

**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 J R Graham Ltd

*(Insert name(s) of applicant)*

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

**Part 1 – Premises Details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>			
One Forty 140 High Street Cranleigh Surrey GU6 8RF			
<b>Post town</b>		<b>Post code</b>	
<b>Telephone number at premises (if any)</b>		01483 272627	
<b>Non-domestic rateable value of premises</b>		£48750	

**Part 2 - Applicant Details**

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

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

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

Retail shop premises (clothes and homewares) wiith first floor restaurant

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

**Provision of entertainment facilities:**

- |   |                                     |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I)   | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J)  | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input checked="" type="checkbox"/> |

**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**

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3) The applicant plans to start a film club and offer meals prior to the showing of films in the restaurant area.		
Mon	09.00	23.00			
Tue	09.00	23.00	<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Wed	09.00	23.00			
Thur	09.00	23.00	<b>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</b> (please read guidance note 5)		
Fri	09.00	23.00			
Sat	09.00	23.00			
Sun	09.00	23.00			

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3) The applicant plans to stage live music at various events taking place within the restaurant and shop areas	
Mon	09.00	23.00		
Tue	09.00	23.00		
Wed	09.00	23.00		
Thur	09.00	23.00		
Fri	09.00	23.00		
Sat	09.00	23.00		
Sun	09.00	23.00		
			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)	
			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)	

F

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3) The applicant plans to play recorded music at various events taking place within the restaurant and shop areas.		
Mon	09.00	23.00			
Tue	09.00	23.00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Wed	09.00	23.00			
Thur	09.00	23.00	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	09.00	23.00			
Sat	09.00	23.00			
Sun	09.00	23.00			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3) The applicant plans to hold dance performance at various events taking place within the restaurant and shop areas.			
Mon	09.00	23.00				
Tue	09.00	23.00				
Wed	09.00	23.00	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)			
Thur	09.00	23.00				
Fri	09.00	23.00	<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)			
Sat	09.00	23.00				
Sun	09.00	23.00				

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><b><u>Please give a description of the type of entertainment you will be providing</u></b> The applicant plans to hold fashion shows within the restaurant and shop areas.</p>		
Day	Start	Finish	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	09.00	23.00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	09.00	23.00	<p><b><u>Please give further details here</u></b> (please read guidance note 3)</p>		
Wed	09.00	23.00			
Thur	09.00	23.00			
			<p><b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)</p>		
Fri	09.00	23.00			
Sat	09.00	23.00	<p><b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)</p>		
Sun	09.00	23.00			

**J**

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			<b>Will the facilities for dancing be indoors or outdoors or both – please tick</b> (see guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
			<b>Please give a description of the facilities for dancing you will be providing</b> The restaurant area will be used for dancing from time to time.	
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3) The applicant plans to enable dancing in the restaurant area.	
Mon	09.00	23.00		
Tue	09.00	23.00		
Wed	09.00	23.00	<b>State any seasonal variations for providing dancing facilities</b> (please read guidance note 4)	
Thur	09.00	23.00		
Fri	09.00	23.00	<b>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</b> (please read guidance note 5)	
Sat	09.00	23.00		
Sun	09.00	23.00		



**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon	09.00	23.00			
Tue	09.00	23.00			
Wed	09.00	23.00			
Thur	09.00	23.00			
Fri	09.00	23.00			
Sat	09.00	23.00			
Sun	09.00	23.00			
			<b>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</b> (please read guidance note 5)		

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

<b>Name</b> Richard Graham	
<b>Address</b>	
<b>Postcode</b>	
<b>Personal Licence number (if known)</b>	
<b>Issuing licensing authority (if known)</b>	

**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	09.00	23.45	<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	09.00	23.45	
Wed	09.00	23.45	
Thur	09.00	23.45	
Fri	09.00	23.45	
Sat	09.00	23.45	
Sun	09.00	23.45	

**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 applicant recognises the need to promote the objectives of the Licensing Act 2003 and take a responsible attitude towards its ends. In particular he will seek at all times to ensure staff are aware of these objectives and the law in general.
2. The premises operate primarily as a day retail shop(clothes and homwares) and restaurant.
3. Alcohol will be served with food in most cases.
4. Customer behaviour will be closely monitored by trained staff to ensure that risk is minimised with regard to all four objective subjects.

