



Agenda

Meeting: **LICENSING HEARING**
Date: **20 MARCH 2012**
Time: **10.00AM**
Venue: **COMMITTEE ROOM**
To: **Councillor Mrs S Ryder, Councillor Sayner and Councillor R Sweeting.**

1. Apologies for absence

2. Disclosures of Interest

Members of the Executive should disclose personal or prejudicial interest(s) in any item on this agenda.

3. Guidance on procedure for hearing licensing applications

4. Application for a Premises Licence

To receive the report of the Senior Enforcement Officer L/11/25 (pages 3 to 43 attached)

Martin Connor
Chief Executive

Enquiries relating to this agenda, please contact Karen Mann on:
Tel: 01757 292207 Email: kmann@selby.gov.uk

The Chair introduces him/herself, the other members of the panel, the Clerk to the panel and any officers present

The Chair will ask the parties to introduce themselves, and provide details of any witnesses they will be calling. If more than one interested party, the Chair will ask whether a representative can be appointed to speak on their behalf.

The Clerk summarises the hearings procedure, any time limits for speakers and any additional information to be produced by the parties.

The Licensing Officer gives a summary of his report and any representations received.

The Chair asks for questions for the licensing officer from members, and then the Applicant, responsible authorities, interested parties and officers.

The Applicant or their representative makes a brief opening statement and may call witnesses relevant to the application.

The Chair asks for questions for the applicant from members, and then responsible authorities, interested parties and officers.

Responsible Authorities or their representative makes a brief opening statement and may call witnesses relevant to the application.

The Chair asks for questions for the responsible authorities from members, and then the applicant, interested parties and officers.

The Interested Parties or their representative makes a brief opening statement and may call witnesses relevant to the application.

The Chair asks for questions for the interested parties from members, and then the Applicant, responsible authorities and officers.

The Chair asks the responsible authorities or their representative if they wish to sum up their case, without adding any new evidence.

The Chair asks the interested parties or their representative if they wish to sum up their case, without adding any new evidence.

The Chair asks the applicant or their representative if they wish to sum up their case, without adding any new evidence.

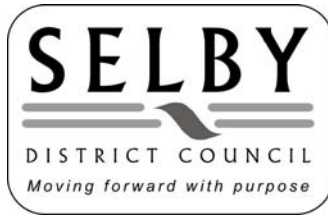
The Chair confirms with all parties that they have had an opportunity to say all they wanted to say in relation to the application.

The Clerk advises the meeting that the panel will retire to deliberate and reach a decision.

Meeting reconvenes

The Chair announces the decision of the committee

Meeting Closes



Agenda Item No: 4

Title: Section 35(3)(a) Application for a Premises Licence for Wetherspoons, 47A, Gowthorpe, Selby YO8 4HF

To: Licensing Act 2003 Sub-Committee

Date: 16 March 2012

Service Area: Customers and Business Support

Author: Tim Grogan, Senior Enforcement Officer

Presented by: Tim Grogan, Senior Enforcement Officer

1. Summary

- 1.1 To seek the determination by the Licensing Sub Committee of an application for a Premises Licence where relevant representations have been received.
- 1.2 Application reference: TAG/JDW
- 1.3 Name of Applicant: JD Wetherspoon plc
- 1.4 Type of authorisation applied for: The nature of the application is to grant a premises licence for Wetherspoons 47A, Gowthorpe, Selby. The applicant requests that the licence be granted for the provision of: late night refreshment and sale by retail of alcohol from:
 - (a) Sunday to Wednesday (inclusive) between 09:00 – 00:00
 - (b) Thursday to Saturday (inclusive) between 09:00 – 01:00

2. Background

- 2.1 A copy of the application for a Premises Licence is attached at Annex 1.

3. Promotion of Licensing Objectives

- 3.1 The applicant proposes to operate as a responsible and effective operator of the premises in order to promote the licensing objectives and this detail is contained in section P of the Premises Licence Application at Annex 1.

