

CITY OF GLOUCESTER
LICENSING SUB-COMMITTEE

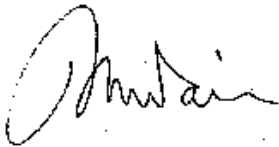
Meeting: Tuesday, 30th August 2011 at 18:30
North Warehouse, The Docks, Gloucester

Membership: Cllrs. Noakes, Porter and Toleman

AGENDA

1. ELECTION OF CHAIR
2. INTRODUCTIONS AND PROCEDURES
3. DECLARATIONS OF INTEREST
4. APPLICATION FOR A NEW PREMISES LICENCE FOR 102 INSLEY GARDENS, HUCCLECOTE, GLOUCESTER (Pages 1 - 70)

Report of the Group Manager, Environmental Health and Regulatory Services,



.....
Julian Wain
Chief Executive

Notes

1. A personal interest exists where a decision on a matter would affect to a greater extent than other people in the District:-
 - (a) the well being, financial position, employment or business of the Councillor, their family or any person with whom they had a close association;
 - (b) a body employing those persons, any firm in which they are a partner and any company of which they are directors;
 - (c) any corporate body in which those persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
 - (d) the Councillor's registrable financial and other interests.

2. A personal interest becomes a prejudicial interest where a member of the public (who has knowledge of the circumstances) would reasonably regard the Member's personal interest as being so significant that it is likely to prejudice the Councillor's judgement of the public interest.

Please contact Adam Chalmers, Democratic and Electoral Services Manager, Tel. No. 01452 396125/e-mail: committeesection@gloucester.gov.uk if you have a general query on any agenda item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Council.

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Gloucester City Council

| | |
|--------------------------|---|
| Committee | : LICENSING SUB-COMMITTEE |
| Date | : 30 AUGUST 2011 |
| Subject | : APPLICATION UNDER SECTION 17 OF THE LICENSING ACT 2003 IN RESPECT OF INSLEY GARDENS CONVENIENCE STORE, 102 INSLEY GARDENS, GLOUCESTER GL3 3BA |
| Ward | : BARNWOOD |
| Report By | : GROUP MANAGER, ENVIROMENTAL HEALTH AND REGULATORY SERVICES |
| No. Of Appendices | : A: COPY OF APPLICATION FOR A PREMISES LICENCE FROM MRS RAJEENADEVI RAVENTHERAKUMAR B: PLAN OF PREMISES C: MAP SHOWING LOCATION OF 102 INSLEY GARDENS AND RESIDENTS PROPERTIES D: COPY OF AGREEMENT TO CONDITIONS MADE WITH GLOUCESTERSHIRE CONSTABULARY LICENSING UNIT E: COPIES OF REPRESENTATIONS MADE BY LOCAL RESIDENTS F: LIST OF MANDATORY CONDITIONS G: PROCEDURE FOR LICENSING SUB COMMITTEES |
| Reference No. | : ES21119 |

1.0 Purpose of Report

- 1.1 To present to members an application for a new premises licence made under section 17 of the Licensing Act 2003 for 102 Insley Gardens, Hucclecote, Gloucester GL4 4BS, received from Mrs Rajeenadevi Raventherakumar. The application is for the retail sale of alcohol from a new 'convenience' type store at the above address.

2.0 Recommendations

- 2.1 Having considered the application, any relevant representations, the legislative provisions, the Council's Statement of Licensing Policy and the Home Secretary's Guidance, Members have the following options as considered necessary to promote the Licensing Objectives:
- (a) To accept the application and attach conditions as consistent with the operating schedule.
 - (b) To accept the application and modify the conditions of the licence which includes altering, omitting or adding new conditions.
 - (c) To reject the whole, or part of the application.

2.2 The Licensing Objectives are :-

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

3.0 Background

3.1 Members are advised that when considering an application for a new premises licence the following options are available to them by virtue of the Licensing Act 2003, Part 3, section 18, paragraphs 3 and 4:

(3) *'Where relevant representations are made the authority must -*

- (a) *Hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and*
- (b) *Having regard to the representations, take such of the steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.*

(4) *The steps are-*

- (a) *To grant the licence subject to:-*
 - (i) *The conditions mentioned in subsection (2) (a) modified to such extent as the authority considers necessary for the promotion of the licensing objectives; and*
 - (ii) *Any conditions which must under sections 19, 20 or 21 be included in the licence*
- (b) *To exclude from the scope of the licence any of the licensable activities to which the application relates*
- (c) *To refuse to specify a person in the licence as the premises supervisor;*
- (d) *To reject the application*

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any condition is added.

If none of these steps are required the application must be granted.

3.2 Members should note that this application has policy implications as detailed in section 5 of this report.

3.3 Members are reminded that all applications must be considered on their merits, and that findings on any issues of fact should be on the balance of probability.

4.0 The Application

- 4.1 This is an application for a new premises licence made in accordance with Section 17 of the Licensing Act 2003. The application was received by the Licensing Authority on 7 July 2011 and has been advertised in accordance with the Licensing Act 2003 (Hearings) Regulations 2005. A copy of the application is attached as **Appendix A**.
- 4.2 The premises to which the application relates is a vacant premises in a small parade of retail units comprising two salons and a gym. The premises were formerly a shop and later used as offices. There are no planning issues with the site.
- 4.3 The application (Appendix A) requests the following licensable activities:
- The supply of alcohol (Section M) for consumption **off** the premises from 06:00 to 22:00 hours seven days a week.
 - Opening hours (Section O) are also sought from 06:00 to 22:00 hours seven days a week.
- 4.4 A plan of the premises and map of the location of the premises are attached as **Appendix B and Appendix C** respectively.
- 4.5 The applicant has set out in Section P of the operating schedule the measures proposed to be taken to promote the four licensing objectives if the application is accepted. These measures are:

Prevention of crime and disorder

- Installation of a digital CCTV system with 31 day storage facility
- Install secure doors and windows
- Keep a watchful eye on persons who appear to be loitering
- Train staff to be vigilant with card and cheque payments
- Use an electronic forged note detector
- Avoid creating any displays which will block views
- Have available the contact details of the responsible authorities
- Liaise with C.P.S.O.s and participate in local training initiatives in licensing regulation.

Public safety

- Have regular health and safety checks inside and outside the premises
- Carry out fire risk assessments
- Use adequate and appropriate lighting
- Ensure all areas open to customers are clear and without obstruction
- Be aware of responsible retailing

Prevention of public nuisance

- Liaise with local police and the licensing authority on a regular basis
- Take measures to avoid anti social behaviour
- Put up notices and communicate with customers
- Ensure litter is kept to a minimum
- Refuse to serve disorderly customers

Protection of children from harm

- Promote 'Challenge 21' scheme
- Be aware of fake I.D
- To keep a 'refusals' book

Should the application be accepted the above proposals would, where appropriate, become properly constructed conditions to be applied to the licence.

5.0 Representations

5.1 Gloucestershire Constabulary Licensing Unit has, in agreement with the applicant, proposed that the following conditions should be added to the licence.

1. All spirits to be kept behind the counter.
2. The CCTV system shall be maintained in good working order, shall record at all times the premises are open and recordings shall be kept for a minimum of 14 days and be provided on DVD to officers of the Council, Trading Standards and the police on request.
3. The Challenge 21 (or equivalent scheme) shall be adopted so that any customer attempting to purchase alcoholic liquor who appears to be under the age of 21 shall be asked for an accredited photographic proof of their age (e.g. passport, photo driving licence or a PASS approved card) and that a sale shall not be made unless this evidence is produced. This will only be treated as a breach where the customer subsequently turns out to be under 18 years of age.

The agreement is attached at **Appendix D**.

5.2 There were no representations from the other responsible authorities.

5.3 Representations from a number of residents who have concerns about this application have been received and are attached at **Appendix E**. The representations have come from persons who either reside or who have business interests in the following areas:-

- Insley Gardens, Gatton Way, Duncroft Road, Kennedy Close, Barrington Drive and Kingstone Avenue.

- 5.4 The Licensing Act allows for 'interested parties' to make representations concerning premises licence applications.
- 5.5 Interested parties includes the following:
- persons living in the vicinity of the premises
 - a body representing persons living in that vicinity
 - a person involved in a business in the vicinity of the premises
 - a body representing persons involved in such businesses
 - a member of the relevant licensing authority
- 5.6 There is no legal definition of vicinity within the Act but persons claiming to be interested parties and who make representations against an application would need to demonstrate how they are likely to be adversely affected by the proposed licensable activities to be provided by the premises.
- 5.7 Representations must be relevant and not vexatious or frivolous. In other words they must relate to the proposed licensable activity and it's likely effect on at least one of the licensing objectives. They must not be born out of malice or dispute and they must be serious.
- 5.8 Residents' concerns with regard to the licensing objectives relate, amongst other things, to a perceived propensity for anti social behaviour and under-aged drinking should this licence be issued.
- 5.9 Other issues raised concerning parking and delivery times would occur whether or not the premises has the benefit of an alcohol licence.
- 5.10 Some representations concern themselves with the number of other outlets in the area already selling alcohol by way of a licence. This cannot be a relevant consideration under the Licensing Act.
- 5.11 The applicant and interested parties have been given a Notice of Hearing in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

6.0 The Licensing Policy Statement and Guidance

- 6.1 Sections 3, 5 and 6 of Gloucester City Council's Licensing Policy Statement outline the authority's policy with regard to the licensing objectives. Section 7 refers specifically to licensing hours.
- 6.2 The relevant parts of the Amended Guidance issued under section 182 of the Licensing Act 2003 (October 2010) by the Home Secretary are Chapter 2 on the four licensing objectives, Chapter 8 on Applications for premises licences, Chapter 9 on determining applications and Chapter 10 conditions attached to premises licences.
- 6.3 Paragraphs 10.1 to 10.18 deal with the attaching of conditions to licences and state that only necessary, proportionate conditions, which promote the licensing objectives, should be attached to the licence if it is granted. The Licensing Authority may then only impose such conditions as are necessary to promote the licensing

objectives arising out of the consideration of the representations. It also states that the pools of conditions that are supplied by the Home Secretary should not be applied universally, irrespective of particular circumstances, but may be used as examples that can be tailored to suit individual premises and particular situations. It is also advised that any conditions the Licensing Authority sees fit to attach to the licence should not replicate any other legislation, such as the Licensing Act 2003 itself, or the Equality Act 2010.

