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SPEAKERS PANEL (LIQUOR LICENSING)

Day: Tuesday

Date: 8 March 2016

Time: 3.00 pm

(Briefing for Panel Members only at 2.45pm)

Place: Lesser Hall 1 - Dukinfield Town Hall

Item	AGENDA	Page
No.		No

1. DECLARATIONS OF INTEREST

To receive any declarations of interest from Members of the Panel.

2. APPLICATION FOR A NEW PREMISES LICENCE: ADAMS CONVENIENCE 1 - 54 STORE LTD, KING STREET, DUKINFIELD, SK16 4NQ

Report of the Assistant Executive Director (Environmental Services) attached.

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Linda Walker on 0161 342 2798, email linda.walker@tameside.gov.uk, to whom any apologies for absence should be notified.



Agenda Item 2

Report To: SPEAKERS PANEL (LIQUOR LICENSING)

Date: 8 March 2016

Executive Member / Reporting

Officer:

Ian Saxon - Assistant Executive Director Environmental

Services

Subject: APPLICATION FOR A PREMISES LICENCE – ADAMS

CONVENIENCE STORE, 71 KING STREET,

DUKINFIELD, SK16 4NQ

Report Summary: Members are requested to determine the application.

Recommendations: Having regard to the application and the relevant

representations, Members are invited to take such steps (if any) as it considers appropriate for the promotion of the

licensing objectives. The steps available are:

(a) to grant the licence subject to –

(i) such conditions that the authority considers appropriate for the promotion of the licensing

objectives, and

(ii) current mandatory conditions;

(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.

Links to Community Strategy: The licensing of premises under the Licensing Act 2003

contributes towards the Community Strategy theme of

providing a safe environment.

Policy Implications: Members are provided with policy guidelines to assist in

the decision making process.

Financial Implications:

(Authorised by the Section 151

Officer)

There are limited financial implications for the Council, as detailed in the report, however, any legal challenge to a

policy decision may potentially incur costs.

Legal Implications:(Authorised

by the Borough Solicitor)

Any decision to revoke a licence or impose amendments or conditions to a licence can be challenged by way of appeal (in the first instance) to the local Magistrates Court.

Risk Management: Failure to give full consideration to the determination of

licensing issues has the potential to impact on public safety, and also the right of an individual to earn a living

Access to Information The author of the report is John Gregory – Licensing

Manager:-

Telephone:0161 342 3520

e-mail: john.gregory@tameside.gov.uk

Page 1

1. INTRODUCTION

- 1.1 Section 17 of the Licensing Act 2003 outlines the procedure whereby an application can be made to the Licensing Authority for a premises licence.
- 1.2 Section 18(3) of the Licensing Act 2003 states that where relevant representations are made in respect of such an application, the authority must:
 - 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 steps as mentioned in subsection (4) (if any) as it considers appropriate for the promotion of the licensing objectives.
- 1.3 The steps mentioned in subsection (4) are:
 - (a) to grant the licence subject to -
 - (i) such conditions that the authority considers appropriate for the promotion of the licensing objectives, and
 - (ii) current mandatory conditions;
 - (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.

REPORT

2.1 On 6 January 2016 the Licensing Department received an application from Adams Convenience Store Limited for a premises licence under the Licensing Act 2003. The applicant has applied for off sales of alcohol at 71 King Street, Dukinfield, SK16 4NQ. The hours applied for can be seen in the application attached at **Appendix 1**.

3. REPRESENTATIONS & EVIDENCE SUBMITTED

- 3.1 One representation has been received in relation to this application from a member of the public. Along with this is a petition list with details of residents also against the application.
- 3.2 The representation and petition can be seen at **Appendix 2**.
- 3.3 A number of letters of support have been received. along with a petition containing details of those also in support.
- 3.4 The letters of support and petition list can be seen at **Appendix 3**.

4. CONCLUSION AND OPTIONS FOR THE PANEL

4.1 Panel are requested to consider the evidence and decide what (if any) steps to take as it considers appropriate for the promotion of the licensing objectives. The options available to the Panel are;

- (a) to grant the licence subject to -
 - (i) such conditions that the authority considers appropriate for the promotion of the licensing objectives, and
 - (ii) current mandatory conditions;
- (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.



TAMESIDE MBC

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.

