5.4 Ms Frances Thomson has raised the following:

- The proximity of residential properties to the proposed licensed site
- The potential to hear noise from licensable activities being held outdoors on the premises
- The potential for unsocial behaviour and litter problems

5.5 A map showing the location of the residents who have made representations in relation to the premises will be made available at the hearing to assist members.

## **6.0 LICENSING POLICY**

6.1 The Licensing Act requires the Council as the Licensing Authority to formally adopt a policy setting out how it will deal with its duties under the Act. That policy must be reviewed every five years and this Council formally adopted the current policy on 18 December 2013 and it came into effect 7 January 2014. It includes the following:

6.2 The Licensing Authority has a duty to carry out its licensing functions with the aim of promoting the four licensing objectives. (Paragraph 3.1)

6.3 The Authority will expect applicants and licence holders to demonstrate that they have given thought to and have in place adequate measures to ensure that the operation of their premises will not have an adverse effect on the quality of life of persons living and/or working in the vicinity of the premises. (Paragraph 4.1.4)

6.4 In determining a licensing application, the overriding principle adopted by this Authority will be that each application will be determined on its own merits. (Paragraph 5.3.1)

6.5 Conditions are crucial in setting the parameters within which premises can lawfully operate. Any contravention of a condition on a premises licence or club premises certificate is a criminal offence so it is essential that conditions are worded clearly, precisely and unambiguously. In addition, conditions must:

- be appropriate, reasonable and proportionate
- be enforceable
- not duplicate other statutory requirements
- be relevant to the particular type, location and character of the premises concerned
- not be standardised
- should be justifiable and capable of being met
- not replicate offences set out in the Act or in other legislation
- be written in a prescriptive format (Paragraph 7.2)

6.6 Members must have regard to the policy when making their decision and are requested to bring their own copy to the hearing.

## **7.0 GOVERNMENT GUIDANCE**

- 7.1 Members are also obliged to have regard to the Guidance produced under S.182 of the Licensing Act 2003. The relevant version for this application was published in October 2014. It includes the following:
- 7.2 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. (Paragraph 1.17)
- 7.3 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation. (Paragraph 9.36)
- 7.4 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
- the steps that are appropriate to promote the licensing objectives;
  - the representations (including supporting information) presented by all the parties;
  - this Guidance;
  - its own statement of licensing policy. (Paragraph 9.37)

## **8.0 DETERMINATION**

- 8.1 The Committee must take such steps as it considers appropriate for the promotion of the licensing objectives. This may include:
- Granting the licence as applied for
  - Granting the licence subject to appropriate modifications necessary for the promotion of the licensing objectives
  - Excluding from the scope of the licence any of the licensable activities to which the application relates
  - Refusing to specify a Designated Premises Supervisor
  - Rejecting the application
- 8.2 Reasons should be given for the decision which set out the matters taken into consideration and why such a decision was arrived at.
- 8.3 Members have five working days from the conclusion of the hearing to make a decision.

8.4 An adopted procedure for Hearings is available as Annexe 5. This should help guide all parties through the hearing process.

## **9.0 APPEAL**

9.1 If any party (i.e. applicant or 'other person') is dissatisfied with the decision made then they have the right of appeal to the Magistrates' Court within 21 days of formal notification of the decision.

## **LIST OF ANNEXES TO THIS REPORT**

**Annex 1:** Premises licence application

**Annex 2:** Plans submitted with the premises licence application

**Annex 3:** Representation from Mrs Helen Mead

**Annex 4:** Representation from Ms Frances Thomson

**Annex 5:** Hearing Procedure

<b>Contact for any more information</b>	<b>Thomas Keating (01884 244618)</b> Lead Licensing Officer
<b>Background Papers</b>	S.182 Guidance to Licensing Act 2003 & MDDC Statement of Licensing Policy
<b>File Reference</b>	Licensing/Hearings/Knightshayes
<b>Circulation of the Report</b>	Applicant / 'Other Persons'

**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 National Trust (Enterprises) 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  <b>Knightshayes Bolham</b>			
<b>Post town</b>	<b>Tiverton</b>	<b>Postcode</b>	<b>EX16 7RQ</b>

Telephone number at premises (if any)	<b>01884 254665</b>
Non-domestic rateable value of premises	<b>£0</b>