6.4 Chapter 10.21 of the Guidance advises that shops should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours

6.5 A premises licence does not relieve the holder from any requirements under planning law. In cases where a planning restriction imposing a terminal hour for a premises has been set and this differs from the hours permitted by a premises licence, the licence holder must observe the earlier time.

7.0 Conclusions

7.1 Members should consider the relevant facts, guidance and representations and make a decision in accordance with the options outlined in paragraph 2.1 of this report.

7.2 Members should be aware of a case heard in the Court of Appeal. *Daniel Thwaites v Wirral Borough Magistrates Court* (2008) EWHC 838 (Admin) concerned an appeal against a decision by the Magistrates to impose restrictions on the hours of operation of a licensed premises without evidence and by giving their own views excessive weight. The resulting decision to limit the hours of operation without it having established that it was necessary to do so in order to promote the licensing objectives was ruled unlawful and the decision was quashed.

8.0 Financial Implications

8.1 There are no financial implications relating to this report.

9.0 Legal Implications

9.1 The Licensing Sub-Committee is asked to consider an application made under Section 17 for a premises licence to be determined under Section 18.

9.2 To consider the application, the Sub-Committee must be satisfied:

- (a) the application is properly made
- (b) the applicant has given proper notice.
- (c) the applicant has satisfied the advertising requirements

9.3 The four licensing objectives must be considered of equal importance and are:

- (a) The prevention of crime and disorder
- (b) Public safety

- (c) The prevention of public nuisance, and
 - (d) The protection of children from harm.
- 9.4 The Sub-Committee must, having regard to the application and any relevant representations, decide on any of the options set out in the report at paragraph 2.1 (a)-(c).
- 9.5 The Sub-Committee has powers to adjourn or carry forward the hearing to additional specified dates.
- 9.6 For the purposes of determining an application, a “relevant representation” means a representation which:
- (a) Is relevant to one or more of the licensing objectives.
 - (b) Is made by a responsible authority or an interested party within the prescribed period.
 - (c) Has not been withdrawn
 - (d) If having been made by an interested party (who is not also a responsible authority), that they are not in the opinion of the Licensing Authority frivolous or vexatious.
- 9.7 For these purposes an “interested party” are those who are living in the vicinity of the application premises and those involved in a business in the vicinity of the application premises. “In the vicinity” is essentially the physical/geographical proximity of the premises, in the context of local circumstances.
- 9.8 In deciding what action, if any, it should take, the Sub-Committee Members must direct their minds to the causes and concerns which the relevant representations identify. Any action should generally be directed to these causes and should always be no more than is a necessary and proportionate response. In particular, any detrimental financial impact of the Sub-Committee decision must be necessary and proportionate. The Sub-Committee is required to have regard to the DCMS Guidance when making its decision. However the Guidance does not cover every possible situation, so long as the Guidance has been properly and carefully understood, the Sub-Committee may depart from it if they have reasons to do so. Full reasons must be given for any departure from the DCMS Guidance.
- 9.9 Following the case of Daniel Thwaites v Wirral Borough Magistrates Court 2008, referred to in Paragraph 7.2 of the report the Sub-Committee needs to avoid:
- (a) Speculating of what might happen in the absence of evidence that harm would or could happen
 - (b) Not paying attention to Government Guidance where failing to follow it requires good reasons to be given.
 - (c) Imposing conditions that do not promote the licensing objectives.
- 9.10 Where the Sub-Committee determines an application it must notify the following of its decision, and the reasons for it :
- (a) The applicant .
 - (b) The person who made the relevant representations.
 - (c) The Police.

- 9.11 It should be noted by the Sub-Committee that in relation to this application, the Council has a number of roles through Council services. No response to the application has been received from the Environmental Health Pollution Control and Health and Safety Teams.
- 9.12 In considering the application, the Sub-Committee is solely performing the role of Licensing Authority. The Sub-Committee sits in a quasi-judicial capacity and must act impartially. It must offer a fair and unbiased hearing of the application. The Sub Committee needs to disregard the wider Council objectives and other statutory roles and must direct themselves to a determination based solely on the licensing law, the Guidance and the Council's Licensing Policy Statement.
- 9.13 As a quasi judicial body, the Sub Committee is required to consider the application on its merits. It must take into account only relevant factors and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant.
- 9.14 Under the Human Rights Act 1998 the Sub Committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision.
- 9.15 The Sub Committee has a duty under Section 17 of the Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the City.
- 9.16 Interested parties, responsible authorities and the applicant have the right to appeal the Sub Committee's decision to the Magistrates' Court within a period of 21 days beginning with the day on which they were notified of the decision to be appealed against.
- 9.17 Section 53 of the Act and the Guidance allows for interested parties and responsible authorities to apply to the Council at any time for a review of any licence granted because of a matter arising at the premises in connection with any of the four licensing objectives.

10.0 Risk Management Implications

- 10.1 There is a right of appeal to the Magistrates Court for both the applicant and all interested parties. Costs may be awarded against the Council on successful appeal if the Council has not acted reasonably.

11.0 People Impact Assessment (PIA):

| | | | |
|--|-----|----|--|
| Is a PIA required? | Yes | No | Explanation: Screening assessment conducted as part of the Council's Licensing Act Policy Statement |
| | | ✓ | |
| Has an initial PIA screening been completed? | Yes | No | Explanation: As above |
| | | ✓ | |

| | | | |
|--|------|----|---|
| Has a full PIA been completed? | Yes | No | Explanation: As above |
| | | ✓ | |
| Is the PIA available? | Yes | No | Explanation: As above |
| | | ✓ | |
| Has the PIA identified any negative impacts on any protected characteristic or community cohesion? | Yes* | No | As above *Please ensure PIA is available |
| | | ✓ | |

Any Further Relevant Information:

None

12.0 Other Corporate Implications

1. Community Safety

The four licensing objectives of the Licensing Act 2003 are designed to support community safety and are dealt with in the body of the report.

2. Environmental

As above – dealt with in the body of the report.

3. Staffing

None

4. Trade Union

No comments.

Background Papers : Gloucester City Council Licensing Hearing Procedure

Published Papers : Licensing Act 2003
Licensing Act 2003 (Hearings) Regulations 2005
Gloucester City Council Licensing Policy Statement
Home Secretary (Home Office) Guidance issued under section 182 of the Licensing Act 2003 (Oct 2010)

Person to Contact : Philippa Finnegan
Tel: 01452 396028
E-mail: philippa.finnegan@gloucester.gov.uk

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**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 INSLEY GARDEN CONVENIENCE STORES

.....
(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 102 INSLEY GARDENS HUCCLECOTE GLOUCESTER GL3 3BA | | | |
| Post town | GLOUCESTER | Post code | GL3 3BA |

| | |
|---|-------|
| Telephone number at premises (if any) | |
| Non-domestic rateable value of premises | £4275 |

Part 2 - Applicant Details

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

- | | | | |
|----|---|-------------------------------------|-----------------------------|
| a) | an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual * | | |
| | i. as a limited company | <input 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 please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

- 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 checked="" type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname RAVENTHERAKUMAR | | | First names RAJEENADEVI | | |
| I am 18 years old or over | | | | <input checked="" type="checkbox"/> Please tick yes | |
| Current postal address if different from premises address | | Northfield Road Gloucester GL4 6TY | | | |
| Post Town | GLOUCESTER | | | Postcode | GL4 6TY |
| 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 |
| Address |
| Registered number (where applicable) |
| Description of applicant (for example, partnership, company, unincorporated association etc.) |
| Telephone number (if any) |
| E-mail address (optional) |

Part 3 Operating Schedule

When do you want the premises licence to start?

| | | |
|-----|-------|---------|
| Day | Month | Year |
| 0 | 5 | 08 2011 |

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)
CURRENTLY EMPTY SHOP CONNECTED TO HAIR SALON. PROPOSED TO BE GROCERY
CONVENIENCE STORE . ALONG SIDE OTHER BUSINESSES IN PARADE

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)

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"/> |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 4) | | |
| Mon | 06:00 | 22:00 | | | |
| Tue | 06:00 | 22:00 | 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) | | |
| Wed | 06:00 | 22:00 | | | |
| Thur | 06:00 | 22:00 | | | |
| Fri | 06:00 | 22:00 | | | |
| Sat | 06:00 | 22:00 | | | |
| Sun | 06:00 | 22:00 | | | |
| | | | | | |
| | | | Both | <input type="checkbox"/> | |

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

| | |
|---|---------|
| Name RAJEENADEVI RAVENTHERAKUMAR | |
| Address Northfield Road Gloucester GL4 6TY | |
| Postcode | GL4 6TY |
| Personal Licence number (if known) APPLYING TO GLOUCESTER COUNCIL | |
| Issuing licensing authority (if known) APPLYING TO GLOUCESTER COUNCIL | |