4. Consultation

- 4.1 Consultation was carried out by the applicant in accordance with section 13, and section 17(5) of the Licensing Act 2003 and Regulation 42, parts 2 and 4 of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, which concern the displaying of a notice on the premises, by a notice delivered to properties in the vicinity giving details of the application and by serving a copy of the application on all responsible authorities. The applicant complied with all statutory requirements in this regard.

5. Summary of representations made by Responsible Authorities

- 5.1 Representations have been received from one Responsible Authorities listed at Annex 2. The representation is from the Police. The representation is attached at Annex 3. Essentially representations are in line with the Licensing objectives regarding the prevention of crime and disorder and the protection of children from harm.
- 5.2 A map showing the location of the premises is attached at Annex 4
- 5.3 Councillors are reminded that Representations are only “relevant” if they relate to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. Here the representation relates to two.

6. Summary of representations made by interested parties

- 6.1 Representations have been received from no interested parties.

7. Licensing Officer’s report

- 7.1 The Licensing Act 2003 requires that licences be acquired for premises providing late night refreshment and sale by retail of alcohol.
- 7.2 On the 27th January 2012 JD Wetherpoon plc made application to Selby District Council for a Premises Licence in respect of Wetherspoons, 47A, Gowthorpe, Selby.
- 7.3 Under the Licensing Act 2003 the terms of the application are for the licence to authorise:
Provision of; late night refreshment and sale by retail of alcohol from:
(a) Sunday to Wednesday (inclusive) between 09:00 – 00:00
(b) Thursday to Saturday (inclusive) between 09:00 – 01:00
- 7.4 There are 4 Licensing Objectives with which the Licence Holder has to comply in order to operate within the Licensing Act, they are:
- **the prevention of crime and disorder**

- **public safety**
- **the prevention of public nuisance**
- **the protection of children from harm**

7.5 In this particular case representations have been received from the Police. Essentially all representations relate to issues of:

- **the prevention of crime and disorder**
- **the protection of children from harm**

The representations relate to: the likelihood of: **crime and disorder** and **harm to children** in terms of the venue being in close proximity to a violence hot spot and as a consequence the need for robust conditions.

7.6 Dealing with the Police it is agreed that providing the Licence Holder complies with conditions recommended by that authority they will have no opposition to the activities and the hours applied for. The Licence Holder, as I understand is willing to accept a majority of the conditions proposed but there is currently disagreement with regard to the imposition of doormen at specific times and days.

8. Licensing Department's Conclusion

8.1 The Licensing Department's view is that the Licensing Sub-Committee makes its decision having considered the information submitted in the attached case papers and the additional verbal evidence presented to it today.

8.2 The issues are quite clear. The Police consider that providing the applicant complies with the conditions they recommend that organisation would have no opposition to the activities and hours applied for. The Licensing Department is aware that there are ongoing discussions between the Police and JD Wetherspoon plc and has been fully informed of those discussions. There is much common ground and the only sticking point appears to surround the imposition of doormen at specific times and days. As a consequence it is apparent that the conditions are in a state of flux and may only be firmly decided at a hearing.

8.3 The original conditions requested by the Police and not formally altered are as follows:

- A colour digital CCTV system will be installed to cover the premises and recorded coverage will include all areas (including outside areas) to where public have access to consume alcohol.
- It will be maintained, working and recording at all times when the premises are open.
- The recordings should be of good evidential quality to be produced in Court or other such hearing.
- Copies of the recordings will be kept available for any Responsible Authority for 30 days.