You may wish to keep a copy of	on BEH	PLF C	f Adan	NS CONVE	NEWCI
(Insert name(s) of applicate apply for a premises licence up Part 1 below (the premises) an authority in accordance with s	ider section 17 of the Licens A Live are making this appl	ing Act 200 ication to y	3 for the nre	mises described i	n
Part 1 – Premises Details					- 1
Postal address of premises or, if ADAMS CONVE	hience store	eference or	description	•	
Post town DUKIN	FIELD	P	ostcode	SK 164N	
Telephone number at premises	,	<u> </u>			-
Non-domestic rateable value of	premises				
Part 2 - Applicant Details					
Please state whether you are ap	plying for a premises licence	as Please tick a	s appropriate		
a) an individual or individ			olease comple	te section (A)	
 b) a person other than an i i. as a limited comp 				te section (B)	
ii. as a partnership iii. as an unincorpora	ted association or		please comple	ete section (B)	
iv. other (for example	e a statutory corporation)		please comple	ete section (B)	

			 1	please complete	section (B)	
c)	a recognised club			please complete		
d)	a charity			please complete		
e)	the proprietor of an educational establishm		please complete			
f)	a health service body					
g)	a person who is registered under Part 2 of Standards Act 2000 (c14) in respect of an hospital in Wales		please complete			
ga)	a person who is registered under Chapter 2 of the Health and Social Care Act 2008 (we meaning of that Part) in an independent he England	1717411		und /		
h)	the chief officer of police of a police force and Wales	in England		please comple	te section (b)	
* If y	ou are applying as a person described in (a)	or (b) please	confir	n:		
ľam	carrying on or proposing to carry on a busing	ess which in	volves	the use of the pre	mises for	
I am	sable activities; or making the application pursuant to a statutory function or a function discharged by virtue of Her M		ogative			
(A)	INDIVIDUAL APPLICANTS (fill in as ap	plicable)				
M	Mrs Miss	Ms [her Title (for ample, Rev)		
6	name	First	names			
Sur	nume			[] Plea	se tick yes	
I an	18 years old or over			<u> </u>		
diff	rent postal address if erent from premises tress			Postcoda		
Pos	st town			Postcode	L	
Da	ytime contact telephone number					
E-:	mail address otional)					

Part 3 Oper	rating Schedule	28 Days alter	DD MM YYYY
When do you	u want the premises licence to start?	28 Days after consultation	03022016
If you wish t want it to en	the licence to be valid only for a limited jud?	period, when do you	DD MM YYYY
		and auidance note	
Please give	a general description of the premises (ple	LACATED	12)
CON	a general description of the premises (ple INENTENCE STORE PPING AREA ON		0.0
SADI	pping prep on	MAIN W	
,	•		
			<u></u>
If 5,000 or please state	more people are expected to attend the p the number expected to attend.	remises at any one time,	
What licen	sable activities do you intend to carry on	from the premises?	
/Please see	e sections I and 14 of the Licensing Act 2	003 and Schedules I and	2 to the Licensing Act 2003)
			Please tick any that apply
Provision	of regulated entertainment		арріу
a) play	s (if ticking yes, fill in box A)		_
b) film	s (if ticking yes, fill in box B)		<u>и</u>
c) indo	oor sporting events (if ticking yes, fill in l	00x C)	U .
	ing or wrestling entertainment (if ticking		Ц
•	music (if ticking yes, fill in box E)		
-			
	orded music (if ticking yes, fill in box F)	hox (I)	
g) per	formances of dance (if ticking yes, fill in	ng within (e). (f) of (g)	П
h) any	ything of a similar description to that falli ticking yes, fill in box H)	nP 437000 (53) (5) 10;	Ц

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr Mrs [] Miss	Ms 🗆	Other Title (for example, Rev)	
Surname		First nar	nes	
la su aux		1	Pleas	se tick yes
I am 18 years old or ove	31			
Current postal address i different from premises address	ſ			
Post town			Postcode	
Daytime contact telep	hone number			
E-mail address (optional)				
	CONVENIE NG STREE KINFIELT	ence Sto		
Du	KINFIELI			i
Registered number (w				
Description of applica	int (for example, partr	nership, company,	unincorporated associ	ation etc.)
	TED COM			
Telephone number (i	fany) (
E-mail address (option	nal)			