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

O

| Hours premises are open to the public Standard days and timings (please read guidance note 6) | | | State any seasonal variations (please read guidance note 4) |
|--|-------|--------|--|
| Day | Start | Finish | |
| Mon | 06:00 | 22:00 | <p><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)</p> |
| | | | |
| Tue | 06:00 | 22:00 | |
| | | | |
| Wed | 06:00 | 22:00 | |
| | | | |
| Thur | 06:00 | 22:00 | |
| | | | |
| Fri | 06:00 | 22:00 | |
| | | | |
| Sat | 06:00 | 22:00 | |
| | | | |
| Sun | 06:00 | 22:00 | |
| | | | |

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)

TO TAKE ALL DUE CARE AND ATTENTION WHEN CARRYING OUT A SALE OF ANY ALCOHOL. FOLLOW ALL GUIDELINES ACCORDING TO THE LICENSING ACT 2003 AND MEET ALL ALL LICENCING OBJECTIVES

b) The prevention of crime and disorder

INSTALL A DIGITAL CCTV SYSTEM, KEEPING IMAGES FOR 31 DAYS. INSTALL SECURE DOORS AND WINDOWS. KEEP A WATCHFUL EYE ON CUSTOMERS OR GROUPS OF PEOPLE WHO APPEAR TO BE LOITERING. TRAIN STAFF TO BE VIGILANT, WHEN CUSTOMERS USE CHEQUE GURANTEE CARD/CHEQUE BOOK. USE AN ELECTRONIC FORGE NOTE DETECTOR. AVOID CREATING ANY DISPLAY WHICH WILL BLOCK VIEWS. KEEP ALL TELEPHONE NUMBERS OF RESPONSIBLE AUTHORTIES, NEARBY. GET INVOLVED WITH COMMUNITY POLICE OFFICER AND PARTICIPATE IN LOCAL TRAINING INITIATIVES IN LICENCING REGULATION

c) Public safety

HAVE REGULAR HEALTH AND SAFETY CHECKS INSIDE AND OUTSIDE OF PREMISES. CARRY OUT FIRE RISK ASSESSMENTS. USE ADEQUATE AND APPROPRIATE LIGHTING. MAKE SURE ALL AREAS OPEN TO CUSTOMERS ARE CLEAR AND WITHOUT OBSTRUCTION. TO BE AWARE OF RESPONSIBLE RETAILING

d) The prevention of public nuisance

TO BE INVOLVED IN LIASING WITH LOCAL POLICE AND LICENCING AUTHORITY ON REGULAR BASIS. TO TAKE APPROPRIATE MEASURES TO AVIOD ANTI SOCIAL BEHAVIOUR.,PUT UP NOTICES AND COMMUIATE WITH CUSTOMERS. ENSURE LITTER IS KEPT TO A MINIMUM. THE CCTV WOULD RECORD ANY INCIDENT OF ANTI SOCIAL BEHAVIOUR. USE OUR AUTHORITY AND RIGHT TO REFUSE TO SERVE ANY CUSTOMER SHOWING EXPRESSING PUBLIC DISORDER

e) The protection of children from harm

TO BE AWARE OF AND PROMOTE CHALLENGE 21 SCHEME. TO WATCH FOR FAKE I.D. PROMOTE 'NO I.D. NO SALE' , IN STORE. ACCEPT ONLY GOVERNMENT APPROVED I.D. PROMOTE AND OBTAIN CITIZEN CARD LITERATURE FOR I.D. PURPOSES. TO KEEP A LOG BOOK OF ALL SALES REFUSED TO UNDER-AGED CUSTOMERS

- 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 | |
| Date | 4/7/11 |
| Capacity | AGENT |

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) | | | |
| ANIL BHAWSAR GREENHILL ROAD LEICESTER | | | |
| Post town | LEICESTER | Post code | LE23DL |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail your e-mail address (optional) | | | |

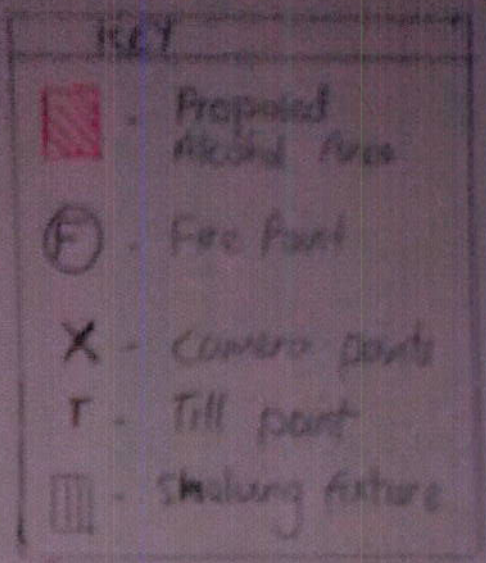
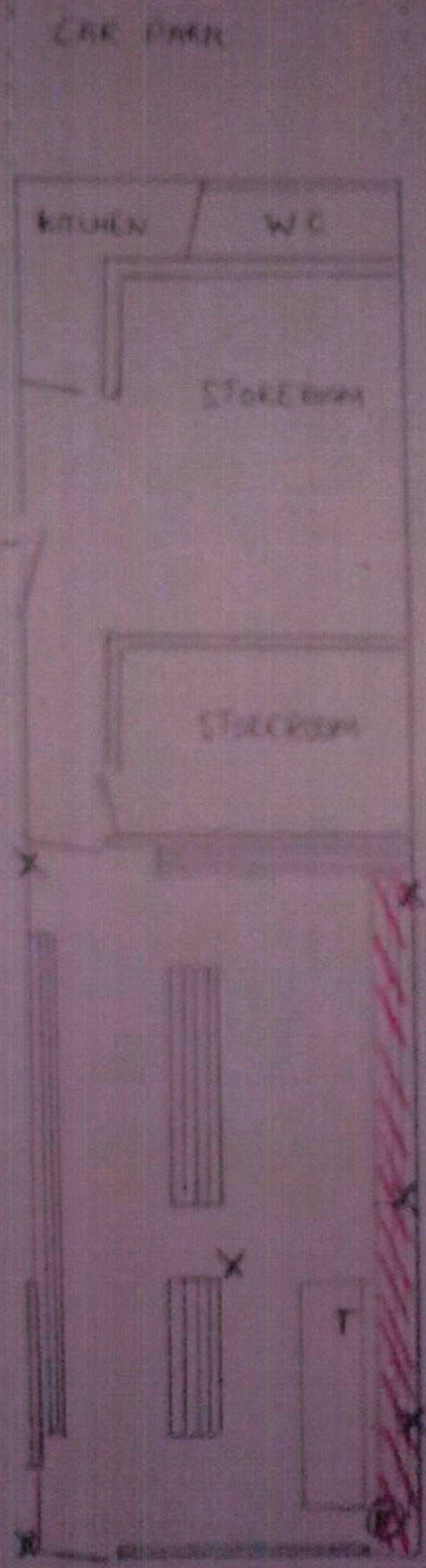
Notes for Guidance

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, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. 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, 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, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

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102 INSLEY GARDENS, GLOUCESTER, GL3 3BA