- Copies of the recordings shall be made available to any Responsible Authority within 24hrs of request.
- Copies of the recordings will display the correct time and date of the recording.
- The only acceptable proof of age identification shall be a current Passport, photocard Driving Licence or identification carrying the PASS logo.
- Drinking vessels (to include bottles) of any type shall not be allowed to enter or leave the premises whilst under the customers care (save for the movement to any outside drinking area attached to the premises).
- Documented staff training will be given regarding staff's obligation under the Licensing Act for the retail sale of alcohol; the conditions attached to the Premises Licence; and the Opening Times of the venue.
- Such training (Condition 9) will be refreshed (and documented) every six months and the documented records shall be kept for at least one year.
- Such records (Condition 9) shall be kept for at least one year and they will be made available immediately upon request from any Responsible Authority.
- An adequate number of Door Supervisors (at least two) will be provided from 2100hrs until the close of business on the following evenings:-
 - Thursday, Friday and Saturday evenings
 - the evening before any Bank Holiday.
- A Refusals Register (or EPOS till recording system) and Incident Report Register will be kept. Such documents will record incidents of staff refusals to under-age or drunk people as well as incidents of any anti-social behaviour and ejections from the premises.
- Both the above documents (Condition 14) shall be kept for at least one year and will be made available immediately on request from any Responsible Authority.
- Prominent clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.
- All OFF sales shall be made in sealed containers (save for those made to any outside drinking area attached to the premises).
- The venue shall partake in the Night-time Economy radio system. The radio shall be turned on and carried by the Duty Manager (or when deployed the Door Supervisor situated at the front entrance) at all times when the venue is open for business after 2000hrs.

8.4 Should this Sub-Committee recommend the grant of a Premises Licence to Wetherspoons the Enforcement Section of the Council would strictly enforce any conditions imposed as warnings are no longer necessary given the attention drawn to the matter as a consequence of this hearing.

9. Options

9.1 The Sub Committee have the following options available to them in making their decision:

Option 1: Grant the premises licence in the terms applied for.

Option 2: Grant the premises licence with modified/additional conditions imposed by the Licensing Sub Committee

Option 3: Grant the premises licence to exclude any of the licensable activities to which the application relates and modify/add conditions.

Option 4: Reject the application.

10. Analysis

10.1 The following could be the result of any decision made by this Sub Committee:

Option 1: This decision could be appealed at Magistrates' Court by the representor.

Option 2: This decision could be appealed at Magistrates' Court by the applicant or the representor.

Option 3: This decision could be appealed at Magistrates' Court by the applicant or the representor.

Option 4: This decision could be appealed at Magistrates' Court by the applicant.

11. Licensing Objectives

11.1 The Licensing Act 2003 has 4 objectives:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm.

12. Implications

12.1 Community safety and crime: The Sub Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to cooperate in the reduction of crime and disorder in the district.

13. Risk Management

13.1 The consequence of certain decisions made by the Licensing Sub-Committee could be appealed at Magistrates Court by the applicant. In addition, any decision which is unreasonable or unlawful could be open to legal challenge

resulting in loss of image, reputation and potential financial penalty. Please see **item 10 (Analysis)** for details.

14. Recommendations

14.1 Councillors determine the application.

ANNEX 1

**Copy of the application for a Premises Licence for Wetherspoons, 47A,
Gowthorpe, Selby.**

**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 JD Wetherspoon plc

(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			
Wetherspoons (formerly Everatt's) 47A Gowthorpe			
Post town	Selby	Post code	YO8 4HF

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£36250

Part 2 - Applicant Details

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

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

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

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		

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

(B) OTHER APPLICANTS

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

Name JD Wetherspoon plc
Address Wetherspoon House Central Park Reeds Crescent Watford Hertfordshire WD24 4QL
Registered number (where applicable) 01709784
Description of applicant (for example, partnership, company, unincorporated association etc.) Public Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note1)

A proposed two storey public house and restaurant. The customer area for licensable activities and kitchen is to be located on the ground floor. Customer toilet facilities, cooled store and staff facilities on the first floor.