<u>Provisio</u>	n of late n	ight refre	shment (if ticking yes, fill in box I)		
Supply	of alcohol	(if ticking	yes, fill in box J)		c ∠i
In all ca	ses compl	ete boxes l	K, L and M		
Å					
Plays	days and	timings	Will the performance of a play take place indoors or outdoors or both - please tick (please read	Indoors	
(please)	read guida)	ice note	guidance note 2)	Outdoors	
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Tue					
			State any seasonal variations for performing plays	please read guid	ance
Wed	-4448-462897164334		note 4)	•	
d'					
Thur					
Fri	************		Non standard timings. Where you intend to use the performance of plays at different times to those list the left, please list (please read guidance note 5)	e premises for the column	<u>ie</u> n on
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Films Standard days and timings		timings	Will the exhibition of films take place indoors or outdoors or both - please tick (please read guidance	Indoors	
(please 6)	read guida	nce note	note 2)	Outdoors	
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Wed			State any seasonal variations for the exhibition of fil guidance note 4)	<u>ms</u> (please read	
Thur					
Fri			Non standard timings. Where you intend to use the exhibition of films at different times to those listed in left, please list (please read guidance note 5)	premises for fl n the column of	ne n the
Sat					
Sun	************				444

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
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Tue	****		State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
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Boxing or wrestling entertainments Standard days and timings (please read guidance note		timings	Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors Outdoors	
(please 6)	read guida:	iice iioie		Dath	
Day	Start	Finish	. 11	Both	
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Wed	***************************************		State any seasonal variations for boxing or wrestling (please read guidance note 4)	<u>entertainment</u>	
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Live music Standard days and timings		l timings	Will the performance of live music take place indoors or outdoors or both – please tick (please	Indoors	
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Performances of dance Standard days and timings		timings	Will the performance of dance take place indoors or outdoors or both - please tick (please read	Indoors	
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Late night refreshment Standard days and timings (please read guidance note 6)		timings	Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
		nce note		Outdoors	
Day	Start	Finish		Both	
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Wed			State any seasonal variations for the provision of lat (please read guidance note 4)	e night refreshr	nent
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Fri			Non standard timings. Where you intend to use the provision of late night refreshment at different time the column on the left, please list (please read guidant	s, to mose hated	e In
Sat					
Sun		Carling Insert	-		

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises Off the premises	N N
Day	Start	Finish		Both	
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Wed	08්ත	2300	·		
Thur	0800	2300	Non standard timings. Where you intend to use the supply of alcohol at different times to those listed i left, please list (please read guidance note 5)	e premises for i n the column of	the n the
Fri	0800	2300			
Sat	0800	2300			
Sun	0900	2000			

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

Name	SYED SHAH
Address	
Postcode Personal	licence number (if known) To be applied for
Issuing 1	icensing authority (if known) Tameside

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

NONE

L

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)
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Tue	800	13∞	
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Thur	0800	3300	non standard thinings. Where you allow the column on the left, public at different times from those listed in the column on the left, please list (please read guidance note 5)
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Sat	0800	23.00	
Sun	0900	1200	

M Describe the steps you intend to take to promote the four licensing objectives:
n) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)
Please Soe attached Steets
b) The prevention of crime and disorder
Prense see attached theirs
c) Public safety
Plane see attached theets
d) The prevention of public nuisance
Plense see attached theets
e) The protection of children from harm
Please see attained sheets

Checklist: Please tick to indicate agreement I have analosed the plan of the premises. I have sent copies of this application and the plan to responsible authorities and others where applicable. I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. I understand that I must now advertise my application. I understand that If I do not comply with the above requirements my application will be rejected. IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. Part 4 – Signatures (please read guidance note 10) Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity. Signature Date For joint applications, signature of 2 nd applicant or 2 nd 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			
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Date	For joint applicati agent (please read (alanding of 7" applicant of A subjective suiter of other action per	
	Signature		
Capacity	Date		
	Capacity		

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) 5)U3 &BP Postcode Post town 014 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 1

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 offsupplies, you must include a description of where the place will be and its proximity to the

Where taking place in a building or other structure please tick as appropriate (indoors may include 2.

a tent).

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

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

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

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

7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.