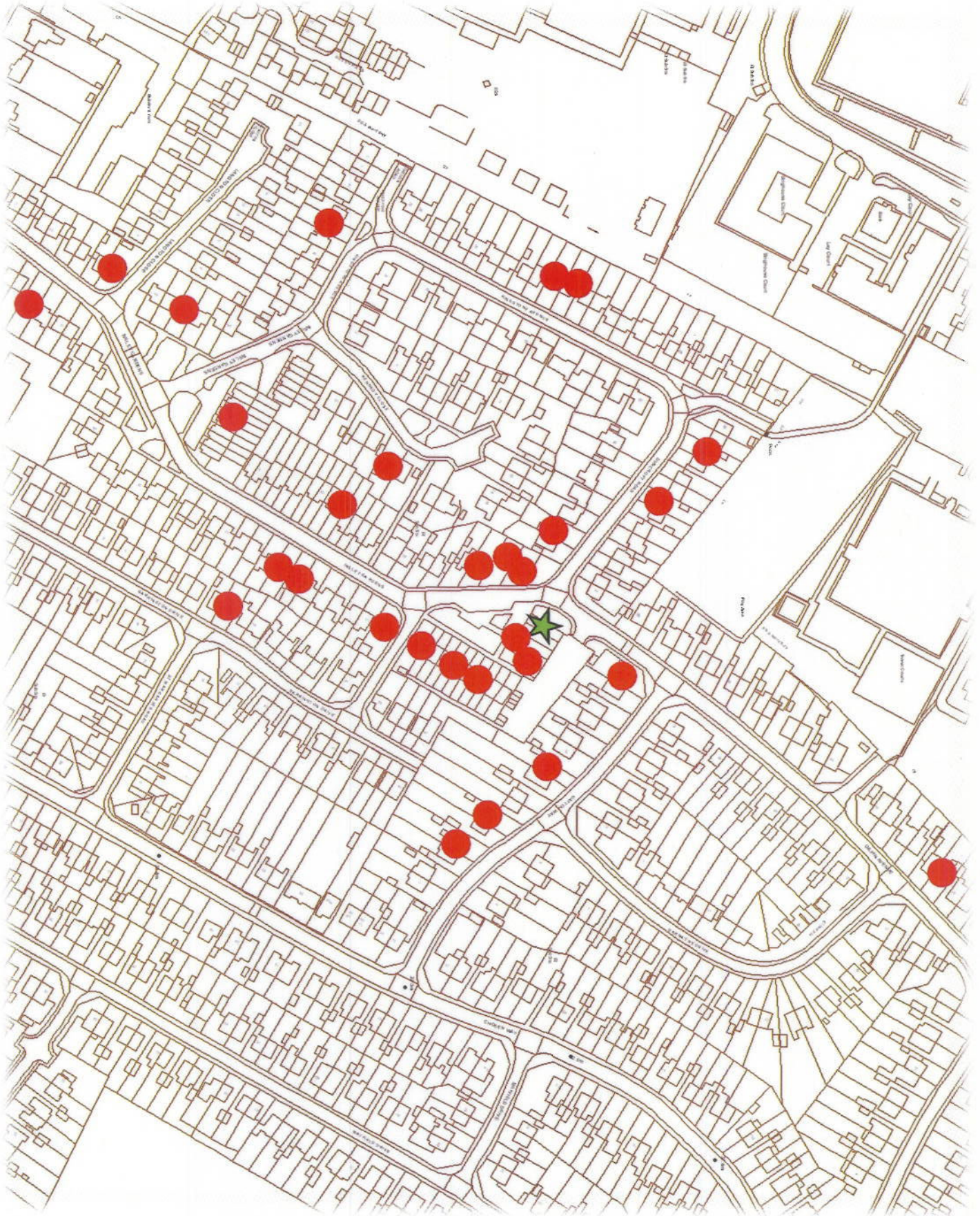
SCALE 1:100 1CM = 1M



Staff Entrance

↑
Customer Entrance

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102 INSLEY GARDENS



RESIDENTS / BUSINESSES

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1100941GLPRMG
100121249538

Mrs R. Raventherakumar,
Northfield Road,
Gloucester,
GL4 6TY

7 July, 2011

Dear Madam,

REF: INSLEY GARDENS CONVENIENCE STORES

I acknowledge receipt of your application for the Grant of a new Premises Licence in respect of the above named premises.

I am happy with the operating schedule you have proposed, the only conditions that I would like to see on your Licence when issued are as follows :-

1. All spirits to be kept behind the counter
2. The CCTV system shall be maintained in good working order, shall record at all times the premises are open, and recordings shall be kept for a minimum of 14 days and be provided on DVD to Officers of the Council, Trading Standards or Police on request.
3. The Challenge 21 (or equivalent scheme) shall be adopted, so that any customer attempting to purchase alcoholic liquor who appears to be under the age of 21 shall be asked for an accredited photographic proof of their age (e.g. passport, photo driving licence or a Pass approved card) and that a sale shall not be made unless this evidence is produced. This will only be treated as a breach where the customer subsequently turns out to be under 18 years of age.

If you are in agreement that these conditions are acceptable to you, please sign and return the attached copy to me at your earliest opportunity.

.....Cont'd

I accept the above conditions to be added to my Premises License
Convenience Store when issued

Signed... .. Date: 09.07.2011

Yours sincerely

David Lewis

Licensing Unit
Community Engagement Dept
Gloucestershire Constabulary

-
- ☎: Direct: 01452 75(2818) Group: 01452 75(4482)
 - ✉: david.lewis@gloucestershire.police.uk
 - 🌐: <http://www.gloucestershire.police.uk/>
 - 📍: Licensing Unit, Community Engagement Dept, Police HQ,
No. 1 Waterwells, Quedgeley, Gloucester, GL2 2AN.

COPIES OF REPRESENTATIONS MADE BY LOCAL RESIDENTS

Philippa Finnegan

From: J Jenner
Sent: 04 August 2011 16:54
To: Licence Team
Subject: Licence application for Stores at 102 Insley Gardens, Hucclecote

To whom it may concern,

I wish to object to the granting of a licence for the above named store. There are many vulnerable young people in and around the Hucclecote area and I feel the availability of alcohol will be subject to abuse and although there are laws to prevent the sale of alcohol to under 18's this does not prevent abuse happening. The co-operative store is close enough for people to purchase alcohol and I ask that the licence does not be granted.

J Jenner
Duncroft Road
Hucclecote
Gloucester
GL3 3AS

Licensing Authority
 Environmental Health
 Glos City Council
 Herbert Warehouse, Dorko, GL1 2EQ.

ENVIRONMENTAL
 - 4 AUG 2011
 HEALTH

Dear Sirs

re Licensing Application for Convenience Store at
 Insley Gardens.

I wish to object to the proposal to sell alcohol even for consumption off the premises, from past experience. The side of my property borders the area behind the shop, which is privately owned I believe, by various owners. Nevertheless, especially when alcohol was sold, young people would meet there, even some from Abbeydale + Abbeymead. Because there are various areas not easily overlooked especially the alley behind the rear gardens of 44-94 Insley Gardens, the resulting 'rubbish' was often thrown over the wall into my garden, (including a six foot long oak post after a particularly rowdy session). As a 40+ year old woman living on my own, it is too intimidating to try to say anything to the perpetrators. The local police station on the Hucclecote Rd was frequently unmanned & they are even more stretched now. Earlier in the year someone (presumably drunk) extracted an egg from my recycling bin & threw it at my front windows at about 11 pm. I discovered the mess in the morning (so that's what that noise was!)

There are other stores to purchase alcohol nearby. Sainsbury, the Co-op in Hucclecote Rd and Chosen Way, Glenville Parade & Dingle's. PARKING. There are double yellow lines on the corner by the shop nevertheless people park 'just for a minute' (the post box is in front of front former shop, conveniently. Due to bends in the road, people are often unsighted by parked cars, or cars reversing out of the designated area in Ley Gardens/Hilp in Ave/Gyffton Way tend to become a rat-run between Churchdown lane (→ Cheltenham) & Hucclecote Rd (→ Glos) by people wishing to avoid delays by lights on the main road. The result is that this seemingly 'open area' is extremely dangerous, driving even at 30 mph, and a sudden impulsive stop at the off-licence, & others having to move round obstructions, to the centre of the road, makes it even more difficult for pedestrians with prams and dogs to cross with safety to Duncroft road leading to the green space & play area.

An alcohol licence means people notice this area of hard standing behind the premises, & during daytime cricket golf & footballs have come over the walls into the gardens, and vehicles dump rubbish in the area which the council men have to remove.

There are many elderly retired people here, and more moving to a quieter area or into an OAP home as a result of more anti social behaviour, would result in less buying in the immediate area causing a drop in house value, as well a greater pressure on the Council because of only people on benefit wanting/able to move here.

The "Convenience Store" property is more suitable for offices. I wonder if the applicant realises that previous owners were not able to make it pay and most went bankrupt. Changing habits, more cars and supermarkets and delivery systems, will now make the problem worse for them.

Yours faithfully

Philippa Finnegan

From: David Brown
Sent: 03 August 2011 09:21
To: Licence Team
Cc: Bill Crowther; James T. Beeley
Subject: Licensing Application for Convenience Store at 102 Insley Gardens, Hucclecote - objection

A local resident has brought to my attention the application to the Licensing Authority for a Premises Licence for the Insley Gardens Convenience Store at 102 Insley Gardens.

I have since been approached by other concerned residents who, without exception, are opposed to this application.

Concerns range from excessive noise of delivery vehicles (early morning) and shoppers late at night - for people living nearby - to an increase in antisocial behaviour also affecting a wider area of this relatively peaceful part of Hucclecote.

The close proximity of a grassed area in front of the shop and a public park nearby increases the worry that groups of people will gather, after visiting the shop to purchase alcohol, with increased likelihood of creating disturbances. There are a large number of houses facing on to the grassed area with private housing along Duncroft Road leading to the park.

There is also an unlit car park behind the row of shops. This provides designated parking for some residents (and I believe for the other businesses) but also is a source of worry for those with gardens backing on to the car park as it is another potential gathering place.

I am objecting for the reasons given above, also Hucclecote Councillors Beeley (City) and Crowther (County) have asked to be included as objectors to this application.

Would you please ask the Licensing Committee to review this application. I know of at least one resident wishing to have the opportunity to speak to the Committee.

In additon I would appreciate it if I could please view the application at your offices, tomorrow afternoon. Please confirm if this will be convenient.

Cllrs Brown, Beeley, Crowther

Philippa Finnegan

From: M Morrison
Sent: 03 August 2011 17:56
To: Licence Team
Subject: Licensing Application for Convenience Store at 102 Insley Gardans.

To whom it may concern.

As residents in the area, we strongly object to the proposed selling of alcohol for consumption off the premises.

The area is surrounded by housing occupied by young families and elderly residents and the selling of alcohol may encourage anti social behaviour, with the congregation of groups on the local grassed area and the external staircases to the flats above.

Hucclecote is already well supplied with alcohol retailers. We do not need another.

There is a "red zone" no drinking area in the local park, why create a new one?

Regards.

M & J Morrison.

Kingstone Avenue
Hucclecote
GL3 3AP

Gilpin Avenue
Hucclecote
Gloucester
GL3 3DE

Environmental Health
Gloucester City Council
Herbert Warehouse
The Docks
Gloucester
GL1 2EQ



1st August 2011

Dear Sir

Reference: Planning application for Convenience Store, Insley Gardens

I wish to lodge an objection to the above planning application as I have the following concerns:

- Having a Convenience Store will increase the volume of traffic in the area where there is little parking available.
- The selling of alcohol from the hours of 06:00 until 22:00 will encourage the consumption of the same and have a potential for loutish and drunken behaviour.
- The proposed establishment is totally surrounded by residential properties.
- An increase of rubbish, especially empty cans, in the estate.