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |   |                                     |                             |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals *                 | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual *            |                                     |                             |
| i. as a limited company                           | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership                              | <input type="checkbox"/>            | please complete section (B) |
| iii. as an unincorporated association or          | <input type="checkbox"/>            | please complete section (B) |
| iv. other (for example a statutory corporation)   | <input type="checkbox"/>            | please complete section (B) |
| c) a recognised club                              | <input type="checkbox"/>            | please complete section (B) |
| d) a charity                                      | <input type="checkbox"/>            | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/>            | please complete section (B) |
| f) a health service body                          | <input type="checkbox"/>            | please complete section (B) |

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

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

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)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					



**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)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(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 National Trust (Enterprises) Ltd
Address Heelis Kemble Drive Swindon SN1 2AA  NB : Communication regarding the application should be sent to the agents or the premises and not to Heelis
Registered number (where applicable) 01083105
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company. This company is the trading arm of the National Trust, which a registered charity and has its constitution set by the National Trusts Acts 1907-1970
Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start? **As soon as possible**

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			
┐	┐	┐	┐	┐	┐	┐	┐

Please give a general description of the premises (please read guidance note 1)

The property is a prestigious venue of national historic value, which is owned by the National Trust. The property is comprised of a main Victorian country house and ancillary buildings, with gardens and other open land. The property is some distance from any other property in different ownership.

The premises already holds a licence for part of the estate and it is anticipated that if the current application is granted as requested, the existing licence will be surrendered. This application seeks to extend the areas which are licensed, which are too large to be dealt with by way of a minor variation.



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

N/A

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 any that  
apply

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

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

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

**In all cases complete boxes K, L and M**

# A

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
		Outdoors			<input type="checkbox"/>	
Day	Start	Finish			Both	<input checked="" type="checkbox"/>
Mon	09:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 3) Occasional indoor and outdoor theatre and low-key performances by local Mumpers group. In this section and those below, whilst the attached plan shows the extent of the areas to be licensed, in practice any events will be limited to certain areas of the property for reasons of conservation and control. Likewise, whilst additional times have been requested, events are not planned to take place on every night of the week, the intention being only to provide additional flexibility on the occasions when it is required.			
Tue	09:00	00:00				
Wed	09:00	00:00	<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)			
Thur	09:00	00:00				
Fri	09:00	00:00	<b><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></b> (please read guidance note 5) Christmas & New Year to 01:00			
Sat	09:00	00:00				
Sun	09:00	00:00				

## B

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	09:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 3) Whilst the attached plan shows the extent of the areas to be licensed, in practice any events will be limited to certain areas of the property for reasons of conservation and control. Likewise, whilst additional times have been requested, events are not planned to take place on every night of the week, the intention being only to provide additional flexibility on the occasions when it is required.		
Tue	09:00	00:00			
Wed	09:00	00:00	<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Thur	09:00	00:00			
Fri	09:00	00:00	<b><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></b> (please read guidance note 5)  Christmas & New Year to 01:00		
Sat	09:00	00:00			
Sun	09:00	00:00			

# C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)  Possible future use of the stické tennis court for matches/demonstration events.
Day	Start	Finish	
Mon	09:00	00:00	
Tue	09:00	00:00	<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Wed	09:00	00:00	
			<b><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></b> (please read guidance note 5)
Thur	09:00	00:00	
Fri	09:00	00:00	
Sat	09:00	00:00	
Sun	09:00	00:00	

## D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)			
Mon						
Tue						
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)			
Thur						
Fri						
Sat			<b><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></b> (please read guidance note 5)			
Sun						

## E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon	09:00	00:00			
Tue	09:00	00:00			
Wed	09:00	00:00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)  Christmas & New Year to 01:00 (Indoors only after 21:00)		
Thur	09:00	00:00			
Fri	09:00	00:00	<b>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</b> (please read guidance note 5)		
Sat	09:00	00:00			
Sun	09:00	00:00			



## F

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
		Outdoors			<input type="checkbox"/>	
		Both			<input checked="" type="checkbox"/>	
Day	Start	Finish				
Mon	09:00	00:00	<b>Please give further details here</b> (please read guidance note 3)			
Tue	09:00	00:00				
Wed	09:00	00:00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)			
Thur	09:00	00:00				
Fri	09:00	00:00	<b>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</b> (please read guidance note 5)  Christmas & New Year to 01:00 (Indoors only after 21:00)			
Sat	09:00	00:00				
Sun	09:00	00:00				

