

*[Insert name and address of relevant licensing authority and its reference number (optional).]*

**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 Chiddingfold Ex-Servicemens Club Committee**

*(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 The Villagers Woodside Road Chiddingfold			
Post town	Godalming	Postcode	GU8 4QD

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£8300

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- 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 checked="" 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 Chiddingfold Ex-Servicemens Club Committee
Address The Villagers Woodside Road Chiddingfold Surrey
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.) A recognised club
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
0	6	12 2012

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)  
 Premises are a detached, single storey purpose built building located within a residential area.  
 Premises comprise of an entrance lobby, lounge area which is capable of being divided into two rooms, bar serving counter, kitchen, toilets, utility room, 2 store rooms and an office.  
 There is a patio area to the side of the premises, and a car park immediately in front of the premises. There is a perimeter fence surrounding the premises.

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 any that apply

- 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 late night refreshment** (if ticking yes, fill in box I)

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

In all cases complete boxes K, L and M

**A**

Plays Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1200	2300	<b>Please give further details here</b> (please read guidance note 3) To allow for performances of plays by local groups, schools etc.	Both	<input type="checkbox"/>
Tue	1200	2300			
Wed	1200	2300	<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur	1200	2300			
Fri	1200	2300	<b>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</b> (please read guidance note 5) An additional 2 hours at the end of permitted hours on Christmas Eve, Boxing Day, Fridays, Saturdays, Sundays and Mondays of Bank Holiday weekends, St Patricks Day, St Georges Day and Burns Night. On New Years Eve, from the end of permitted hours until the commencement of permitted hours on New Years Day.		
Sat	1200	2300			
Sun	1200	2300			

**D**

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

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input 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) Live musicians and singers		
Mon	1200	2300			
Tue	1200	2300	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Wed	1200	2300			
Thur	1200	2300	<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) An additional 2 hours at the end of permitted hours on Christmas Eve, Boxing Day, Fridays, Saturdays, Sundays and Mondays of Bank Holiday weekends, St Patricks Day, St Georges Day and Burns Night. On New Years Eve, from the end of permitted hours until the commencement of permitted hours on New Years Day.		
Fri	1200	2300			
Sat	1200	2300			
Sun	1200	2300			

**F**

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 2)	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
Mon	1200	2300	Outdoors	<input type="checkbox"/>
Tue	1200	2300	Both	<input type="checkbox"/>
Wed	1200	2300	<b><u>Please give further details here</u></b> (please read guidance note 3)	
Thur	1200	2300		
Fri	1200	2300	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4).  <b><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></b> (please read guidance note 5) An additional 2 hours at the end of permitted hours on Christmas Eve, Boxing Day, Fridays, Saturdays, Sundays and Mondays of Bank Holiday weekends, St Patricks Day, St Georges Day and Burns Night. On New Years Eve, from the end of permitted hours until the commencement of permitted hours on New Years Day.	
Sat	1200	2300		
Sun	1200	2300		



**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance 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)		
Mon	1200	2300			
Tue	1200	2300			
Wed	1200	2300	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Thur	1200	2300			
Fri	1200	2300			
Sat	1200	2300	<b>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</b> (please read guidance note 5) An additional 2 hours at the end of permitted hours on Christmas Eve, Boxing Day, Fridays, Saturdays, Sundays and Mondays of Bank Holiday weekends, St Patricks Day, St Georges Day and Burns Night. On New Years Eve, from the end of permitted hours until the commencement of permitted hours on New Years Day.		
Sun	1200	2300			

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</b>			Please give a description of the type of entertainment you will be providing		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	1200	2300		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	1200	2300	<b>Please give further details here</b> (please read guidance note 3)		
Wed	1200	2300			
Thur	1200	2300	<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)		
Fri	1200	2300			
Sat	1200	2300	<b>Non standard things. 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</b> (please read guidance note 5)		
Sun	1200	2300	An additional 2 hours at the end of permitted hours on Christmas Eve, Boxing Day, Fridays, Saturdays, Sundays and Mondays of Bank Holiday weekends, St Patricks Day, St Georges Day and Burns Night. On New Years Eve, from the end of permitted hours until the commencement of permitted hours on New Years Day.		

I

<b>Late night refreshment Standard days and timings</b> (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input 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) <b>Provision of hot food and hot drink for the days when non standard timings apply only (see below)</b>		
Mon					
Tue			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Wed					
Thur			<b>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</b> (please read guidance note 5) From 2300hrs to 0100hrs on Christmas Eve, Boxing Day, Fridays, Saturdays, Sundays and Mondays of Bank Holiday weekends, St Patricks Day, St Georges Day and Burns Night. On New Years Eve, from 2300hrs until 0500hrs on New Years Day.		
Fri					
Sat					
Sun					

**J**

<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</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon	1100	2300			
Tue	1100	2300			
Wed	1100	2300			
Thur	1100	2300			
Fri	1100	2300			
Sat	1100	2300			
Sun	1100	2300			
			<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)		
			An additional 2 hours at the end of permitted hours on Christmas Eve, Boxing Day, Fridays, Saturdays, Sundays and Mondays of Bank Holiday weekends, St Patricks Day, St Georges Day and Burns Night.		
			On New Years Eve, from the end of permitted hours until the commencement of permitted hours on New Years Day.		

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

<b>Name</b> Jerry Coombes      JEREMY JAMES COOMBES	
<b>Address</b> Leahurst Coxcombe Lane Chiddingfold Nr Godalming Surrey	
<b>Postcode</b>	GU8 4QF
<b>Personal licence number (if known)</b> To be notified	
<b>Issuing licensing authority (if known)</b> To be notified	

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).**  
**None**

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	0800	2330	<p><b>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</b> (please read guidance note 5)</p> <p>An additional 2 hours at the end of permitted hours on Christmas Eve, Boxing Day, Fridays, Saturdays, Sundays and Mondays of Bank Holiday weekends, St Patricks Day, St Georges Day and Burns Night.</p> <p>On New Years Eve, from the end of permitted hours until the commencement of permitted hours on New Years Day.</p>
Tue	0800	2330	
Wed	0800	2330	
Thur	0800	2330	
Fri	0800	2330	
Sat	0800	2330	
Sun	0800	2330	

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

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

All staff involved in the sale of alcohol will be trained in respect of their legal and social responsibilities, and also in the content of the premises licence and any conditions therein. A record of such training shall be maintained and produced for inspection by Police or Authorised Officers of the Licensing Authority on request.