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

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

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

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

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

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

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

In all cases complete boxes N, O and P

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

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

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

J

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

K

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


L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	2300	0000	Please give further details here (please read guidance note 3) Hot food together with hot drinks including tea and coffee	Both	<input checked="" type="checkbox"/>
Tue	2300	0000			
Wed	2300	0000	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	2300	0100			
Fri	2300	0100	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) Christmas Eve/Boxing Day/Maundy Thursday/Sundays preceding Bank Holiday Mondays - an additional hour		
Sat	2300	0100			
Sun	2300	0000	New Year's Eve: 2300 to 0500		

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 type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	0900	0000			
Tue	0900	0000			
Wed	0900	0000			
Thur	0900	0100	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)		
			Christmas Eve/Boxing Day/Maundy Thursday/Sundays preceding Bank Holiday Mondays - an additional hour		
Fri	0900	0100			
Sat	0900	0100	New Year's Eve from the end of the permitted hours until the start of permitted hours on New Year's Day.		
Sun	0900	0000			

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

Name Deborah McCallum
Address 
Personal Licence number (if known) 30659
Issuing licensing authority (if known) London Borough of Richmond upon Thames

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	0700	0030	
Tue	0700	0030	
Wed	0700	0030	
Thur	0700	0130	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 (please read guidance note 5) Christmas Eve/Boxing Day/Maundy Thursday/Sundays preceding Bank Holiday Mondays/the morning BST commences - an additional hour
Fri	0700	0130	
Sat	0700	0130	New Year's Eve from the end of the permitted hours until the start of permitted hours on New Year's Day.
Sun	0700	0030	

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)

1. The premises licence holder will ensure that all staff at the premises have been trained in accordance with established JD Wetherspoon plc trading procedures. Specifically the premises licence holder will ensure that all employees are trained in their responsibilities to prevent alcohol being served to anybody who is under the legal age limit or to anyone who appears to be drunk or to anyone who is trying to purchase alcohol on their behalf.

b) The prevention of crime and disorder

1. The premises licence holder will ensure that there are sufficient staffing levels including managers to encourage responsible behaviour on the premises at all times.

2. CCTV shall be installed in the premises in compliance with many reasonable requirements of the police. Images will be retained for a minimum of 30 days and will be available to the police upon request. Members of the management team will be trained in the use of the system.

3. Non-alcoholic beverages including soft drinks, water, coffee and tea shall be available at all times, sale by retail of alcohol carried out at the premises.

c) Public safety

See conditions 1 to 3 Box B above.

d) The prevention of public nuisance

See conditions 1 to 3 Box B above.

e) The protection of children from harm

1. The premises licence holder will operate a "Challenge 21" Policy at all times.
2. Suitable food and non-alcoholic beverages shall be available at all times children are allowed on the premises.

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	<i>27.1.12.</i>	
Capacity	<i>APPLICANT</i>	

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)			
Barbara Morrice c/o Legal Department Wethespoon House Central Park Reeds Crescent			
Post town	Watford	Post code	WD24 4QL
Telephone number (if any)	01923 477 804		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			
bmorrice@jdwethespoon.co.uk			

Notes for Guidance

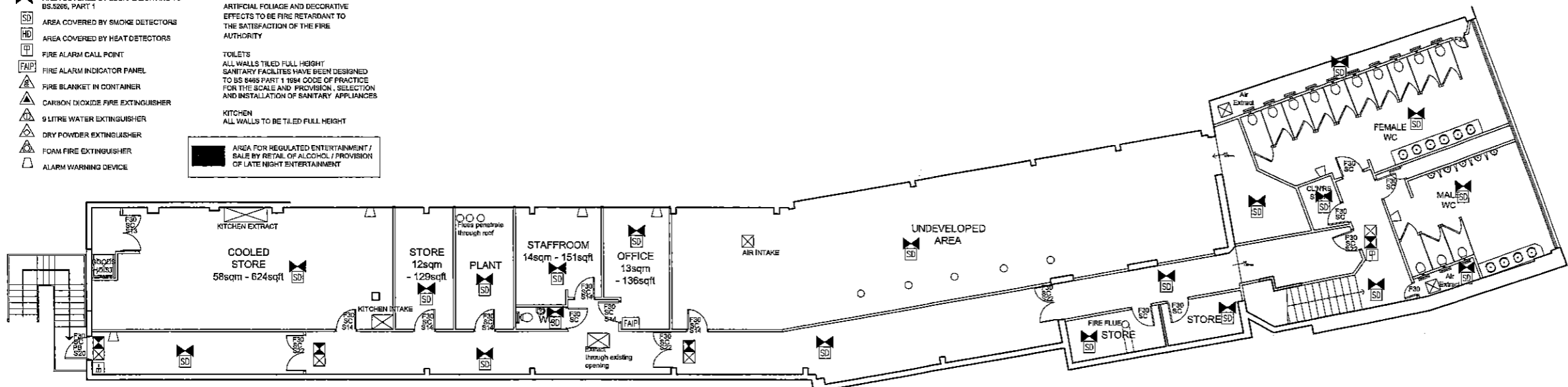
1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, 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.