I trust that, with proper consideration, this application will not be granted.

Yours sincerely

P Smith (Mr)

31st July 2011
 REF 102 INSLEY GDS
 STORE.

MR. C

ENVIRONMENTAL
 DUNCRAFT
 HILLES LE 2000 IE
 GLOUCESTER
 GL3 3AS

Dear Sirs,

I am totally
 opposed to the issue of a
 license to sell alcohol from
 6.00 to 22.00 hrs. We who
 look on to Duncraft Park already
 have noise problems, with local
 youngsters drinking and partying
 at night, without drawing other
 youngsters, from further a field,
 who know they can buy drink
 till 10 o'clock at night. We already
 have enough pubs and supermarkets

2

selling drink in the area. I
 certainly don't see the need
 for another shop.

yours faithfully,

Philippa Finnegan

From: R Roberts
Sent: 02 August 2011 18:35
To: Licence Team
Subject: 102 Insley Gardens, Hucclecote

To whom it may concern,

I am writing on behalf of the local ladies gym running in Insley Gardens in regards to the application for the premises next door. Having spoken to another business owner in the unit it would appear that the application to convert the shop at 102 Insley Gardens into a convenience store is virtual complete.

Considering the 3 businesses operating in the facility on a daily basis, it would seem to make no sense to have such a business placed in this location. Having a business selling alcohol late into the night right next door to our ladies only gym and the beauty salon (plus the hair dressers) doesn't only seem inappropriate but also would damage our ability to encourage as many new members.

As we are a female only establishment, we strive to ensure that all our members feel safe in the environment in which they are exercising and many have already expressed concern about the plans to us. It also worries me how we will pull in new members when that would be the first thing they see on approach to the gym and I don't want our business to suffer as a result of this new venture. With the prospect of the dark winter nights being enough of a worry for many of our members, it would be such a negative impact on the gym if we were to lose anyone due to any discomfort.

While I am all for new local businesses being developed, I think more careful consideration is necessary in the planned location as this new venture may be very good for the new owner but will have a large negative impact on the businesses currently operating who have spent a lot of money, time and heart in making the businesses the very best they can be!

Regards,

B Roberts

INSLEY GADRENS, HUCCLECOTE, GLOUCESTER, GL3 3BA

Insley Gardens
Hucclecote
Gloucester
Gloucestershire
GL3 3BA

02 August 2011

Dear Sirs

**Comment on the application for a Premises Licence
for 102 Insley Gardens, Hucclecote**

I understand that an application has been made to sell alcohol for consumption off the premises, Monday to Sunday - 6.00 to 22.00.

I would object to the selling of alcohol

1. Monday to Sunday from 18.00 to 22.00
2. Anytime on Sunday

for the following reasons

1. The premises is in a quiet residential area, which is particularly quiet after 18.00 and on a Sunday. Selling from 18.00 to 22.00, and on Sunday, will destroy the quietness of the residential area.
2. If the premises is selling alcohol between 18.00 and 22.00 there are several places where young people are very liable to congregate and consume alcohol and drugs; become anti-social, to include being noisy, abusive, littering and vandalising property (The alcohol purchased underage or by an over 18) - There is a non-overlooked car park adjacent with walls to the back gardens of residential properties in Gatton Way and a non-overlooked alleyway to the rear of the back gardens of 74 - 94 Insley Gardens. There are some non-overlooked garages in the car park with a non-overlooked space between.
3. There are two nearby stores, which are not in residential areas, where alcohol can be purchased. - 1. The Cooperative store in Hucclecote Road - 5 minutes walk
2. The Sainsbury's store in Barnett Way - 5 minutes walk.

I trust the people deciding on the licence will visit the site so they can familiarise themselves with the above and that they will agree not to grant a licence

1. Monday to Sunday from 18.00 to 22.00
2. Anytime on Sunday

Thank you

Mr M Wild

Copy David Brown, City Councillor for Hucclecote

Philippa Finnegan

From: K Shaw
Sent: 02 August 2011 21:49
To: Licence Team
Subject: Licence for 102 Insley Gardens

Sir

I strongly object to the application for a drinks licence for the new store at 102 Insley Gardens.

The area is already well served by two supermarkets, Sainsbury and the Coop so it will not contribute a benefit to the area. It may well attract an element that could abuse the terms of the licence and lead to problems of drink and behaviour in the area. I live at and the traffic on this difficult junction will be complicated should cars want to make quick purchases at the store.

Please accept this as a local resident opposed to granting this licence

K Shaw

Philippa Finnegan

From: D Steenson
Sent: 02 August 2011 21:28
To: Licence Team
Cc: David Brown
Subject: Objection re Licence to sell alcohol at 102 Insley Gardens, Hucclecote, Gloucester
Importance: High

Dear Sir/Madam

Licensing application for Convenience Store at 102 Insley Gardens

We object to the application in respect of a Premises Licence at 102 Insley Gardens to sell alcohol for consumption off the premises every day between the hours of 0600 – 2200.

With all the emphasis currently employed, both nationally and locally, on promoting drink awareness and highlighting not only the anti social behaviour and criminal activity associated with excessive alcohol consumption, but the profound and shocking short term and long term affects on individual health and consequently community cohesion, we consider such an application if granted, to challenge and confront all that has been documented in evidence against encouraging alcohol consumption.

By allowing another outlet to serve intoxicating liquids the result will be to exacerbate anti social behaviour together with the almost inevitable increase in criminal activities due to alcohol intoxication.

There is a community open space and well maintained play area within 2 minutes walking time from the premises in question, this is likely to be the most obvious and convenient area for alcohol consumption, and the area to suffer from criminal vandalism.

The premises at 102 Insley Gardens are situated on a busy corner, with double yellow lines and limited parking spaces, and as a result would cause traffic congestion, a larger risk of traffic related accidents and a guaranteed increase in noise and pollution together with a heightened threshold of intimidation for local residents visiting the well established businesses in that location.

Alcohol sales outlets, at least 3 within 10 minutes walking distance, adequately serve this neighbourhood.

Would granting another establishment a licence to sell alcohol for 16 hours a day, 7 days a week help in the prevention or reduction of crime and disorder, promote public safety, reduce public nuisance and eliminate the fear of intimidation and wanton vandalism?

How would another point of sale for alcohol enhance the area and contribute to the well being of the inhabitants and make a contribution to the national and local initiatives in reducing alcohol consumption?

We therefore object to the granting of a licence to sell alcohol from 102 Insley Gardens, Hucclecote.

Yours faithfully,

& Steenson
Gatton Way
Hucclecote
Gloucester
GL3 3DG

ENVIRONMENTAL
- 1 AUG 2011
HEALTH

L. ORSI
GATTON WAY
Hoccheote
Gloucester GL33DE

Dear Sir / MADAM -

We are in favor for
convenience store at
102 INSLEY GARDENS. as there is
a herge amount of old age
penioners. But selling alcohol
until 10 P.M. will only cause big
problems, as there its already
been a lot of problems in the
past, of people overdrinking and
consuming alcohol in the field
at the end of Kingstone Avenue.

Yours sincerely

C.C. DAVID BROWN
GLOS. COUNCIL

Kingstone Avenue
Hucclecote
Glos. GL3 3AR
ENVIRONMENTAL HEALTH
- 1 AUG 2011
29th July '11.

Dear Sir/Madam,

With reference to Licensing Application for Convenience Store at Sursley Gardens, to include the selling of alcohol.

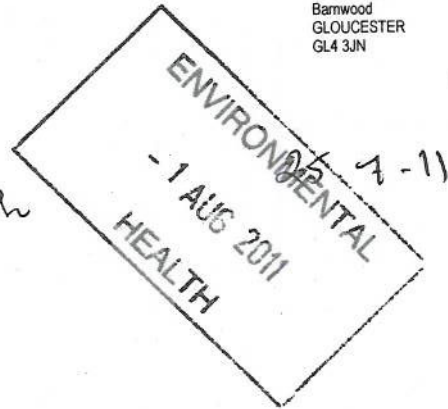
This is an absolutely ludicrous idea and we both strongly object to this application.

We all know what will happen in that area and we're sure local residents DO NOT want this on their doorsteps.

The Co-Op, Sainsburys & Loyal Oak are a 5min walk away, Hucclecote & Glos. does NOT NEED another store selling alcohol.

Yours sincerely

M Strangemore
Colin Road
Barnwood
GLOUCESTER
GL4 3JN



Environment Health
Glos. city council
Herbert Warehouse

Dear Sirs.

Ref 102 Insoley Yards.

I am writing re above, though a welcome shop here would be very handy, I am concerned that it could be licensed premises.

For possible under-age consumption of alcohol, also loitering thereby and any consequences, and danger.

For the sake of residents, and too, next door to Fitness Females gym, which I am a member and regular user, am opposed to the license for alcohol.

Yours faithfully

Philippa Finnegan

From: S Coldrick
Sent: 31 July 2011 20:56
To: Licence Team
Cc: David Brown
Subject: Application for Convenience Store, 102 Insley Gardens, Hucclecote

Good evening

We would like to object to the application for a premises licence to be granted to a Convenience Store at 102 Insley Gardens.

The alleyway that joins Insley Gardens with Kennedy Close can often be used as a hang out/hide away for youths and has caused some problems in the past along with problems with youths in Insley Gardens, which have been reported to the local police.

When Bargain Booze was open on the main Hucclecote Road, just past the turning to Insley Gardens, empty vodka bottles were found on a regular basis in the alley but since they have been closed this hasn't been an issue. Youth's including some under age, feel that the alleyway is a good place for secret smoking and drinking and, if underage, can always find someone the right age to buy the items for them. Having a shop that close will just make the problem worse again.