The premises will be managed by a Committee in accordance with a set of club rules. The club rules will provide for membership and for disciplinary measures in respect of those who contravene the club rules.

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

Premises are protected by an audible intruder alarm. All windows and doors are secured by various locking mechanisms.

Entry to the premises is controlled by the use of an intercom system which also has a camera facility.

A record shall be maintained at the premises detailing any crimes reported or any other issues / complaints received in respect of the premises. This record shall be produced for inspection by Police or Authorised Officer of the Licensing Authority on request.

Staff will be trained in respect of legal responsibilities when selling alcohol and a record of that training shall be maintained by the premises licence holder. The training records shall be produced for inspection by Police and Authorised Officers of the Licensing Authority on request.

**c) Public safety**

Staff shall be trained in respect of the Fire risk assessment and the Health and safety risk assessment. A record of this training shall be maintained by the premises licence holder and will be produced for inspection by Police, Fire Officers and Authorised Officers of the Licensing Authority on request.

First aid facilities shall be maintained at the premises.

External lighting shall be maintained to ensure customers are able to disperse from the premises safely.

d) The prevention of public nuisance

All windows shall remain closed after 2100hrs on any day when music entertainment is taking place within the premises.

All doors shall remain closed after 2100hrs on any day when music entertainment is taking place, except to allow customers to access and egress from the premises.

Signage will be displayed in the area designated for smoking to request users to use the area quietly, respecting the needs of local residents.

No drinks or other refreshments will be taken into the patio area after 2100hrs on any day of the week.

Signage will be displayed at the exit to the premises requesting customers to leave quietly, respecting the needs of local residents.

When music entertainment is taking place, a member of staff shall monitor the noise levels from outside the premises, to ensure the levels are not causing a nuisance to nearby residents. A record shall be maintained which details the monitoring, and shall include any action taken as a result of the monitoring. The record shall be produced for inspection by Police or Authorised Officer of the Licensing Authority on request.

No empty glassware shall be placed in external rubbish bins between 2300hrs and 0800hrs on any day.

e) The protection of children from harm

The premises will adopt Challenge 21 as the age verification policy and staff shall be trained in respect of it. A record of this training shall be maintained by the premises licence holder and shall be produced for inspection by the police or authorised officers of the licensing authority on request.

The premises shall maintain a 'refusals log' which shall record details of when a sale of alcohol is refused because a person is unable to produce ID to show they are over the age of 18 years. The refusals log shall be produced for inspection by the police or authorised officers of the licensing authority on request.

Persons under the age of 18 years shall not be permitted on the premises after 2100hrs unless they are accompanied by an adult.

Checklist:

Please tick to indicate agreement

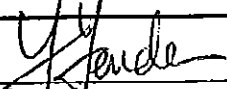
- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.

- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures (please read guidance note 10)**

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11).  
If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	4 <sup>th</sup> November 2012
Capacity	Licensing Consultant

For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Frank Fender  
FJF Licensing Solutions  
Regent House  
5-7 Melbourne Street

Post town	Bedford	Postcode	MK42 9AX
Telephone number (if any)	07846 747833		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) frank@fjflicensingolutions.co.uk			

**Notes for Guidance**

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).



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

Consent of individual to being specified as premises supervisor

JEREMY JAMES COOLBES

[full name of prospective premises supervisor]

of LEANWEL ST,  
COXLOMBE LANE  
CHIDDINGFOLD  
NE GODALMING  
SURREY GU8 4QF.

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

NEW PREMISES LICENCE

[type of application]

by

CHIDDINGFOLD EX-SERVICEMENS CLUB COMMITTEE

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

THE VILLAGERS  
WOODSIDE ROAD  
CHIDDINGFOLD  
GODALMING  
SURREY GU8 4QD

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

CHIDDINGFOLD EX-SERVICEMENS CLUB COMMITTEE  
*[name of applicant]*

concerning the supply of alcohol at

THE VILLAGERS  
WOODSIDE ROAD  
CHIDDINGFOLD  
GODALMING  
SURREY GU8 4QD

*[name and address of premises to which application relates]*

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

TO BE NOTIFIED  
*[insert personal licence number, if any]*

Personal licence issuing authority

TO BE NOTIFIED  
*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed

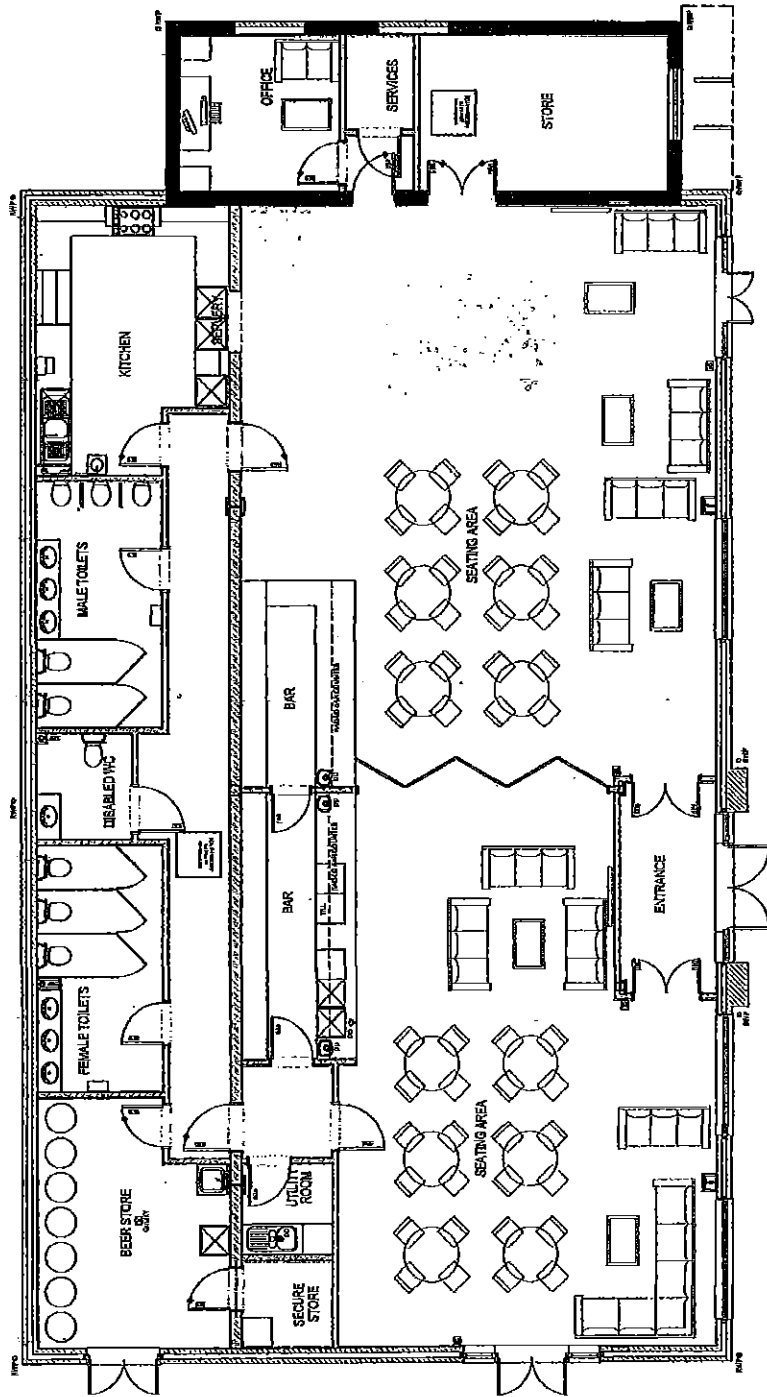
J.J. Coombes.