Do not scale off this drawing. All dimensions to be checked on site prior to manufacture and construction. This drawing is the property of Harrison Ince Partnership and should not be reproduced without permission. All discrepancies to be brought to the attention of the architect immediately. This drawing to be read in conjunction with the specification / bill of quantities and related drawings.

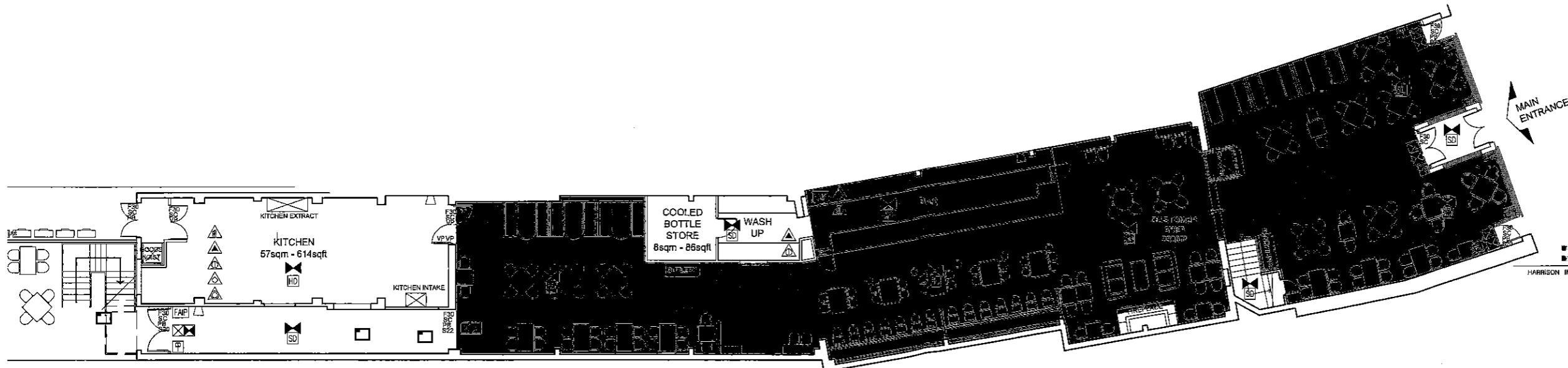
REVISIONS			
-	FIRST ISSUE	17.11.11	SY
A	Bar servery area hatched	27.01.2012	SA