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

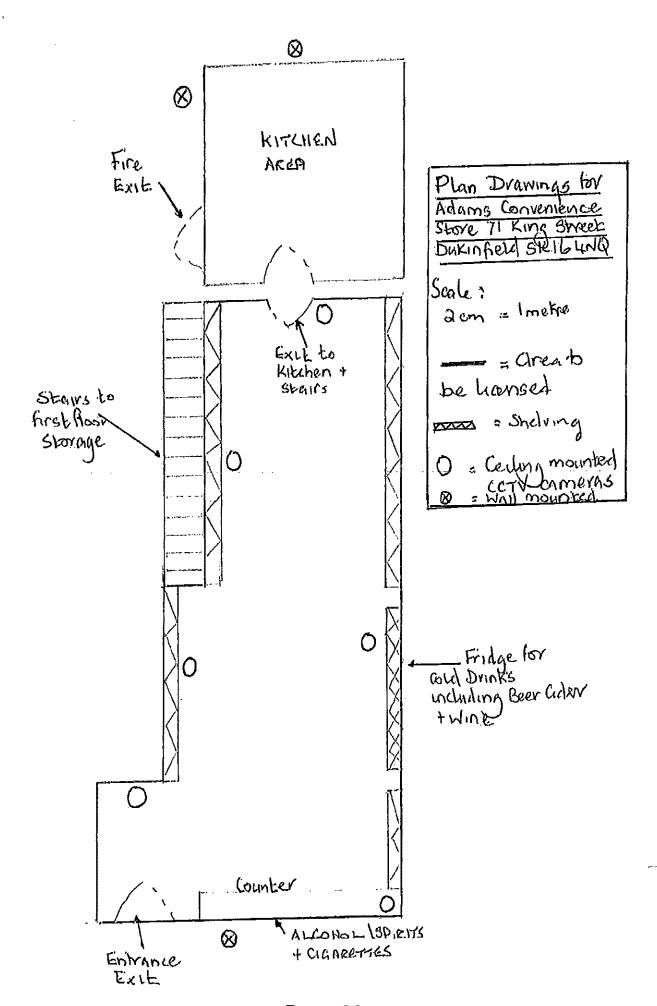
Please list here steps you will take to promote all four licensing objectives together.

10. The application form must be signed.

11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.

13. This is the address which we shall use to correspond with you about this application.



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PUBLIC NOTICE

APPLICATION FOR A PREMISES LICENCE

Mr Syed SHAH on behalf of Adams Convenience Store Ltd is applying for the Grant of a Premises Licence for Adams Convenience Store, 71 King Street, Dukinfield, SK16 4NQ

The Licence if granted is to enable the Following Activities to take Place: Sale of alcohol on the premises

Monday to Saturday 0800hrs to 2300hrs Sunday 0900 hrs to 2200 hrs

Any person wishing to make representations in relation to this application may do so by writing to the The Licensing Section, Tameside Metropolitan Borough Council, Tame Street Depot, Tame Street, Stalybridge, SK15 1ST

Representation may be made for 28 consecutive days from the date of this notice.

A copy of the application for the grant of the above licence is kept by The Licensing Section, Tameside Metropolitan Borough Council, Tame Street Depot, Tame Street, Stalybridge, SK15 1ST. The application can be viewed Monday and Tuesday 9.00am to 4.30pm, Wednesday 9.00am to 1.00pm, Thursday 9.00am to 4.00pm and 9.00am to 3.30pm on Fridays, except bank holidays.

It is an offence knowingly or recklessly to make a false statement in connection with an application the maximum fine for which a person is liable on summary conviction for making a false statement is a Level 5 fine on the standard scale.

Dated 7th January 2016

Statement to support all 4 Licensing Objective

1. Staff Training

Any staff employed at the premises will receive training by the Designated Premises Supervisor on first appointment and at least every three months thereafter. Training will include input on preventing underage sales, sales of alcohol to people who are drunk, application of the drugs policy and any other relevant matters. A written record will be kept of all training carried out. This record must be kept on the premises and made available for Inspection by any responsible authority.

2. List of Authorised Persons

The Designated Premises Supervisor must maintain a written record of all members of staff who are authorised to sell alcohol. This record must include a photograph of the relevant members of staff to be kept on the premises at all times and be made available to a representative of any responsible authority on request.

3. Purchasing policy

A purchasing of alcohol and tobacco policy must be implemented at the premises by the designated premises supervisor.

3. Purchasing records to be kept.

All purchases of alcohol and tobacco products must be made from reputable wholesalers and all purchases must be recorded. These records must be kept for a 12 month period and made available on request to the police or authorised officer

Statement to support Licensing objective 1. Crime & Disorder

1. CCTV

A tamper-proof digital colour CCTV system willt be installed and maintained at the premises to the satisfaction of The GMP Constabulary

The system will run and record continuously for 24 hours a day, 7 days per week and recorded footage will be stored for a minimum of 28 days.