Name (please print)

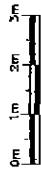
JEREMY JAMES COOMBES

Date

29/10/2012.



CHIDDINGFOLD CLUB, WOODSIDE ROAD, CHIDDINGFOLD - 1:100 @A3





Licensing Act 2003  
Club Premises Certificate - Detail

<b>Chiddingfold Ex-Servicemen's Club</b> Woodside Road Chiddingfold Godalming Surrey GU8 4QD	Licence number:	WAV2005PREM/0153	
	Valid From:	24th November 2005	
	Valid until:		
	Telephone:	01428 683956 / 682949	
Licensable Activities Authorised by the Licence and times these activities may be carried on:			
Activity (and area if applicable)	Description	Time From:	Time To:
<b>Provision of regulated entertainment:</b>  Live music, recorded music and anything of a similar description to music and dancing.	Monday & Tuesday Wednesday & Thursday Friday & Saturday Sunday	1900 1100 1100 1200	2300 2300 0000 2300
<b>Provision of entertainment facilities for:</b>  Making music and dancing	Monday & Tuesday Wednesday & Thursday Friday & Saturday Sunday	1900 1100 1100 1200	2300 2300 0000 2300
<b>Sale by Retail of Alcohol</b>	Monday & Tuesday Wednesday & Thursday Friday & Saturday Sunday	1900 1100 1100 1200	2300 2300 0000 2300
<b>Non-standard Timings:</b>	Bank Holidays until 2330 Christmas Eve until 2345 Christmas Day 1100 - 1500 Boxing Day 1100 - 2330 From the close of permitted hours on New Year's Eve to start of permitted hours on the following day.		

The opening hours of the premises:

Where the licence authorises supplies of alcohol, whether this alcohol is to be consumed on and/ or off the premises: On and off the premises

Name & (registered) address of holder of premises licence: Chiddingfold Ex-Servicemen's Club  
 Woodside Road  
 Chiddingfold  
 Godalming  
 Surrey GU8 4QD

Registered number of holder, for example company number, charity number (where applicable): N/A

Whether access to the premises by children is restricted or prohibited: No restrictions

## Annex 1 – Mandatory Conditions

A club premises certificate may not authorise the supply of alcohol for consumption off the premises unless it also authorises the supply of alcohol to a member of the club for consumption on those premises. A club premises certificate which authorises the supply of alcohol for consumption off the premises must include the following conditions:

- The first condition is that the supply must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.
- The second condition is that any alcohol supplied for consumption off the premises must be in a sealed container.
- The third condition is that any supply of alcohol for consumption off the premises must be made to a member of the club in person.

## Annex 2 – Conditions consistent with the operating schedule

Performance of live music Standard days and timings			The performance of live music to take place	Indoors	X
				Outdoors	
				Both	
Day	Start	Finish	Further details here		
MON	1900	2300	Music may be amplified.		
TUE	1900	2300			
WED	1100	2300	Seasonal variations for the performance of live music		
			N/A		
THU	1100	2300			
FRI	1100	0000			
			Non standard timings.		
SAT	1100	0000	Bank Holidays until 2330 Christmas Eve until 2345 Christmas Day 1100 - 1500 Boxing Day 1100 - 2330		
SUN	1200	2300	New Year's Eve 1900 - 0100 the following morning New Year's Day 1900 - 2330		

Playing of Recorded Music Standard days and timings			The playing of recorded music to take place	Indoors	X
				Outdoors	
				Both	
Day	Start	Finish	Further details here		
MON	1900	2300	Music may be amplified.		
TUE	1900	2300			
WED	1100	2300	Seasonal variations for the performance of live music		
THU	1100	2300	N/A		
FRI	1100	0000			
			Non standard timings.		
SAT	1100	0000	Bank Holidays until 2330 Christmas Eve until 2345 Christmas Day 1100 - 1500 Boxing Day - 1100 - 2330		
SUN	1200	2300	New Year's Eve 1900 - 0100 the following morning New Year's Day 1900 - 2330		

Entertainment of a similar description to that falling within (e), (f) or (g) Standard days and timings			Description of the type of entertainment being provided:		
			Various live and/or recorded music events		
Day	Start	Finish	This entertainment to take place	Indoor	X
Mon	1900	2300		Outdoor	
				Both	
Tue	1900	2300			
Wed	1100	2300	Seasonal variations for the performance of live music		
Thu	1100	2300	N/A		
Fri	1100	0000			
			Non standard timings.		
Sat	1100	0000	Bank Holidays until 2330 Christmas Eve until 2345 Christmas Day 1100 - 1500 Boxing Day 1100 - 2330		
Sun	1200	2300	New Year's Eve 1900 - 0100 (next day) New Year's Day 1900 - 2330		