We have a lot of bored youths in the area, at the right age to experiment with smoking and drinking, and this would be another hang out for them, a bit like the problems they had in Dinglewell around the shops. There are a lot of families and retired people in this area who shouldn't have to put up with anti social behaviour, which I believe could start if this application was approved.

Regards

Insley Gardens resident



Insley Gardens
Hucclecote
Gloucestershire
GL3 3BA

Environmental Health
Gloucester City Council
Herbert Warehouse
The docks
Glos GL1 2EQ

28th July 2011

Dear Sirs

Licensing application for convenience store at 102 Insley gardens

I object to the above application as this is a residential area, and the late night opening of the premises will encourage drinking and rowdiness on the area of grass in front of the shops. We already have two local Co-op shops opening until 10:00pm and we are within walking distance of Sainsburys supermarket.

I consider that this proposal with such early and late opening hours will significantly increase traffic in the area and encourage anti-social behaviour and will have an unacceptable impact on the residential amenity of my neighbours and myself.

Yours faithfully

G.V Coles

cc Councillor David Brown

Philippa Finnegan

From: D Tippins
Sent: 29 July 2011 09:41
To: Licence Team
Cc: David Brown
Subject: selling alcohol insley gardens

On behalf of my neighbours and myself we wish to object to the selling of alcohol on Insley Gardens. This is a quiet family estate, the last thing we require is alcohol available from 6am to 10pm. Alcohol can be purchased within a short walk from here. A shop has recently closed on the main road from lack of demand.

yours sincerely

D Tippins Insley Gardens.

D Lawrence Insley Gardens.

D Greensil Insley Gardens.

I Beddis Insley Gardens.

Philippa Finnegan

From: P Bailey
Sent: 27 July 2011 12:15
To: Licence Team
Cc: David Brown
Subject: Licensing application for Convenience Store-Insley Gardens

I should like to make an objection the the above application specifically regarding the proposal to sell alcohol for consumption off the premises.

My objections are as follows:

- * The population of Insley Gardens and surrounding communities are predominately middle aged and elderly, this provision would encourage people to congregate making it 'feel' unsafe
- * There are already sales outlets for alcohol very near at Sainsbury, Co-operative, two garages and convenient stores on Barn wood Road.
- * There is already an issue with young people and adults using the public park at the end of Kingstone Avenue as a place to drink.
- * There would be an increase in people using Kingstone Avenue, Insley gardens etc., as a rat run
- * Gloucester has the highest rate of alcohol abuse in the county, surely you should not be encouraging drinking.
- * The current two businesses [fitness for Females and Natural Beauty Salon] operating on that site would have problems with undesirables and would probably loose business

I have no objections to a convenient store but huge objections to the selling of alcohol.

Take note of other stores in the area who experience problems.

P Bailey
Kingstone Avenue
Hucclecote
Gloucester
GL3 3AR

Philippa Finnegan

From: T & S Bennett
Sent: 26 July 2011 19:20
To: Licence Team; David Brown
Subject: 102 Insley Gardens

We wish to object to the proposal for the above convenience store to sell alcohol for off the premises consumption .

In Hucclecote there are already many places selling alcohol , two Co-op's and several convenience stores . Adjacent to Hucclecote are a Sainsburys and a Tesco's with large alcohol departments .

Medical advice is now unanimous that too much alcohol is being consumed with the subsequent impact on the nations health and hospitals . Also alcohol fueled anti-social behaviour issues adversely affect local neighbourhoods and make demands on police time .

There is no reasonable need for yet another store to be licenced to sell alcohol and we therefore ask to you reject this application .

L.E. and S.M. Bennett (Insley Gardens)

Philippa Finnegan

From: S Carter
Sent: 26 July 2011 21:22
To: Licence Team
Subject: 102 Insley Gardens, Hucclecote - Premises Licence

Dear Sirs,

We are the residents of Insley Gardens and as Interest Parties wish to put forward representations in connection with the premises licence application made for the above property. Please confirm receipt of this e-mail and confirm also that you accept representations made by e-mail.

Insley Gardens is a wholly residential street save for the small parade of shops of which the property in question forms part. There are 4 shops in the block which currently comprise a beauty salon, hairdressers, gym and the property in question. There are flats above. This property was until recently a training and management company and there is also a small hairdressers to the side. As such the existing uses are all of fairly low impact and in keeping with the residential environment.

The intended use of the property appears to be as a convenience store. Whilst retail use is welcomed it should be noted that the current use of the most recent use of the property has been as offices within Use Class B1 and that planning permission has not yet been applied for in connection with a conversion of the property back to retail use (Use Class A1).

In discussion with our neighbours there is widespread concern as to the application for a premises licence and we share those concerns. We would ask that the licencing authority refuse the application for a premises licence for the reasons set out below.

The remit of the licensing authority when considering any application for a premises licence is to take into consideration the following four principal objectives:

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

Insley Gardens is a quiet residential street where there are a large number of elderly residents and families with young children. We live directly opposite the property in question with our two young children aged 2 and 4. We are firmly of the view that the opening of an off licence in this area is likely to have a significant negative impact on the area. The parade of shops has to the front and side open areas of grass. This is already an area where teenagers and young adults sometimes congregate. There is considerable risk that an off licence will only encourage more people to congregate in the area and consumption of alcohol on the street. This is likely to lead to higher levels of crime and disorder in the area, put at risk public safety and cause a public nuisance. It is likely to increase littering and increase noise nuisance for local residents. We are obviously very concerned as to the potential impact this will have on our children growing up in such an area.

Although the main concern is the impact this will have on the local area other factors should be taken into consideration. Parking has been a problem in the area in particular due to the popularity of the gym. The

parking problems recently resulted in a parking review and parts of Insley Gardens being designated with double yellow lines. A busy off license is likely to put pressure on parking which could impact on safety on what is a quiet residential road.

There is also a question of necessity. There is a large supermarket (Sainsbury) no more than 10 minutes walk from this property. Furthermore there are two parades of shops along Hucclecote Road as well as garages all with premises licences. We would therefore question the necessity for a premises licence in the centre of a residential area.

Whilst we appreciate that the property is currently not in use and we would not wish to see the property remain unoccupied this does not outweigh the harm that could come about from the grant of a premises licence. We understand that planning for change of use to takeaway has been refused for similar reasons and we would argue that other lower impact uses (such as small retail units, hairdressers, gym, estate agents etc) are more suited to the area. The economic pressures of encouraging new business into the area does not therefore outweigh the harm that would be done to local residents.

For the reasons set out above we would strongly urge the refusal of the licence for this property. If the licensing authority is minded to grant a licence then we would ask that the hours of opening are significantly reduced to take into account the fact that the property is in close proximity to residential premises. The application for 7 days a week opening hours 6am to 10pm is unjustified and would cause disruption early in the morning and late into the evening.

We trust you will take these representations into consideration. Please keep us advised of the progress of the application and if this goes to a hearing the date and time of that hearing.

Regards,

M and S Carter
Insley Gardens

Philippa Finnegan

From: S Bonser
Sent: 26 July 2011 12:17
To: Licence Team
Cc: David Brown
Subject: Convenience store, insley gardens.

Dear sir/madam,

I am writing in regard of the application for a convenience store at 102 insley gardens, hucclecote. we do not have any objection to a store in principal (as there was a shop there when we moved in 12 years ago), however we do have some concerns.

Parking: we already have problems with car parking in the area with people parking on pavements and on the double yellow lines on the bend opposite duncroft rd to use the gym and beauty salon, and office workers from Barnett way business's who walk through the park to work instead of using the large car park to the rear of the premises. People will be pulling up on the double yellows on the bend outside the shop "just popping in for a paper"!

Opening hours: we don't see the need for the store to be open until 10pm 7 days a week, we already have groups of children hanging around the area and feel these hours would only encourage them further, also there are 2 co-op stores in the area open late!

Deliveries: we would ask that all deliveries be made to the very rear of the premises through the car park as the previous store received news paper deliveries that would arrive at 4am, as we live directly opposite the store, the sound of vans turning up, with engine idling, radio blaring and doors slamming was not a pleasant start to the day!

We hope that these points are taken into consideration,

Yours sincerely,

Mr & Mrs S Bonser

Insley Gardens
Hucclecote
Gloucester
GL3 3AX

Philippa Finnegan

From: A Cobb
Sent: 26 July 2011 11:51
To: Licence Team
Cc: David Brown
Subject: 102 Insley Gardens

Importance: High

Dear Sir/Madam,

I understand that an application for a convenience store has been made for 102 Insley Gardens. We have had several applications for this type of business and food outlets in recent years and I feel the area doesn't require them. We are more than catered for with the various fast food and convenience stores in the area. These being the main complex opposite The community centre, Hillview road, Glenville parade, Hucclecote garage and Dingelwell store in Lynmouth road.

We already have enough alcohol related problems in the area highlighted by a recent leaflet/meeting for the Barnwood ward and Police.

Therefore I wish to view my **Objection** to this application as it will encroach on our tranquil lifestyle in this area and we already have enough pressures threatening this. Not to mention the litter and noise from youngsters who will congregate there. Also there are not enough parking spaces on the road outside and therefore parking congestion will also become an issue.

Please refuse this application.

Yours sincerely

A Cobb

ENVIRONMENTAL
26 JUL 2011
REGEN

Mr R.E. Smith
Laynes Road
Hucclecote
Gloucester
GL3 3PX

22 July 2010

Re 102 Insley Gardens, Hucclecote

Dear Sir

In my opinion to grant a license to sell alcohol at the above premises would be a very retrograde step.