FIRE AUTHORITY REQUIREMENTS

- F30 HALF HOUR FIRE RESISTANT WITH SMOKE SEALS & INTUMESCENT STRIPS
 - F60 ONE HOUR FIRE RESISTANT WITH SMOKE SEALS & INTUMESCENT STRIPS
 - VP VISION PANEL
 - PB PANIC BOLT
 - SC SELF-CLOSING
 - SCA SELF-CLOSING AUTOMATIC RELEASE
 - PL FUSIBLE LINK
 - DS DOOR SELECTOR
 - ☒ ILLUMINATED SUSPENDED "FIRE EXIT" SIGN 75mm LETTERS
 - S13 "FIRE DOOR KEEP SHUT" 10mm LETTERS TO BOTH SIDES OF DOOR LEAF
 - S14 "FIRE DOOR KEEP LOCKED" 10mm LETTERS TO BOTH SIDES OF DOOR LEAF
 - S20 "FIRE ESCAPE KEEP CLEAR" 10mm LETTERS TO BOTH SIDES OF DOOR LEAF
 - S22 "FIRE EXIT" 20mm LETTERS
 - S25 "PUSH BAR TO OPEN" 20mm LETTERS
 - S26 DIRECTIONAL ARROW (GREEN)
 - FRG FIRE RESISTING GLAZING ELEMENT
 - ☒ AREA COVERED BY ESCAPE LIGHTING TO BS.5266, PART 1
 - SD AREA COVERED BY SMOKE DETECTORS
 - HD AREA COVERED BY HEAT DETECTORS
 - FAIP FIRE ALARM CALL POINT
 - FAIP FIRE ALARM INDICATOR PANEL
 - ▲ FIRE BLANKET IN CONTAINER
 - ▲ CARBON DIOXIDE FIRE EXTINGUISHER
 - ▲ 9 LITRE WATER EXTINGUISHER
 - ▲ DRY POWDER EXTINGUISHER
 - ▲ FOAM FIRE EXTINGUISHER
 - ▲ ALARM WARNING DEVICE
 - ☐ AREA FOR REGULATED ENTERTAINMENT / SALE BY RETAIL OF ALCOHOL / PROVISION OF LATE NIGHT ENTERTAINMENT
- ALL WALLS AND PARTITIONS TO BE MINIMUM HALF HOUR FIRE RESISTANT
- EMERGENCY LIGHTING TO COMPLY WITH BS 5266 PART 1
- FIRE SAFETY RELATED SIGNS AND NOTICES TO COMPLY TO BS 5469
- FIRE FIGHTING EQUIPMENT TO COMPLY WITH BS 5306 WALL AND CEILING LININGS ARE TO BE CLASS 1 SURFACE SPREAD OF FLAME (AS DEFINED BY BS 476)
- CLASS 0 IN ESCAPE ROUTES
- UPHOLSTERED SEATING FURNITURE TO SATISFY THE FOLLOWING
- * IGNITION SOURCE (CIGARETTE TEST) AS SPECIFIED IN BS 5882 PART 1
 - * FIRE TEST FOR FURNITURE METHODS OF TEST FOR THE IGNITABILITY BY SMOKERS
 - * BS 5852 PART 2 FIRE TEST FOR FURNITURE-METHODS OF TEST FOR THE IGNITABILITY OF UPHOLSTERED COMPOSITES FOR TESTING BY FLAMING SOURCE, MINIMUM TEST TO BE CRIB IGNITION SOURCE 6
- FABRICS THAT HAVE HAD A FLAME RETARDANT TREATMENT TO PASS THE WATER SOAK TEST AS DETAILED BY BS 5651, TEST CERTIFICATE TO BE SUBMITTED TO FIRE AUTHORITY
- CURTAINS AND DRAPES TO SATISFY TYPE B, PERFORMANCE REQUIREMENTS TO BS 5867 PART 2
- ARTIFICIAL FOLIAGE AND DECORATIVE EFFECTS TO BE FIRE RETARDANT TO THE SATISFACTION OF THE FIRE AUTHORITY
- TOILETS ALL WALLS TILED FULL HEIGHT
- SANITARY FACILITIES HAVE BEEN DESIGNED TO BS 5485 PART 1 1994 CODE OF PRACTICE FOR THE SCALE AND PROVISION, SELECTION AND INSTALLATION OF SANITARY APPLIANCES
- KITCHEN ALL WALLS TO BE TILED FULL HEIGHT



FIRST FLOOR PLAN



GROUND FLOOR PLAN (PARTIAL)