Provision of Facilities for making music Standard days and timings			Description of the facilities for making music being provided		
			Entertainment to take place	Indoor	X
				Outdoor	
				Both	
<b>Further details</b>					
Mon	1900	2300			
			N/A		
Tue	1900	2300			
			Seasonal variations for the performance of live music		
			N/A		
Wed	1100	2300			
			Non standard timings.		
Sat	1100	0000	Bank Holidays until 2330 Christmas Eve until 2345 Christmas Day 1100 - 1500 Boxing Day 1100 - 2330		
Sun	1200	2300	New Year's Eve 1900 - 0100 the following morning New Year's Day 1900 - 2330		

Provision of facilities for dancing Standard days and timings			Performance of dance to take place		
				Indoors	X
				Outdoors	
				Both	
<b>Further details here</b>					
Day	Start	Finish			
MON	1900	2300			
			N/A		
TUE	1900	2300			
			Seasonal variations for the performance of live music		
			N/A		
WED	1100	2300			
			Non standard timings.		
Sat	1100	0000	Bank Holidays until 2330 Christmas Eve until 2345 Christmas Day 1100 - 1500 Boxing Day 1100 - 2330		
Sun	1200	2300	New Year's Eve 1900 - 0100 the following morning New Year's Day 1900 - 2330		



Supply of alcohol Standard days and timings			Sale of alcohol to be for consumption	On The Premises	X
				Off The Premises	
				Both	
Day	Start	Finish	Seasonal variations for the sale/supply of alcohol		
Mon	1900	2300			
			N/A		
TUE	1900	2300			
WED	1100	2300			
THU	1100	2300	Non standard timings.		
FRI	1100	0000	Bank Holidays until 2330 Christmas Eve until 2345 Christmas Day 1100 - 1500 Boxing Day 1100 - 2330		
SAT	1100	0000	From the close of permitted hours on New Year's Eve to start of permitted hours on the following day.		
SUN	1200	2300			

#### ELEMENTS OF OPERATING SCHEDULE TO ADDRESS LICENSING OBJECTIVES:

##### a) General – all four licensing objectives (b,c,d,e)

The Club Management Committee shall take a responsible attitude regarding the promotion of the licensing objectives and ensure that they, the Club steward and all bar staff are aware of the licensing objectives and of the Licensing Act 2003 in general.

Staff training shall be given on these aspects of licensing.

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

Any Club member causing a problem shall be disciplined by the Management Committee. Such matters shall be dealt with in a robust manner.

##### c) Public Safety

All possible steps shall be taken in order to ensure compliance with the Health and Safety at Work Act and the various regulations and Codes of Practice made thereunder.

The Club shall have regard to its responsibilities to staff, members and the public.

##### d) The prevention of public nuisance

Patrons shall be encouraged to leave the premises as quietly as possible and to avoid disturbing neighbours with particular reference to:

- slamming car doors
- driving away
- shouting.

Any members found to be flouting the Club rules shall be required to answer the Club Committee.

Appropriate notices shall be displayed adjacent to the main entrance/exit doors requesting care and consideration to the neighbourhood by members leaving.

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

No children shall be served in the Club at any time.  
Under age children shall not be permitted to smoke or purchase or consume alcoholic beverages on the premises.  
Parents/guardians shall be encouraged to look after their children at all times they are on the premises, whether inside or outside the premises.  
Children shall be required to stay with their parent/guardian so as to ensure proper control.  
All children shall be required to vacate the premises by 2230 hours.

**Public Entertainment Licence embedded conditions**

This Licence is granted by the Licensing Authority subject to the embedded regulations and general conditions for the time being in force (copy attached) made by the Licensing Authority and to the following special conditions:-

1. The number of persons to be admitted shall not exceed 320 (three hundred and twenty).
2. No candles or naked flames are permitted unless previously approved in writing by the Licensing Authority.
3. No combustible material shall be stored under the stage during a public function.
4. The licensee shall ensure that any music provided at the premises shall not cause a disturbance to local residents and that any form of amplification shall be so controlled by the licensee as to prevent a disturbance.

**Condition agreed with the Environmental Health Section:**

**Noise**

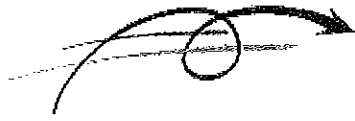
1. External doors and windows shall be kept closed while music events are taking place in the main bar and after 2300 on all other occasions.

**Annex 3 – Conditions attached after a hearing by the licensing authority**

N/A

**Annex 4 - Plans**

Attached



**FJF Licensing Solutions**

The Licensing Team  
Chief Executive's Department  
Waverley Borough Council  
The Bury  
Godalming  
Surrey  
GU7 1HR

Date: 4<sup>th</sup> November 2012

Our Ref: FJFLS/FF/39/12

Your Ref:

E:mail: see below

Tel: 07846 747833

Dear Sirs

**Application for a Premises Licence in respect of premises known as The Villagers, Woodside Road, Chiddingfold, Godalming GU8 4QD.**

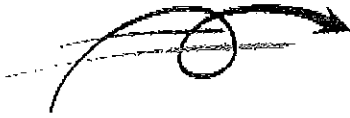
We have been instructed to act on behalf of Chiddingfold Ex-Servicemens Club Committee make an application for the grant of a new premises licence for premises to be known as The Villagers, Woodside Road, Chiddingfold, Godalming, Surrey GU8 4QD.

We therefore enclose:-

1. Application form
2. Cheque for £190.00
3. A copy of the plan for the premises
4. Consent of Designated Premises Supervisor (Jeremy Coombes)
5. Certificate of service

The premises to be licensed have been previously operated as a club, under Club Premises Certificate 0153, and in the name of Chiddingfold Ex-Servicemen's Club. The club has been closed for a period of time, and have now been rebuilt as a purpose built community facility and club premises.

The building has been designed so as to keep all activities away from the nearby residential properties and facing towards the front of the premises.