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

1. The applicant believes that good management over the years has ensured that there is little or no crime or disorder arising from the activities at the premises. Any member of the public causing a problem is at risk of being barred.
2. The whole premises are covered by CCTV.
3. There will be no price led drinks promotions.
4. Alcohol will not be served if a customer displays signs of already having drunk too much.
5. Staff training to spot the above and act accordingly will be provided.

**c) Public safety**

1. The applicant takes his safety responsibilities very seriously for staff and the general public.
2. The applicant will take all possible steps to comply with the Health and Safety at Work Act and the various regulations and Codes of Practice made thereunder.
3. Sensible drinking will be promoted on menus.
4. Alcohol will be served at tables or the bar and generally with food.

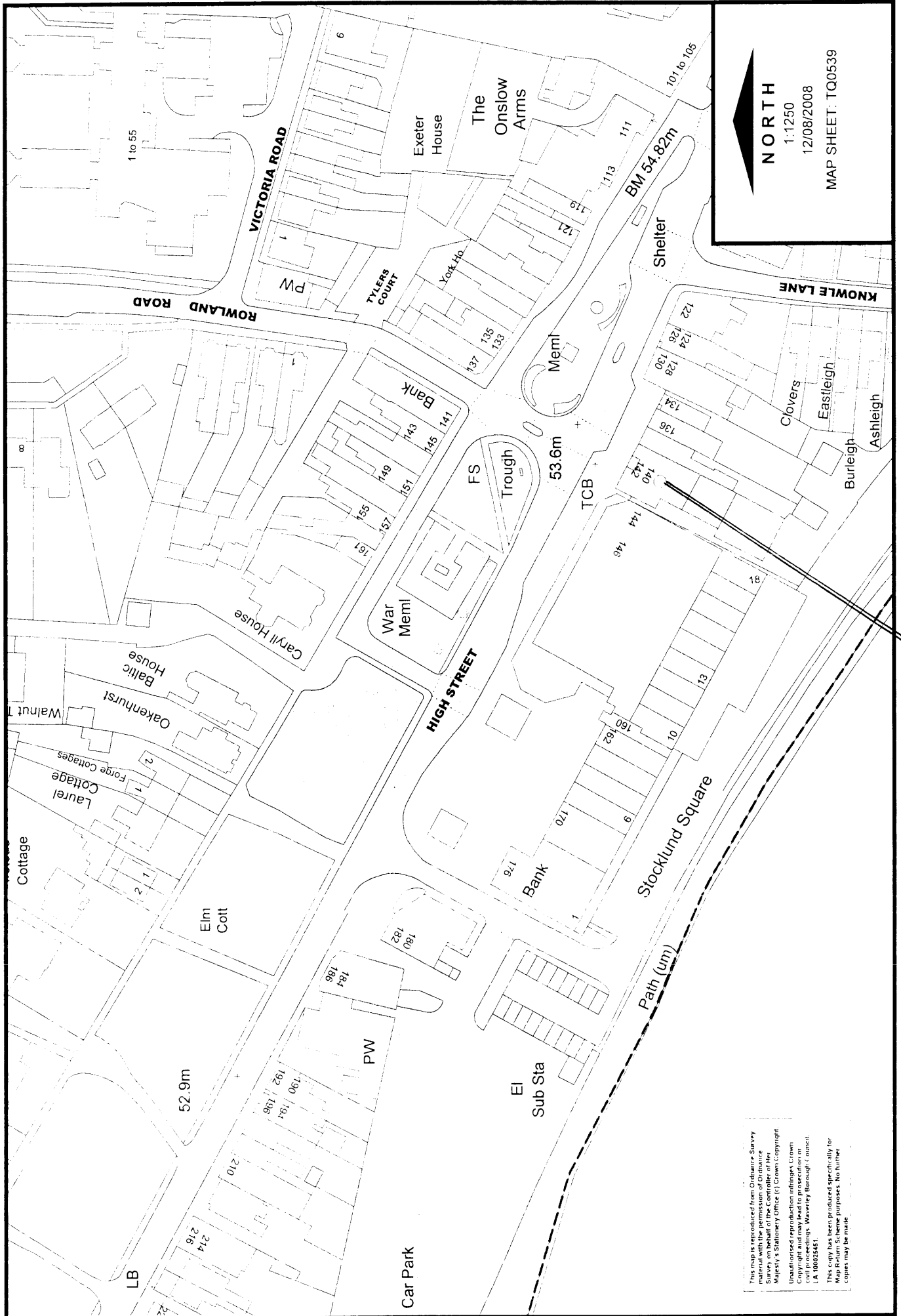
**d) The prevention of public nuisance**