HARRISON INCE	ARCHITECTS / INTERIOR DESIGNERS		
client	JD WETHERSPOONS PLC		
project	EVERATT'S, 47A GOWTHORPE, SELBY YO8 4HF		
title	PROPOSED LICENSING PLAN		
date	NOVEMBER 2011	scale	1:50 @ A1
job no.	JD379	drawg. no.	AM01 32A
drawn	SHIEL M	checked	

S. Jervis, Bristol, 0800 456 1497
HARRISON INCE
100, 101, 102, 103, 104
The Arcade, 236-238
100, 101, 102, 103, 104
The Arcade, 236-238

ANNEX 2

List of Responsible Authorities

North Yorkshire Police

ANNEX 3

Representation made by Responsible Authority (North Yorkshire Police)

From: Wilkinson, Mick [Mick [REDACTED]]
Sent: 27 February 2012 15:24
To: tim grogan
Subject: New Grant - Wetherspoons, 47a Gowthorpe, Selby
Tim,

The Police have received an application from JD Wetherspoon plc for the grant of a new Premises Licence at the above venue. The Police would like to object to the application as we believe that, based on the Operating Schedule as submitted, the Licensing Objectives *the prevention of crime and disorder* and *the protection of children from harm* would be undermined.

The proposed venue sits within the Selby Nightsafe Area, an area that has been identified as being the area of the town centre which currently experiences an higher than expected crime rate. Reports that would be submitted should this matter go to a Licensing Hearing will show that the venue is in close proximity to a "violence hot spot" hence the need for robust conditions.

It is for this reason that on 18th February 2012 the Police submitted to the applicant a list of proposed conditions that we believed would ensure the above Licensing Objectives would not be undermined. The email was acknowledged by the applicant on 20th February 2012 and today I have received an email stating that an Area Manager is being consulted on the application. However, at time of sending there has been no further correspondence.

I have noted your email dated 1st February 2012 in which you set the date for the end of representations as being 27th February 2012, hence my email representation being submitted today.

I look forward to hearing from you in due course.

Should you have any further queries about this, or any other licensing matter, then please don't hesitate to get in touch.

Regards,

Mick Wilkinson
PC952
Police Licensing Unit (York and Selby)
Community Safety Dept

Tel: 01904 699945
[REDACTED]

[E Mail](#)
[wilkins](#)



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disclosure of the content may be unlawful. Opinions

expressed in this document may not be official policy.

Thank you for your co-operation.

From: Wilkinson, Mick [REDACTED]
Sent: 06 March 2012 08:59
To: tim grogan
Subject: FW: New Grant - Wetherspoons, 47a Gowthorpe, Selby
Tim,

As discussed, the last email correspondence I had with Wetherspoons. As you'll see below, the email contains the proposed conditions, and my reply to Barbara MORRICE. Hope that helps.

Should you have any further queries about this, or any other licensing matter, then please don't hesitate to get in touch.

Regards,

Mick Wilkinson
PC952
Police Licensing Unit (York and Selby)
Community Safety Dept

E Mail: mick.wilkinson@selby.gov.uk or mick.wilkinson@selby.gov.uk

From: Wilkinson, Mick
Sent: 27 February 2012 15:20
To: 'Barbara Morrice'
Subject: RE: New Grant - Wetherspoons, 47a Gowthorpe, Selby

Barbara,

Thanks for your email which I've noted. As the end of the representation period is today I've had to put submit a representation to the application to Selby District Council because, at time of sending, I've heard nothing from either Manager. However, we can continue any negotiations prior to any hearing date that may be set.

I look forward to hearing from you/them at your earliest convenience.

Should you have any further queries about this, or any other licensing matter, then please don't hesitate to get in touch.

Regards,

Mick Wilkinson

PC952

Police Licensing Unit (York and Selby)

Community Safety Dept



From: Barbara Morrice [redacted]
Sent: 27 February 2012 12:10
To: Wilkinson, Mick
Subject: RE: New Grant - Wetherspoons, 47a Gowthorpe, Selby

Mick,

Nigel Connor has forwarded your e-mail to the General Manager and Area Manager for this site and he is currently waiting for their instructions and will contact you in due course.