## **FJF Licensing Solutions**

Whilst the club committee intends to continue to use the premises as a club, and subject to club rules, they also intend to make the facilities available for non-members to use for various occasions such as family celebrations, Christmas and New Year celebrations etc. It is for this reason that a new premises licence is being applied for, rather than a variation to the existing club premises certificate.

The existing club premises certificate is to be surrendered.

The licensable activities applied for are the sale of alcohol by retail, the provision of regulated entertainment and the provision of late night refreshment. Non standard timings also apply.

Whilst regulated entertainment is being applied for each day of the week, there is no intention to provide it unless there is a specific reason for doing so. This would include private functions where the event organiser has requested music entertainment, or where the premises organises events to celebrate certain times of the year such as Christmas, New Year etc.

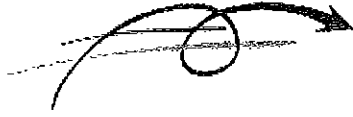
Nor is it intended for alcohol to be sold at all times and days applied for. The requested hours, if granted, will allow the premises licence holder the flexibility to arrange or allow events to take place within the times on the licence, thereby eliminating the need to submit a temporary event notice each time.

The provision of late night refreshment is applied for in respect of non standard timings only i.e. on those days the premises are allowed to operate after 2300hrs only.

The proposed DPS is in the process of obtaining the relevant licensing qualification and will then submit his application for a personal licence. It is hoped that this will be granted prior to the end of the premises licence consultation period, and the personal licence number will be notified to you once it is issued. The applicant is aware that no alcohol can be sold unless there is a DPS appointed for the premises.

We are arranging for the public notice to be displayed on the premises and in the local newspaper as if you have received the application two working days after we post it, in accordance with the deemed service provisions contained within the Magistrates Court's Rules 1981

If there is anything in the way that we have completed the attached forms that causes you concern, or if you believe there is some omission, please contact Frank Fender on the above number so we can discuss it with you.



**FJF Licensing Solutions**

We would be grateful if you would acknowledge safe receipt of this letter and the relevant enclosures.

Yours faithfully

*Frank Jender*

FJF Licensing Solutions

E-mail: [frank@fjflicensingolutions.co.uk](mailto:frank@fjflicensingolutions.co.uk)

Our Ref: 10378 WVC  
Your Ref:



**SURREY  
POLICE**

Licensing Officer  
Waverley Borough Council  
Council Offices  
The Burys  
Godalming  
Surrey  
GU7 1HR

**Pete Hathaway**  
Waverley Licensing Officer

27th November 2012

Dear Sir/Madam,

**Licensing Act 2003 – Application for Premises Licence**

**Premises: The Villagers, Woodside Road, Chiddingfold**

We have been in negotiations with the applicants and understand that they have now submitted an amendment to the application to include the following conditions.

1. A comprehensive digital colour CCTV system will be installed at the premises. The system will be maintained and operational at all times the premises are open for business. Video recordings shall be available for a minimum of 28 days and shall be made available to an authorised officer or police officer together with facilities for viewing. There will be a capability to download to CD/DVD.
2. Staff engaged in the sale of alcohol shall be trained in respect of their legal and social responsibilities and also in the content of the premises licence and any conditions therein. This will include the law relating to both the sale and the consumption of alcohol to persons under 18 and the refusal of sale of alcohol to persons who are drunk. A record of such training shall be maintained and produced for inspection by Police or authorised officers of the Licensing Authority on request. There will be an ongoing training regime with refresher/reinforcement training at intervals of no more than six months.
3. The premises will operate a Challenge 21 policy as the age verification policy and staff shall be trained in respect of it. A record of this training shall be maintained by the premises licence holder and shall be produced for inspection by the police or authorised

officers of the licensing authority on request. Staff will only accept passport, photo driving licence or ID cards bearing the PASS hologram as forms of identification.

4. Outside areas will not be used for the consumption of alcohol or food after 21:00
5. No glasses or bottles will be allowed to be taken outside after 21:00
6. Off Sales: Alcohol shall not be sold/supplied in open containers
7. Private functions will be booked in advance and shall be booked under a written hire agreement.
8. A register of all members shall be kept at the premises.

This now allays our concerns and therefore Surrey Police have no objections to the grant of a premises licence under Section 17 of the Licensing Act 2003.

Yours faithfully,

Peter Hathaway  
Waverley Licensing Officer



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Waverley Borough Council  
 The Bury, Godalming, Surrey  
 GU7 1HR  
 Telephone: 01483 523333  
 Fax No: 01483 523118



**The Villagers Club Ex-Servicemen Club, Chiddingfold**

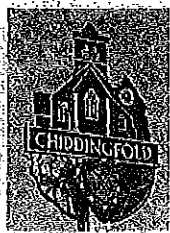
Scale 1/1250 Date 6/12/2012

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## Chiddingfold Parish Council

The Banking House  
The Green  
Chiddingfold  
Surrey  
GU8 4TU

Tel & Fax: 01428 683906  
www.chiddingfold-pc.gov.uk  
Chairman: Cllr Richard Hogsflesh  
Clerk to the Council: Sue Frossard AILCM  
clerk@chiddingfold-pc.gov.uk

Our Reference: 40438

04 December 2012

Kate Halsall  
Licensing Administrator  
Waverley Borough Council  
Council Offices  
The Burys  
Godalming  
Surrey  
GU7 1HR

**BY EMAIL AND POST**

Dear Ms Halsall

**Re: New Premises Licence for The Villagers, Woodside Road, Chiddingfold.**

This Council would like to object to the above licence application for the excessive hours that have been requested, for the following reasons:

**1. Noise Nuisance.** This will occur, affecting the surrounding properties if the venue has insufficient sound proofing or if doors and windows are left open. The extensions to 1.00am all over Public Holiday weekends, St. Patricks Day, Burns Night etc., and the request to be open for the whole of New Year's Eve right through to the permitted closing time on New Year's Day- a total of fifty one hours- are also excessive. This Council would point out to WBC Officers that this new club building now has 13 new houses on three sides and is situated within a long-established residential neighbourhood.

**2. Public Nuisance.** Caused by a lack of parking facilities. The original club building stood in a larger area than now, but there were parking issues then. The new building, as mentioned above, is now adjacent to a new housing estate which has taken most of the previous parking area, leaving only 16 parking bays. Previous experience with parking for the Club was that vehicles were parked on the pavements and often blocked entrances to residents drives, this can only be worse with less 'on site' parking.