The system will provide a clear head and shoulders view to an evidential quality on every entry/exit route and within any other vulnerable areas as identified by The GMP Constabulary

Recorded footage will be provided to a representative of any responsible authority on request. Such footage will be provided in an immediately viewable format and will include any software etc. which is required to view the footage. Any discs, portable drives or other storage media onto which footage is transferred will be provided by the premises and sufficient stock of such storage media will be kept on the premises at all times.

A member of staff who is trained to operate the system and supply footage will be present at the premises at all times when licensable activities are taking place.

The Designated Premises Supervisor will ensure that the CCTV system is checked at least once every week by a suitably trained member of staff. This check will include the operation of the cameras, the recording facilities, the facilities for providing footage and the accuracy of the time & date. A written record of these checks will be kept, including a signature of the person carrying out the check. This written record will be kept on the premises at all times and made available to a representative of any responsible authority on request,

Suitable signage informing customers that a CCTV system is in operation will be placed in prominent positions within the premises, including information on the Data Protection Act and the Human Rights act.

2. Incident Book

An incident book (with the pages numbered sequentially) will be kept on the premises and be made available for inspection by responsible authorities. The incident book will be used to record the following:

(i) Any incident of violence or disorder on or immediately outside the premises

(ii) Any incident involving controlled drugs (supply/possession/influence) on the premises

(iii) Any other crime or criminal activity on the premises

- (iv) Any refusal to serve alcohol to persons who are drunk (On sale and off sale premises only)
- (v) Any refusal to serve alcohol to under 18's or anyone who appears to be under 18

(vi) Any call for police assistance to the premises

(vii) Any ejection from the premises

(vili) Any first aid/other care given to a customer

3.. Drug Policy

The management of the premises will introduce a strict "zero tolerance" policy in respect of the use and/or supply of illegal drugs on the premises. The policy to include checks of the tollet areas every half-hour whilst the premises are open and sulfable signage to be placed in prominent areas within the premises.

4. Legal Highs

The premise will not sell, supply, advertise or keep as stock any type of "new psychoactive substances" (NPS) commonly known as "legal highs". This includes any substance which mimics the effects of illegal drugs, irrespective of whether the substance is labelled as "not for human consumption" and also includes nitrous oxide in any form. In addition, any other substance, item or other thing which may, from time-to-time be Identified as having an intoxicating effect by the police or local authority will not be sold, supplied, advertised or kept in stock.

5. Paraphernalia

The premise will not sell, supply, advertise or keep as stock any drug or NPS paraphernalia, including grinders, bong pipes, pipes, or any other item which is designed to assist with the use, consumption or production of illegal drugs or NPS.

6 High Strength Alcohol

With regard to beers/ lagers and ciders. The premises will not stock or offer for sale alcohol over 7.0% in strength

Statement to support licensing Objective . Protection of Children from Harm

1, Challenge 25

The premises will operate a "Challenge 25" scheme at the premise in relation to age verification for alcohol sales and other age-restricted products. Signs and/or posters will be displayed in prominent positions inside the premise to inform customers of this condition.

2. Refusals Book

A refusals book will be kept at the premises and will be used to record all refusals to sell alcohol for any reason. Where other age restricted products are sold at the premise, any refusals to sell such items to underage persons or persons who appear underage will be recorded. The details to be recorded will be as follows:

(i) Time, day & date of refusal

(ii) Item refused

(iii) Name & address of customer (if given)

(iv) Description of customer

(v) Details of i.d. offered (if shown)

The refusals book will be made available for inspection by responsible authorities on request.

3. Purchase of Alcohol

Alcohol will only be purchased from reputable wholesalers. Receipts will be kept for a 12 month period and made available on request by police or licensing authority representatives

4. Proxy Notices

The premise will display, in a prominent position, a notice or notices explaining that it is an offence for adults to purchase alcohol and then supply it to persons under 18.

Statement to support Licensing Objective Public safety

- 1. The interior of the premises will be set out to ensure public safety.
- 2. Staff will ensure that no litter is present directly outside of the shop frontage

Statement to support licensing objective, Prevention of Public Nusiance

1. Notices to Gustomers

Notices requesting customers to leave quietly will be displayed in a prominent position next to each entrance/exit. The Designated Premises Supervisor will ensure that customers are encouraged to keep noise to a minimum when leaving the premise.

2. Litter Control

The Designated Premises Supervisor will ensure that a member of staff collects all litter from the curtilage of the premises every day at the conclusion of trading

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted



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Document is Restricted