1. In the event of any disturbance customers will be encouraged verbally to leave the premises as quietly as possible and avoid disturbing neighbours with particular reference to slamming car doors, driving away, shouting.
2. The restaurant will mainly open between 9.00am - 5 30 00pm.
3. Occasional events will be held in the evenings. No alcohol will be served after 23.00pm.
4. No loud music will be played.
5. No outside areas will be used for regulated entertainments or the sale of alcohol.
6. All deliveries and collections outside normal shop hours will be closely monitored to minimise any possibility of nuisance

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

1. A notice about sales to under age people is displayed on the premises.
2. Clear signage and a robust proof of age policy will be applied.
3. No children under 16 will be allowed on the premises unless accompanied by a parent or guardian.
4. Parents/guardians will be encouraged to look after their children at all times they are on the premises.
5. Children will be required to sit with their parent/guardian so as to ensure proper control. A large range of soft drinks will be available.





**NORTH**  
 1:1250  
 12/08/2008  
 MAP SHEET: TQ0539

## 140-142 HIGH STREET, CRANLEIGH

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## Annexe 3

14th. July 2008

Waverley Borough Council,  
Licencing Unit,  
The Bury's,  
Godalming.



Application for a Premises Licence for 140 High Street Cranleigh.

Dear Sir/Madam,

I have reservations about the above application. I am a resident of Stocklund Square and live some eight feet away from the premises in question!

I have attended the Council Offices and viewed the application and my prime concern is yet more 'out of hours' noise and alcohol related problems in the immediate area.

My initial observations are as follows. This is an area with a mix of retail and residential properties. The applicant wishes to change operating times from the current 09:00 to 17:30 hrs. to 09:00 to 23:00 hrs. and a change of use to include sale of alcohol, showing films, live and recorded music, dancing and 'anything of a similar description' - sic.

Representation by 140 on Licence Objectives Section D states, in part, 'The restaurant will mainly open between 09:00am - 05:30pm' and in Section C states, in part, 'Alcohol will be served at tables or the bar and *generally* with food'. So does that imply that the bar could be open when the restaurant is closed...?

All the items listed by the applicant in Section D (Public nuisance). are only as good as the mandatory conditions and controls placed upon them *and the means to enforce them*. Unfortunately, it is my experience with adjacent premises, that they ignore operational and licence requirements at will and because of this, I lodge my objection to the above application.

2

Mrs. R. Hughes  
Senior Licensing Officer,  
Waverley Borough Council,  
Council Offices,  
The Bury  
Godalming  
Surrey. GU7 1HR

<b>WAVERLEY B.C.</b>	
CHIEF EXECUTIVE'S OFFICE	
PRM	
DATE	18 JUL 2008 RECD
DATE ACK:	
PASS TO FOR ATTN:	
ACK. CODE:	
FILE No:	

16th July, 2008

Dear Mrs Hughes,

REF: ONE FORTY, 140 HIGH ST. CRANKEIGH, SURREY. GU6 8RF.

I noticed that ONE FORTY has displayed a Notice that Application has been made for a licence to sell alcohol, have live music and dancing etc at the overmentioned premises.

On behalf of my husband and myself I would like to oppose the granting of this licence as this will cause problems for us as regards the inevitable noise this will generate. There are 3 metres from the roof of ONE FORTY. We are approx. 20 Metres. We already suffer noise and crime in Stocklund Sq, which is a worry for us. Things seem to be getting out of control. Surely being a residential area, we should have rights.



14<sup>th</sup> July 2008

Rosemary Hughes  
Senior Licensing Officer  
Waverley Borough Council  
The Bury's  
Godalming



J R Graham Ltd Trading as One Forty at 140 High Street Cranleigh

Dear Ms. Hughes.