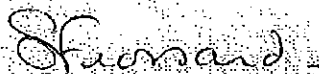
**3. Public Safety.** The Villagers is in close proximity to the homes of some of our disabled residents who depend on wheelchairs for mobility. These people, and mothers with prams are considerably inconvenienced, and sometimes in danger, as a result of inconsiderate parking which forces them to use the road when the pavement is obstructed.

/Contd...

This Council requests that WBC Officers consider limiting the number of late night functions to two or three month, and that extended hours should only be granted in line with the licensing given to the other eight similar venues in Chiddingfold.

Chiddingfold Parish Council does not object in principle to 'The Villagers' having a licence.

Yours faithfully



Sue Frossard AILCM  
Clerk to Chiddingfold Parish Council

**HEARINGS**

- 9.27 Regulations governing hearings may be found on the [www.legislation.gov.uk](http://www.legislation.gov.uk) 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 avoided with the agreement of the licensing authority, the applicant and all of the persons who made relevant representations. In cases where only 'positive' representations are received, without qualifications, the licensing authority should consider whether a hearing is required. To this end, it may wish to notify the persons who made representations and give them the opportunity to withdraw those representations. This would need to be done in sufficient time before the hearing to ensure that parties were not put to unnecessary inconvenience.
- 9.28 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 other persons time to address the revised application before the hearing commences.
- 9.29 Regulations made under the 2003 Act 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 and the representations may be withdrawn orally at that hearing. 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.
- 9.30 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 under the 2003 Act. 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.
- 9.31 There is no requirement in the 2003 Act for responsible authorities that have made representations to attend, but it is generally good practice and assists committees in reaching 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. This local authority officer representing other responsible authorities may be a licensing officer, but only if this licensing officer is acting as a responsible authority on behalf of the licensing authority and has had no role in the licensing determination process. This is to ensure that the responsible authorities are represented by an independent officer separate from the licensing determination process.
- 9.32 As noted in paragraphs 9.13 to 9.19 above, where the licensing officer is acting as a responsible authority the relevant steps should be followed to ensure that this individual has no role in the decision making process regarding the licensing determination.

9.33 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation.

9.34 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- this Guidance;
- its own statement of licensing policy.

9.35 The licensing authority should give its decision within 5 working days of the conclusion of the hearing (or immediately in certain specified cases) 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 appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety.

9.36 Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate 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 those involved have the most current information.

9.37 In the context of variations or minor variations, which may involve structural alteration to or change of use of a building, the decision of the licensing authority will not exempt an applicant from the need to apply for building control approval, planning permission or both of these where appropriate.

## 10. Conditions attached to premises licences and club premises certificates

### GENERAL

- 10.1 This chapter provides advice and recommendations concerning best practice in relation to conditions attached to premises licences and club premises certificates.
- 10.2 Conditions include any limitations or restrictions attached to a licence or certificate and essentially are the steps or actions that the holder of the premises licence or the club premises certificate will be required to take or refrain from taking in relation to the carrying on of licensable activities at the premises in question.
- 10.3 All interests – licensing authorities; licence and certificate holders; authorised persons; the police; other responsible authorities; and local residents and businesses – should be working together in partnership to ensure collectively that the licensing objectives are promoted.
- 10.4 The courts have made it clear that it is particularly important that conditions which are imprecise or difficult for a licence holder to observe should be avoided. Failure to comply with any conditions attached to a licence or certificate is a criminal offence, which on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both.
- 10.5 There are three types of condition that may be attached to a licence or certificate: proposed, imposed and mandatory. Each of these categories is described in more detail below.

### PROPOSED CONDITIONS

- 10.6 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.
- 10.7 In order to minimise problems and the necessity for hearings, it would be sensible for applicants and clubs to consult with responsible authorities when schedules are being prepared. Proper liaison may avoid the need for representations.
- 10.8 Conditions should be appropriate, proportionate and justifiable in meeting the licensing objectives. They should be written in a prescriptive format and be readily understood and enforceable.
- 10.9 It is also not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention. Conditions should be appropriate for the promotion of the licensing objectives and easily enforceable.

## **CONSISTENCY WITH STEPS DESCRIBED IN OPERATING SCHEDULE**

- 10.10 The 2003 Act provides that where an operating schedule or club operating schedule has been submitted with an application and there have been no relevant representations made by responsible authorities or any other person, the licence or certificate must be granted subject only to such conditions as are consistent with the schedule accompanying the application and any mandatory conditions required under the 2003 Act.
- 10.11 Consistency means that the effect of the condition should be substantially the same as that intended by the terms of the operating schedule. If conditions are broken, this may lead to a criminal prosecution or an application for a review and it is extremely important therefore that they should be expressed on the licence or certificate in unequivocal and unambiguous terms. The duty imposed by conditions on the licence holder or club must be clear to the licence holder, club, enforcement officers and the courts.

## **IMPOSED CONDITIONS**

- 10.12 The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.
- 10.13 It is possible that, in certain cases, where there are other legislative provisions which are relevant and must be observed by the applicant, no additional conditions are appropriate to promote the licensing objectives.

## **Proportionality**

- 10.14 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided.
- 10.15 Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives. Consideration should also be given to wider issues such as conditions already in place that address the potential negative impact on the promotion of the licensing objectives and the track record of the business. The physical safety of those attending such events should remain a primary objective.

### **Duplication with other statutory provisions**

- 10.16 If other existing law already places certain statutory responsibilities on an employer or operator of premises, it cannot be appropriate to impose the same or similar duties as conditions.
- 10.17 So, licensing authorities should not seek to impose fire safety conditions that may duplicate any requirements or prohibitions that could be imposed under the Regulatory Reform (Fire Safety) Order 2005 (see Chapter 2).
- 10.18 The 2003 Act does not affect the continued use of inspection and enforcement powers conferred by other legislation; for example, the powers of an environmental health officer in relation to statutory nuisance under the Environmental Protection Act 1990.
- 10.19 However, these general duties will not always adequately address specific issues that arise on the premises in connection with, for example, certain types of entertainment. It is only where additional and supplementary measures are appropriate to promote the licensing objectives that conditions will need to be attached to a licence.