It is in the centre of a residential area already served by shops nearby.

Hucclecote has its problems with gangs of young people in the evening time, and a shop of this nature would only cause problems for what is now a very peaceful neighbourhood

Also for many years the hair dressing salon Silver Scissors has operated from these premises, and has been informed she will have to move.

It provides a much valued service to the local community and will be very much missed.

It seems grossly unfair that someone established in business is forced to quit, to make way for yet another alcoholic outlet.

I implore you we do not need another Off License in this locality.

Yours Faithfully

R Smith

J Smith

RECEIVED
26 JUL 2011
REGENERATION

Philippa Finnegan

From: R Allison
Sent: 25 July 2011 20:19
To: Licence Team
Cc: David Brown
Subject: Licensing application for convenience store in Insley Gardens

Hello,

I wish to object to the proposal for a Premises License for a Convenience Store in Insley Gardens, Hucclecote for the following reasons:-

I feel the 2 Co-ops on Hucclecote Road, Sainsburys, 2 local pubs and just a bit further away Tescos, Budgens and the Total Garage provide ample choice for the purchase of alcohol within a 2 mile radius. This would encourage under age drinking as there is the park nearby together with other green open spaces. I see enough drunk people wandering home at night and teenagers hanging around as it is, without another store selling alcohol from 6.00-22.00 7 days a week. I don't think the area requires a convenience store and I feel sure that lorries delivering supplies will cause too much noise at different times of the day especially as the shop is going to be open so early. The car park there isnt that good and there are double yellow lines outside. The other premises in that block being a gym, beauty salon and a hairdressers (which I understand will probably have to close) do not pose these type of issues.

Regards

R Allison
Insley gardens
Hucclecote
Gloucester
GL3 3AN

Philippa Finnegan

From: L Davenport
Sent: 25 July 2011 23:49
To: Licence Team
Cc: David Brown
Subject: application for premises licence for the convenience store 102 Insley Gardens, Hucclecote

Dear Sirs

Objection to the Premises Licence 102 Insley Gardens

I wish to strongly object to the above application on the grounds that I feel this will have a direct impact on myself, my family and fellow residents living nearby. I own Insley Gardens which is situated within around 15 meters of the proposed store. The opening hours of this store from 6.00 until 22.00 will have a huge impact on local residents causing disruption early mornings and late evenings, increasing traffic, noise, possible encouragement or gathering from young people. The selling of alcohol until this time will also undoubtedly encourage anti social behaviour into the evenings. Currently the other units consisting of a beauty therapist and women's gym open around 9am and close at 8pm. This allows a break in disruption for local residents. I would propose that this convenience store **not** be permitted to sell alcohol at all, and that the trading hours be limited to opening at 7.30am weekdays Mon-Sat (8.30am Sundays) and closing at 8pm weekdays and 6pm on a Sunday. I feel it is important to say that I have lived happily with my partner and children at this address for 10 years and I am so concerned about this, that I have no doubts, should this proposal be accepted, I will have no other option than to sell my property and move away from this neighbourhood. I would therefore urge you to consider the huge impact this will have on a currently peaceful community, and see the wider implications

Yours Sincerely

L Davenport



Duncroft Road,
Hucclecote
Gloucester GL3 3AT

20 July 2011

Environmental Health
Gloucester City Council
Herbert Warehouse
The Docks
Gloucester GL1 2 EQ

Dear Sirs,

Licensing application for Convenience Store at Insley Gardens

In response to the Spotlight Special endorsed by Councillor David Brown I wish to say that I very much hope such an application will not be agreed by the council. Sixteen hours daily (including Sundays?) or the sale of liquor is something we have never known in this area. Such sales will bring groups who will have no compunction about litter dropping or noise. The nearby field sometimes attracts groups plus noise plus the odd motor bike or two that cause disturbance to the residents who live nearer the field than I do.

I have seen two 'convenience shops' fail since living in the area and that is because such shops have to charge more for many items than the Sainsbury's store which acts as a corner shop for most residents here.

I am not against the corner shop, and am sad at their demise but I fear the same thing could happen again in this period of economic instability.

Further, if anyone needs to purchase alcohol there are two stores within five or six minutes walking time.

I may be on my own in this negative response, but am very glad to have been given the opportunity to say something. Finally, many elderly women would be sad to lose their hairdresser who has graced the premises for 10 – 12 years.

Yours sincerely,

 Bafes

Copy: Councillor David Brown.



ENVIRONMENTAL
22 JUL 2011
HEALTH

Ditchfield
Gatton Way
Hucclecote
GLOUCESTER
GL3 3DG



20-7-11

Environmental Health
Gloucester City Council
Herbert Warehouse.

Dear Sirs,

RE:- Licensing application for
Convenience Store at Insley Gardens

I wish to object to this application, the hours of 6am until 10pm are totally inappropriate for a quiet residential area with mainly elderly people.

The selling of alcohol, especially until 10pm will encourage young people to buy cheaper than in the local public houses. I already have issues with the car park to the rear of the shop and my property where rubbish is dumped regularly, I can see it being used as a drinking place for young people and cans & bottles being discarded. I trust my objections will be considered. Thank you.
Yours sincerely

Philippa Finnegan

From: A Welch
Sent: 22 July 2011 16:36
To: Licence Team
Subject: 102 Insley Gardens Full Version

Please disregard my first email which was incomplete - I hit a wrong button while editing!!

With reference to the circular put out in regard to the above premises and a request for a licence to sell alcohol. I strongly object to this on the following grounds:

1. Anti social behaviour usually occurs around Convenience Stores which sell alcohol. This unit is not far from a playground where, on occasions, I take my grandchildren. There are sufficient outlets for purchasing alcohol in the Hucclecote area: Convenience Store in Glenville Parade, 2 x Co-operative Stores, Budgens, Sainsburys and Dinglewell where I understand there were anti-social problems earlier in the year resulting in no drinking zones being introduced. I also note from your weekly list of licence applications, that Martins, Hill View Road have also applied for an alcohol licence, making a possible total of 7 places where alcohol can be purchased.
2. I would also like to mention that I have an interest here, as my hairdresser's salon is part of this unit and she is in danger of losing her livelihood. She has been there for 11 years and has built up a large customer base in not only the immediate area, but further afield. To my knowledge there are only 3 hairdressers in the area whereas many places to purchase alcohol.

I sincerely hope that you will give this application serious consideration.

Yours faithfully
A Welch

Philippa Finnegan

From: K Keogan
Sent: 22 July 2011 11:07
To: Licence Team
Subject: 102 Insley Gardens

Dear Sir/Madam,

I am writing to express my concerns regarding the application for a Premises Licence for the convenience store at 102 Insley Gardens. My objection is to the proposal to sell alcohol for consumption off the premises.

My family and I live alongside the alley that runs between Insley Gardens and Kennedy Close. In what is otherwise a quiet street, we have had a recurrent problem with vandalism. On several occasions, holes have been punched or kicked in our garden fence overnight. The tail-light of my husband's car (parked on the drive) has been smashed. Empty bottles and cans have been thrown into our garden. It is not unusual for empty bottles to be found in the alleyway itself.

I can only conclude that the ready availability of alcohol for sale in Insley Gardens will make this problem worse.

Thanking you for your attention,

Yours faithfully,
K. Keogan
Kennedy Close
GL3 3AW

Philippa Finnegan

From: C Plaister
Sent: 21 July 2011 18:29
To: Licence Team
Subject: 102 Insley Gardens

Good Evening

I am writing to register a complaint against the plans to turn the premises of 102 Insley Gardens, Hucclecote into a 'convenience store'. Not only will this shop be open for long hours on a daily basis, I understand that they plan to have a licence to sell alcohol.

This will most certainly lead to an increase in noise and anti-social behaviour in the area, which is predominantly inhabited by older people and families, and could easily lead to an increase in crime levels. Also, we already have several premises in the local area that provide the planned services - we do not need more.

I ask you to consider the detrimental effect it will have on a quiet residential area, before making a decision regarding this licence.

Many thanks,
C Plaister
Barrington Drive
Hucclecote.

Philippa Finnegan

From: S Roberts
Sent: 19 July 2011 08:59
To: Licence Team
Subject: 102 Insley Gardens
Attachments: --static--liam_fetch_lb.gif; --static--liam_fetch_bl.gif

Dear Sirs

Re : Insley Gardens Convenience Stores

I have seen the notice for 102 to apply to sell alcohol fro 6am-10pm Monday-Sunday. Whilst I have no intention to complain about a shop being opened it does concern me that alcohol will be sold. We have enough kids hanging about in front of the premises and in the car park behind now, if there were able to otbain alcohol it would make them more agresive and probably louder than they already are. We are a ladies gym - where obviously only ladies come. As it is I have installed a "bio metrics" system on the front door, so that the door is locked at all times until someone either rings to the bell to gain access or their fingerprint is recognised and the door is released. I had this put in because last winter a load of boys thought it would be funny to keep pushing the door open and make rude comments and then one pushed a bench through the door. This of course scare some of my ladies. The kids also hang around in the car park around the back. They ride around on their bikes making ramps, which is okay at this time of the year but in the winter when it is dark when we leave it is a bit scary. I have installed lighting out back and have CCTV but this doesn't deter them!!!

So please accept this email as my appeal against this licence. I also feel that a small letter in the window isn't letting residents know that that licence has been asked for. Not many people go directly past the shop unless they are coming to me or Bodyflair so it seems like they are asking for this licence without telling people as not everyone gets the Citizen. Surely it should be posted on a lamp post or somewhere prominent. - I mentioned it to a member last night who lives opposite the gym and it was the first she had heard about it - AND - she expressed the same fears as me.