# G

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish				
Mon	09:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 3)			
Tue	09:00	00:00				
Wed	09:00	00:00	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)			
Thur	09:00	00:00				
Fri	09:00	00:00	<b><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></b> (please read guidance note 5)			
Sat	09:00	00:00	Christmas & New Year to 01:00 (Indoors only after 21:00)			
Sun	09:00	00:00				

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon	09:00	00:00		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	09:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed	09:00	00:00			
Thur	09:00	00:00	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri	09:00	00:00			
Sat	09:00	00:00	<b><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></b> (please read guidance note 5)		
Sun	09:00	00:00			

# I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
		Outdoors			<input type="checkbox"/>	
		Both			<input checked="" type="checkbox"/>	
Day	Start	Finish				
Mon	23:00	00:00	<u>Please give further details here</u> (please read guidance note 3)			
Tue	23:00	00:00				
Wed	23:00	00:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)			
Thur	23:00	00:00				
Fri	23:00	00:00	<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	23:00	00:00	Christmas & New Year to 01:00			
Sun	23:00	00:00				

# J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b><u>Will the supply of alcohol be for consumption – please tick</u></b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 4) Christmas & New Year to 01:00		
Mon	09:00	00:00			
Tue	09:00	00:00			
Wed	09:00	00:00			
Thur	09:00	00:00			
Fri	09:00	00:00			
Sat	09:00	00:00			
Sun	09:00	00:00	<b><u>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</u></b> (please read guidance note 5)		

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

Name LEWIS PATERSON	
Address Front Lodge, Knightshayes, Bolham, Tiverton, Devon	
Postcode	EX16 7RQ
Personal licence number (if known) 2007/00281/06PEN	
Issuing licensing authority (if known) EASTLEIGH BOROUGH COUNCIL	

# K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 8).

NONE

# L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b><u>State any seasonal variations</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon	00:00	00:00	
Tue	00:00	00:00	
Wed	00:00	00:00	
Thur	00:00	00:00	
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	00:00	<b><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></b> (please read guidance note 5)
			NB: The premises includes areas of land where the public have right of access at any time. It is therefore not possible to restrict the hours that the public may be on the premises

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

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

Staff shall be provided with training in relation to the Licensing Act 2003 as are commensurate with their duties. Where staff are involved in the sale of alcohol, this shall include proof of age, recognition of identification and the offences that are listed in the Licensing Act 2003. This training shall be repeated at regular intervals and a log shall be kept at the premises that shows what training has been provided in the previous 12 months.

A log will be maintained of all refusals to sell alcohol, which will contain the date, time, description of individual refused, staff member name and any notes. This log shall be retained for a period of 12 months from the date of last entry.

When organising events, regard shall be had as appropriate to the following documents :

- The Event Safety Guide ISBN 0 7176 2453 6
- Managing Crowds Safely ISBN 0 7175 1834 X
- Guide to Fire Precautions in Existing Places of Entertainment and Like Premises ISBN 0 11 340907 9

**b) The prevention of crime and disorder**

Given the location of the premises, the demographic of customers, the nature of operation and the good history of the premises, it is not considered that issues of Crime and Disorder will occur from the conduct of licensable activities. Whilst control measures are nevertheless in force, they do not need to be included as conditions on the licence.

**c) Public safety**

All safety matters are considered to be met by virtue of other legislation and therefore conditions are not required in this respect. In particular, the Health & Safety at Work etc Act 1974 and the Regulatory Reform (Fire Safety) Order 2005 apply.

**d) The prevention of public nuisance**

Given the location of the premises, the demographic of customers, the nature of operation and the past conduct of activities, it is not considered that issues of public nuisance will occur through the conduct of the licensable activities to the extent that significant conditions are required.

Noise from licensable activities will be controlled so as not to cause a public nuisance at any premises in separate ownership and occupation to the licence holder. (NB: Control measures may include keeping doors and windows closed, monitoring sound levels and use of sound limiters if appropriate.)

**e) The protection of children from harm**

In compliance with the mandatory condition on proof of age, "Challenge 21" will be adopted.

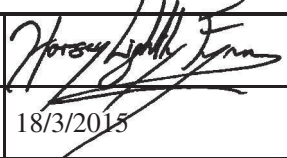
**Checklist:****Please tick to indicate agreement**

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

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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	
Date	18/3/2015
Capacity	Solicitors and agents for the applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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)

Horsey Lightly Fynn  
3 Poole Road

REF : 93274/JP

Post town	Bournemouth	Postcode	BH2 5QJ
Telephone number (if any)	0844 556 1191		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) jpayne@hlf-law.co.uk			



## Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.