### **Hours of trading**

- 10.20 The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement and licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.
- 10.21 Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.
- 10.22 Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

### **Workers rights**

- 10.23 It is not for the licensing authority to consider such matters as the rights of the workers employed on the premises who may be asked to work longer hours. There are existing protections under employment law and laws of contract.

## PEOPLE WITH DISABILITIES

10.24 It is important that appropriate steps are taken to ensure legislative requirements in respect of health and safety are fully met, including in respect of all disabled people (including staff and performers). However, licensing authorities and other responsible authorities should avoid imposing inappropriate conditions which may actively deter operators from admitting or employing disabled people.

10.25 It is a legal requirement that facilities for disabled people at large (including staff and performers) should be provided at places of entertainment. Duties imposed by the Equality Act 2010 provide that any person providing a service to the public must comply with the duty to make reasonable adjustments to enable disabled people to access the service, where a disabled person would be at a substantial disadvantage compared to a non-disabled person<sup>5</sup>. This applies in regard to disabled people employed by or those who wish to obtain goods and services from licensed premises. No condition should therefore be attached to a licence or certificate which conflicts with or duplicates this requirement. Service providers also have a duty to make reasonable adjustments to any physical features which put a disabled person at a substantial disadvantage in accessing a service, or they have to provide the service by a reasonable alternative means. Access to buildings and their facilities is also a matter addressed in Building Regulations and planned alterations affecting access may involve the need to apply for building control approval.

10.26 The reasonable adjustments duty becomes applicable, if reasonable in all the circumstances of a particular case, where:

- a **“provision, criterion or practice” of the person on whom the duty falls, places a disabled person at a substantial disadvantage**. An example of a reasonable adjustment might be a restaurant with a no-dogs policy ‘waiving’ it in respect of a disabled person’s assistance dog. For example, a guide or hearing dog. Any condition of a licence or certificate which states that “pets” may not be present on licensed premises for public safety reasons must include a clear indication that the condition does not apply to guide or assistance dogs. Further advice can be obtained from the Equality and Human Rights Commission (EHRC) website at [www.equalityhumanrights.com](http://www.equalityhumanrights.com).
- a **physical feature puts a disabled person at a substantial disadvantage compared with a non-disabled person**.
- **it is appropriate to provide an auxiliary aid to help the disabled person overcome a substantial disadvantage compared to a non-disabled person**. For example, installing a hearing induction loop at the counter in an off-licence to assist a disabled person with a hearing impairment.

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<sup>5</sup> The accepted meaning of the term ‘substantial disadvantage’, for the purposes of the Equality Act 2010, is a disadvantage that is more than ‘minor or trivial’.



10.27 Licensing authorities may wish to offer advice to applicants for licences and certificates about how to achieve this, such as reminding them that they cannot wait until a disabled person wants to use their services but must think in advance (and on an ongoing basis) about what disabled people with a range of impairments might reasonably need; the duty to make reasonable adjustments is an 'anticipatory' duty for service providers.

10.28 The Equality Act 2010 by use of the word 'reasonable' recognises the need to strike a balance between the rights of disabled people and the interests of service providers.

10.29 The Equality Act 2010 does not apply to provision of services.

#### EQUALITY ISSUES

10.30 Licensing authorities need to be aware that the Equality Act 2010 lists a number of protected characteristics which must not be used as a reason to treat a person less favourably than another person (age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race (this includes colour; nationality; ethnic and national origins), religion or belief, sex, and sexual orientation). Treating a person less favourably than someone else because that person has one or more of these characteristics is discriminatory. The Equality Act 2010 also includes the public sector Equality Duty which requires public bodies to have due regard to the need to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations, between people with different protected characteristics.

10.31 Note that discrimination may be direct or indirect.

#### THE PERFORMANCE OF PLAYS

10.32 The 2003 Act provides that other than for the purposes of public safety, conditions must not be attached to premises licences or club premises certificates authorising the performance of a play which attempt to censor or modify the content of plays in any way. Any such condition would be ultra vires the 2003 Act.

#### CENSORSHIP

10.33 In general, other than in the context of film classification for film exhibitions, licensing authorities should not use their powers under the 2003 Act to seek to impose conditions which censor the content of any form of regulated entertainment. This is not a proper function of licensing law and cannot be properly related to the licensing objectives. The content of regulated entertainment is a matter which is addressed by existing laws governing indecency and obscenity. Where the concern is about protecting children, their access should be restricted where appropriate. But no other limitation should normally be imposed.

## COPYRIGHT AND ROYALTIES

10.34 Copyright law is intended to safeguard the livelihood of authors, composers, arrangers, playwrights, film-makers, publishers and makers of recordings and is extremely important. Offences relating to copyright are made "relevant offences" by the 2003 Act. Conditions attached to premises licences should not require adherence to requirements in the general law that the use of copyright material must be authorised. Licensing authorities may, however, remind applicants of the need to obtain Performing Right Society (PRS) licences and Phonographic Performance Ltd (PPL) licences and to observe other copyright arrangements.

## MAJOR ART AND POP FESTIVALS, CARNIVALS, FAIRS AND CIRCUSES

10.35 Licensing authorities should publicise the need for the organisers of major festivals and carnivals to approach them at the earliest opportunity to discuss arrangements for licensing activities falling under the 2003 Act. For some events, the organisers may seek a single premises licence to cover a wide range of activities at varied locations within the premises. This would involve the preparation of a substantial operating schedule, and licensing authorities should offer advice and assistance about its preparation.

10.36 For other events, applications for many connected premises licences may be made which in combination will represent a single festival. It is important that licensing authorities should publicise the need for proper co-ordination of such arrangements and will need to ensure that responsible authorities are aware of the connected nature of the individual applications.

10.37 In the case of circuses and fairgrounds, much will depend on the content of any entertainment presented. For example, at fairgrounds, a good deal of the musical entertainment may be incidental to the main attractions and rides at the fair that are not themselves regulated entertainment.

10.38 In addition, in the context of festivals and carnivals, local authorities should bear in mind their ability to seek premises licences from the licensing authority for land or buildings under public ownership within the community in their own name. This could include, for example, village greens, market squares, promenades, community halls, local authority owned art centres and similar public areas where festivals and carnivals might take place. Performers and entertainers would then have no need to obtain a licence or give a temporary event notice themselves to enable them to give performances in these places, although they would need the permission of the local authority to put on the event.