Please confirm receipt of this email.

S Roberts



Philippa Finnegan

From: Body Flair
Sent: 19 July 2011 13:02
To: Licence Team
Subject: Re complaint

Hi there

I wish to complaint with regards to Insley Convenience stores who wish to serve alcohol from their premises from 6am - 10am, I feel that this will lend its self to minors drinking in the car park behind the business premises, and other such things which will occur with selling alcohol, in particular at times like that.

We are a Beauty Salon who offer a wide range of quiet, calming treatments to our clients, we also have a very high number of female clients, a lot of which are elderly who may feel intimidated by those who may be drinking around the premises.

Thank you

D Salter

BODY FLAIR Luxury Beauty Salon
Insley Gardens
Hucclecote
Gloucester
GL3 3BA

=====
Email scanned by PC Tools - No viruses or spyware found.
(Email Guard: 7.0.0.26, Virus/Spyware Database: 6.17930)
<http://www.pctools.com>
=====



Philippa Finnegan

From: N LODGE
Sent: 17 July 2011 19:56
To: Licence Team
Subject: proposed application for store at 102, insley gardens

July 16th 2011

I wish to raise objection to the granting of a licence to sell alcohol for these premises. (102, Insley Gardens)
The shop is proposed to be open until 22:00 seven days a week, and late night shops tend to attract certain elements, especially those that sell alcohol. There is a play area and park a short walk from the shops where revellers have been known to congregate in the evenings, which with the added supply of alcohol at hand could become rowdy and cause problems as it has done in other parts of the city. We have also had parking issues in this area which have only recently been solved by the introduction of double yellow lines and this shop happens to be on the corner that caused some of the problem.

Finally there are a number of shops within a short walk which offer the same goods. Why another?

N.C.Lodge
Insley Gardens
Hucclecote
Gloucester.
GL3 3AX

LICENSING APPLICATION FOR CONVENIENCE STORE AT 102 INSLEY GARDENS.

I object to a convenience store at 102 Insley Gardens licensed to sell alcohol 6am to 10pm because

1. There is no safe parking available in the area. The only parking is for the residents. Any cars parked have to back into the main stream of traffic which has a bend at each end and two road junctions. This road is used as a convenience run.
2. There are three local stores near the proposed site selling the same goods and alcohol.
3. There are two more similar stores not much further away.
4. The sale of alcohol would only increase local misbehaviour in the two local playing field areas.
5. There has lately been an increase in vandalism in an area which was very well behaved Lately early July midnight, turned over dust bins, front gardens damaged. Litter bin at bus stop pulled out of its mountings and contents over paths and gardens. Bus stop window damaged.
6. Used cans and bottles will be thrown into local gardens/parks.
7. More alcohol, more trouble, health and society.

Mr.E.J.Tedaldi
Insley Gardens
Hucclecote
Gloucester
GL3 3AN

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PREMISES LICENCE MANDATORY CONDITIONS
RETAIL SALE OF ALCOHOL OFF THE PREMISES

Where licence authorises supply of alcohol

1. No supply of alcohol may be made under this licence
 - (a) at a time when there is no designated premises supervisor in respect of this licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.

Condition relating to Age Verification

- (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol:-
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request before being served alcohol, identification bearing their photograph, date of birth and holographic mark.

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PROCEDURE FOR LICENSING SUB COMMITTEES**General**

1. The Sub Committee shall consist of three members drawn from the Licensing & Enforcement Committee. *In the event of one member of the Sub Committee having to withdraw, the Sub Committee may continue with the hearing in their absence provided all the parties consent.* The Sub Committee is non-political and will make decisions based upon the representations made to it in accordance with the licensing objectives, the Licensing Policy Statement and Guidance issued under section 182 of the Licensing Act 2003.
2. A Local Authority Solicitor will act as legal advisor to the Sub Committee and provide advice, when needed, on matters which may be raised of a legal or procedural nature either during the hearing or before the decision is announced.
3. An officer from the authority's Committee Secretariat will be in attendance to take a record of the hearing.
4. If a party has informed the authority that they do not intend to attend or be represented at a hearing, the hearing may proceed in their absence.
5. If a party who has not so informed the authority fails to attend or be represented at the hearing, the Sub Committee may
 - (a) adjourn the hearing to a specified date where this is necessary in the public interest; or
 - (b) continue in the party's absence.
6. A party may withdraw any representations
 - (a) by giving notice to the authority no later than 24 hours before the day or the first day on which the hearing is to be held; or
 - (b) orally at the hearing.
7. The hearing shall take place in public unless the Sub Committee considers that the public interest in excluding the public from all or part of the hearing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. A party and any person representing or assisting a party may be treated as a member of the public.
8. If any person attending the hearing is behaving in a disruptive manner, in the opinion of the Sub Committee, the Chair can require him to leave the hearing and may
 - (a) refuse to permit that person to return; or
 - (b) permit him to return only on such conditions as the Sub Committee may specify but such a person may, before the end of the hearing, submit to the Sub Committee in writing any information which they would have been entitled to give orally had they not been required to leave.
9. The authority may adjourn the hearing to a specified date or arrange for the hearing to be held on specified additional dates where it considers this to be necessary for its consideration of any representations or notice made by a party. Where the hearing is adjourned or to be held on additional dates, the authority will notify the parties forthwith of the date, time and place to which the hearing is to be held. If a hearing is adjourned or part heard the Sub Committee to which it is adjourned must consist of the same Members.

Time Limits

10. The Sub Committee shall provide the Applicant, Relevant Authorities and Interested Parties an equal opportunity to address the Sub Committee. All parties will be requested to provide a time estimate for any presentation to the Sub Committee. It is expected that all parties will be permitted a maximum of 15 minutes each, except in exceptional circumstances.

Introduction

11. The Chair will introduce Members of the Sub Committee then invite officers and parties present to introduce themselves and to confirm whether or not they wish to make oral representations. Where there are a number of interested parties with similar representations, they may wish to appoint a representative.
12. The Chair will explain the procedure to be followed. On rare occasions it may be necessary, in order to ensure the fairness of the proceedings and in the public interest, for the Chair to alter the order in which parties speak from that set out below.
13. The Chair will explain that all parties have an equal maximum period of time during which to address Members, to question other parties and to give further information in response to a point upon which the authority has requested clarification. The Chair will request confirmation from each party that the proposed maximum period of time is adequate.
14. The Sub Committee shall consider any request from a party for permission to have another person appear at the hearing.
 - (a) Such request must be included in that party's notice in response to the Notice of Hearing.
 - (b) Permission shall not be unreasonably withheld.
15. The Chair will remind the parties that the hearing shall take the form of a discussion led by the Sub Committee and cross-examination shall not be permitted unless the Sub Committee considers that cross-examination is required for it to consider the representations, application or notice as may be required.
16. The Chair will invite the parties to request permission to question or to cross-examine any other party or parties and the Sub Committee shall determine whether permission is granted (permitted parties). All questions must be relevant to the application and must relate to the licensing objectives, Licensing Policy Statement or the guidance issued under section 182 of the Licensing Act 2003.
17. The Chair will remind the parties that it will consider the written representations of any parties who are absent and will hear the representations of those parties who are present.

The Licensing Authority

18. The Licensing & Enforcement Manager ('LEM') or authority representative shall present his report. The report shall not make any recommendation in terms of the outcome of the hearing. The report may summarise the application, the representations and the LEM's comments as to how these relate to the licensing objectives, the Licensing Policy Statement and the Guidance issued under section 182 of the Licensing Act 2003.
19. The parties may ask the LEM for clarification of any points made in the report in such order as the Chair shall decide.

20. Members of the Sub Committee may ask the LEM for clarification of any points made in the report.

The Applicant

21. The Applicant or his representative shall address the Sub Committee and shall call witnesses if applicable.

22. The permitted parties shall ask their questions in such order as the Chair shall decide.

23. Members of the Sub Committee shall ask the Applicant and witnesses questions if they wish to do so.

Responsible authorities & Interested parties

24. In such order as the Chair shall decide, those parties who have made relevant representations or their representative(s) shall address the Sub Committee and shall call witnesses if applicable.

25. The permitted parties shall ask their questions in such order as the Chair shall decide.

26. Members of the Sub Committee shall ask questions if they wish to do so.

Final Statements

27. The Chair will invite the parties to make final statements in the following order

(a) Any responsible authority or interested party who has made relevant representations (in such order as the Chair shall decide)

(b) The LEM on any factual issues relating to the application

(c) Applicant

Decision making

In circumstances where the determination is to be given at the conclusion of the hearing:-

28. The Chair will ask the parties and any other persons to leave the room, unless it is more practicable for Members themselves to retire to another room.

29. Once Members have made their decision, the parties and any other persons will be invited to return to the meeting room and the Chair will announce the decision of the Sub Committee.

30. The decision of the Sub Committee shall be confirmed in writing to the Applicants, Relevant Authorities and Interested Parties. The rights of appeal shall be included with the written decision.

Adjournments

31. It is anticipated that the majority of hearings will be heard and determined at the scheduled meeting of the Sub Committee, however there will be occasions when the Applicant, Relevant Parties or Sub Committee may wish to adjourn the hearing. Whosoever requests the adjournment shall provide reasons for the adjournment and the Sub Committee shall consider these. If the Sub Committee considers it is in the public interest to adjourn they shall have the power to do so to a specified date with the same Sub Committee. If the application is refused reasons shall be given.

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