I understand from a notice posted on the door of the above business and confirmed by documentation files with your offices that J R Graham Ltd have applied for a licence to sell alcohol and carry out other activities related to entertainment in the above premises. I would like to object to this application on the grounds of a) prevention of public nuisance and b) prevention of crime and disorder for the following reasons

1: The application refers to the showing of films, playing of live and recorded music, playing of dance music and dancing in both the shop and restaurant, all of which generate considerable noise. Both these venues are within a few feet of the Stocklund Square Maisonettes and barely 25 yards from my front door and bedroom. The restaurant specified for use for these activities shows no evidence of sound insulation and has opening windows. Although the applicant states that "no loud music will be played" this is not compatible with the current requirement for dancing as is demonstrated by many other venues. This would mean that the noise of the activities, music, films and dancing will be heard from a considerable distance. I can state this confidently as the company has held fashion shows in the past and the noise has been considerable.

2: The application request the ability to provide alcohol "generally" with meals but not exclusively and also states that a bar will be available indicating that it is not necessary to have a meal.

3: The application also requests permission for "making music" and "further entertainment" but gives no details as to type and location. I have a concern that a currently unused flat roof area of the property may be converted for use with these and other activities which would a great disturbance to the residents.

4: With regard to the prevention of crime and disorder, I am concerned that the egress of people, possibly influenced by alcohol, into an area that is already known for problems at this hour of the night may add fuel to anything that may develop.

To request permission to carry out these activities from 0900 and all year round gives the potential for a lot of disturbance to the neighbours and local residents.

Yours sincerely

Licensing Department  
Waverley Borough Council  
The Burys  
Godalming  
Surrey, GU7 1HR

4

8<sup>th</sup> August 2008

Dear Sirs,

Licensing Act 2003  
J R Graham Limited trading as One Forty

I should like to object to the above licensing application for the following Public Nuisance grounds:

1. We have a huge problem from licensed premises in Cranleigh High Street and another will not improve the situation. We had cause to speak to the Parish Council recently re problems on a Friday evening which they reported to the police and P.C. Jack Lee has talked to us about the incidents, so I am surprised the police have raised no objections.
2. Seven days a week is certainly not acceptable. When Mr Graham lived over his shop he objected (and asked for our help in objecting) to other food outlets opening on Sundays. So I feel this should not be allowed and the sale of alcohol at 9.00am should not be permitted.
3. Where is the designated smoking area to be? We have a huge problem with the current restaurants that do not provide a suitable area – their customers stand outside to smoke and when they have had a few drinks the noise is dreadful. Waverley's own Environmental Officers have had to speak to them following our and other complaints.

I do hope that your licensing committee will see that as residents we are entitled to some peace and quiet during the evenings and weekends and some common sense is put into this application.

.0 8|8|08.

8<sup>th</sup> August 2008

Licensing Department  
Waverley Borough Council  
The Burys  
Godalming  
Surrey, GU7 1HR

5

Dear Sirs,

**Licensing Act 2003**  
**J R Graham Limited trading as One Forty**

I am writing with reference to the Premises Licence application advertised in the 11<sup>th</sup> July edition of the Surrey Advertiser. I have inspected the application at the Council Offices.

For guidance, the above is my home address. I live some 80 yards from the relevant premises, at an angle across the common. There are no buildings or other constructions between the two properties other than the War Memorial.

I am not writing to object in principle to the application. The application is made from a reputable business and from a respected member of our community. This is demonstrated by their acceptance of the four recommendations made by Surrey Police. I would, however, like to make some constructive comments on the application.

**Prevention of Crime and Disorder.**

The premises are in the centre of the area of Cranleigh that was the subject of an Order under Section 30 of the Anti-Social Behaviour Act 2003 as recently as 2005. The police stated at that time that they believe that the anti-social behaviour concerned was often fuelled by alcohol. From our house we continue frequently to see youths and older people, apparently affected by alcohol, particularly at weekends, behaving unacceptably in this part of the High Street.

The behaviour of even otherwise most respectable individuals can be badly affected by alcohol. I do not consider it conducive to the prevention of disorder to allow a licence for drinking from 9.00 o'clock in the morning on any premises 365 days a year no matter how well-meaning the applicant.

### **Prevention of Public Nuisance.**

This part of Cranleigh is mixed use; residential and retail. In addition to the private residences that surround the retail establishments, nearly every retail establishment has residential accommodation above. Despite the stated intentions of, for example, no alcohol outside the premises, no loud music and advice to customers leaving the premises, I believe it is almost inevitable that there will be some nuisance to residents. This application is for a 365 day licence. Licences I have seen for similar premises in Cranleigh restrict the number of days permitted. For example, no entertainment on Sundays or Public Holidays such as Good Friday.