Apologies for the delayed response.

Kind regards

Barbara

From: Wilkinson, Mick [redacted]
Sent: 18 February 2012 16:38
To: Barbara Morrice
Subject: New Grant - Wetherspoons, 47a Gowthorpe, Selby

Barbara,

Further to our telephone conversation last week, please find below the conditions that the Police would seek to have attached to the new venue's Premises Licence. The conditions are to ensure that the Licensing Objectives *the prevention of crime and disorder* and *the protection of children from harm* are not undermined and are in line with the Operating Schedule submitted. The proposed conditions are listed as follows:-

1. A colour digital CCTV system will be installed to cover the premises and recorded

- coverage will include all areas (including outside areas) to where public have access to consume alcohol.
2. It will be maintained, working and recording at all times when the premises are open.
 3. The recordings should be of good evidential quality to be produced in Court or other such hearing.
 4. Copies of the recordings will be kept available for any Responsible Authority for 30 days.
 5. Copies of the recordings shall be made available to any Responsible Authority within 24hrs of request.
 6. Copies of the recordings will display the correct time and date of the recording.
 7. The only acceptable proof of age identification shall be a current Passport, photocard Driving Licence or identification carrying the PASS logo.
 8. Drinking vessels (to include bottles) of any type shall not be allowed to enter or leave the premises whilst under the customers care (save for the movement to any outside drinking area attached to the premises).
 9. Documented staff training will be given regarding staff's obligation under the Licensing Act for the retail sale of alcohol; the conditions attached to the Premises Licence; and the Opening Times of the venue.
 10. Such training (Condition 9) will be refreshed (and documented) every six months and the documented records shall be kept for at least one year.
 11. Such records (Condition 9) shall be kept for at least one year and they will be made available immediately upon request from any Responsible Authority.
 12. An adequate number of Door Supervisors (at least two) will be provided from 2100hrs until the close of business on the following evenings:-
 - i) Thursday, Friday and Saturday evenings
 - ii) the evening before any Bank Holiday.
 14. A Refusals Register (or EPOS till recording system) and Incident Report Register will be kept. Such documents will record incidents of staff refusals to under-age or drunk people as well as incidents of any anti-social behaviour and ejections from the premises.
 15. Both the above documents (Condition 14) shall be kept for at least one year and will be made available immediately on request from any Responsible Authority.
 16. Prominent clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.
 17. All OFF sales shall be made in sealed containers (save for those made to any outside drinking area attached to the premises).
 18. The venue shall partake in the Night-time Economy radio system. The radio shall be turned on and carried by the Duty Manager (or when deployed the Door Supervisor situated at the front entrance) at all times when the venue is open for business after 2000hrs.

I note that the date set by Mr Tim Grogan, Selby District Council for the end of representations is Monday 27th February.

I look forward to hearing from you at your earliest convenience.

Should you have any further queries about this, or any other licensing matter, then please don't hesitate to get in touch.

Regards,

Mick Wilkinson
PC952
Police Licensing Unit (York and Selby)
Community Safety Dept



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expressed in this document may not be official policy.

Thank you for your co-operation.

JD Wetherspoon plc,

Company registered in England number: 1709784

Registered Office:

Wetherspoon House, Reeds Crescent, Watford, Herts, WD24 4QL

Please note that we do not have visitor parking available and you may need to allow some extra time to walk to our offices. For further assistance please refer to the contact us section of our web site at <http://www.jdwetherspoon.co.uk/>

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J D Wetherspoon plc does not accept responsibility for changes made to this message, after it was sent.

ANNEX 4

Map of the location of Wetherspoons



Wetherspoon (formerly Everatt's) 47A, Gowthorpe, Selby

Km 0.02 0.04 0.06 0.08 0.1