For the benefit of neighbouring residents, I believe it would be appropriate to restrict this licence similarly. I would suggest that the alcohol licence should be s for **only** with food as opposed to “normally” and that the alcohol licence should be restricted to six days a week rather than seven, reflecting the practice of the majority of restaurants in Cranleigh.

I trust this is helpful.



- 9.12 The Secretary of State recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it. If it then emerged, for example, that the representation should not be supported, the licensing authority could decide not to take any action in respect of the application.
- 9.13 Licensing authorities should consider providing advice on their websites about how any interested party can make representations to them.

#### DISCLOSURE OF PERSONAL DETAILS OF INTERESTED PARTIES

- 9.14 Where a notice of a hearing is given to an applicant, the licensing authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide to the applicant with the notice and copies of the relevant representations that have been made.
- 9.15 In some exceptional and isolated circumstances interested parties may be reluctant to make representations because of fears of intimidation or violence if their personal details, such as name and address, are divulged to the applicant.
- 9.16 Where licensing authorities consider that the interested party has a genuine and well-founded fear of intimidation and may be deterred from making a representation because of this, they may wish to consider alternative approaches.

- 9.17 For instance, they could advise interested parties to provide the relevant responsible authority with details of how they consider that the licensing objectives are being undermined so that the responsible authority can make representations if appropriate and justified.
- 9.18 The licensing authority may also decide to withhold some or all of the interested party's personal details from the applicant, giving only enough details (such as street name or general location within a street) which would allow an applicant to be satisfied that the interested party is within the vicinity of the premises. However, withholding such detail should only be considered where the circumstances justify such action and the licensing authority is satisfied that the complaints are not frivolous or vexatious.

#### HEARINGS

- 9.19 Regulations governing hearings may be viewed on the DCMS website. If the licensing authority decides that representations are relevant, it must hold a hearing to consider them. The need for a hearing can only be dispensed with by the agreement of the licensing authority, the applicant and all of the parties who made relevant representations. In cases where only 'positive' representations are received, without qualifications, the licensing authority should consider whether a hearing is necessary. To this end it may wish to notify the interested parties concerned and give them the opportunity to withdraw their representations. This would need to be done in sufficient time before the hearing to ensure that parties were not put to unnecessary inconvenience.

- 9.20 Responsible authorities should try to conclude any discussions with the applicant in good time before the hearing. If the application is amended at the last moment, the licensing committee should consider giving interested parties time to address the revised application before the hearing commences.
- 9.21 The Regulations require that representations must be withdrawn 24 hours before the first day of any hearing. If they are withdrawn after this time, the hearing must proceed. However, where discussions between an applicant and those making representations are taking place and it is likely that all parties are on the point of reaching agreement, the licensing authority may wish to use the power given within the hearings regulations to extend time limits, if it considers this to be in the public interest.
- 9.22 Applicants should be encouraged to contact responsible authorities before formulating their applications so that the mediation process may begin before the statutory time limits come into effect after submission of an application. The hearing process must meet the requirements of Regulations made by the Secretary of State. Where matters arise which are not covered by the Regulations, licensing authorities may make arrangements as they see fit as long as they are lawful.
- 9.23 There is no requirement in the Act for responsible authorities that have made representations to attend, but it is generally good practice and assists committees to reach more informed decisions. Where several responsible authorities within a local authority have made representations on an application, a single local authority officer may represent them at the hearing if the responsible authorities and the licensing authority agree. However, an officer of the licensing authority may not perform this role which would compromise the licensing authority's independence.
- 9.24 As a matter of practice, licensing authorities should seek to focus the hearing on the steps needed to promote the particular licensing objective which has given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or interested party may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation.
- 9.25 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
- the steps that are necessary to promote the licensing objectives;
  - the representations (including supporting information) presented by all the parties;
  - this Guidance;
  - its own statement of licensing policy.
- 9.26 The licensing authority should give its decision at once, unless the Act itself states otherwise and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the

operating schedule. Any conditions imposed must be necessary for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition which is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety.

- 9.27 Alternatively, the licensing authority may refuse the application on the grounds that this is necessary for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that interested parties and others have the most current information.
- 9.28 In the context of variations, which may involve structural alteration to or change of use of the building, the decision of the licensing authority will not exempt an applicant from the need to apply for building control or planning consent where appropriate.