## FIXED PRICES

10.39 Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club premises certificates in an area. This may be unlawful under current law. However, it is important to note that the mandatory conditions made under sections 19A and 73B of the 2003 Act

prohibit a number of types of drinks promotions where they give rise to a significant risk to any one of the four licensing objectives.

10.40 Where licensing authorities are asked by the police, other responsible authorities or other persons to impose restrictions on promotions in addition to those restricted by the mandatory conditions, they should consider each application on its individual merits, tailoring any conditions carefully to cover only irresponsible promotions in the particular and individual circumstances of any premises where these are appropriate for the promotion of the licensing objectives. In addition, when considering any relevant representations which demonstrate a clear causal link between sales promotions or price discounting and levels of crime and disorder on or near the premises, it would be appropriate for the licensing authority to consider the imposition of a new condition prohibiting irresponsible sales promotions or the discounting of prices of alcoholic beverages at those premises. However, before pursuing any form of restrictions at all, licensing authorities should take their own legal advice.

#### **LARGE CAPACITY VENUES USED EXCLUSIVELY OR PRIMARILY FOR THE "VERTICAL" CONSUMPTION OF ALCOHOL (HVVDs)**

10.41 Large capacity "vertical drinking" premises, sometimes called High Volume Vertical Drinking establishments (HVVDs), are premises with exceptionally high capacities, which are used primarily or exclusively for the sale and consumption of alcohol, and have little or no seating for patrons. Previous research has demonstrated that the environment within such establishments can have a significant bearing on the likelihood of crime and disorder.

10.42 Where appropriate, conditions can be attached to premises licences for the promotion of the prevention of crime and disorder at such premises that require the premises to observe:

- a prescribed capacity;
- an appropriate ratio of tables and chairs to customers based on the capacity; and
- a requirement that security staff holding the appropriate SIA licence or exemption are present to control entry for the purpose of compliance with the capacity limit and to deny entry to individuals who appear drunk or disorderly or both.

#### **MANDATORY CONDITIONS IN RELATION TO THE SUPPLY OF ALCOHOL**

10.43 The 2003 Act provides for the following mandatory conditions to be included in every licence and/or club premises certificate in the circumstances specified.

##### **Designated Premises Supervisor**

10.44 The 2003 Act provides that, where a premises licence authorises the supply of alcohol, it must include a condition that no supply of alcohol may be made at a time when no

designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or the personal licence has been suspended.

10.45 The main purpose of the 'designated premises supervisor' as defined in the 2003 Act is to ensure that there is always one specified individual among these personal licence holders who can be readily identified for the premises where a premises licence is in force. That person will normally have been given day to day responsibility for running the premises by the premises licence holder. The requirements set out in relation to the designated premises supervisor and authorisation of alcohol sales by a personal licence holder do not apply to community premises in respect of which a successful application has been made to disapply the usual mandatory conditions in sections 19(2) and 19(3) of the 2003 Act (see Chapter 4 of this Guidance).

10.46 The 2003 Act does not require a designated premises supervisor or any other personal licence holder to be present on the premises at all times when alcohol is sold. However, the designated premises supervisor and the premises licence holder remain responsible for the premises at all times including compliance with the terms of the 2003 Act and conditions attached to the premises licence to promote the licensing objectives.

#### **Authorisation by personal licence holders**

10.47 In addition, every premises licence that authorises the sale of alcohol must require that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence. This in most instances will be the designated premises supervisor who must hold a valid personal licence. Any premises at which alcohol is sold or supplied may employ one or more personal licence holders. This does not mean that the condition should require the presence of the designated premises supervisor or any other personal licence holder on the premises at all times.

10.48 Similarly, the fact that every supply of alcohol must be made under the authority of a personal licence holder does not mean that only personal licence holders can make sales or that they must be personally present at every transaction. A personal licence holder may authorise members of staff to make sales of alcohol but may be absent at times from the premises when a transaction takes place. However, the responsible personal licence holder may not be able to escape responsibility for the actions of anyone authorised to make sales.

10.49 "Authorisation" does not imply direct supervision by a personal licence holder of each sale of alcohol. The question arises as to how sales can be authorised. Ultimately, whether an authorisation has been given is a question of fact that would have to be decided by the courts on the evidence before it in the course of a criminal prosecution.

10.50 The following factors should be relevant in considering whether or not an authorisation has been given:

- the person(s) authorised to sell alcohol at any particular premises should be clearly identified;
- the authorisation should have specified the acts which may be carried out by the person who is authorised to supply alcohol;
- there should be an overt act of authorisation, for example, a specific written statement given to the individual who is authorised to supply alcohol; and
- there should be in place sensible arrangements for the personal licence holder to monitor the activity that they have authorised on a reasonably regular basis.

10.51 It is strongly recommended that personal licence holders give specific written authorisations to individuals whom they are authorising to retail alcohol. A single written authorisation would be sufficient to cover multiple sales over an unlimited period. This would assist personal licence holders in demonstrating due diligence should issues arise with enforcement authorities; and would protect employees if they themselves are challenged in respect of their authority to sell alcohol.

10.52 Written authorisation is not a requirement of the 2003 Act and its absence alone could not give rise to enforcement action.

10.53 It must be remembered that whilst the designated premises supervisor or a personal licence holder may authorise other individuals to sell alcohol in their absence, they are responsible for any sales that may be made. Similarly, the premises licence holder remains responsible for ensuring that licensing law and licence conditions are observed at the premises.

#### **Arrangements for the mandatory licence conditions**

10.54 The mandatory conditions made under sections 19A and 73B of the 2003 Act (the conditions governing irresponsible promotions, dispensing alcohol directly into the mouth, provision of free tap water, age verification and small measures) do not have to be physically included in the licence or certificate but nonetheless will apply to every licence and certificate authorising the sale and supply of alcohol for consumption on the premises. The mandatory conditions set out in section 19 of the 2003 Act (the requirement for a Designated Premises Supervisor and for all sales to be made or authorised by a personal licence holder) do, however, have to be physically included in the licence. The mandatory licence conditions do not apply to activities (including the supply of alcohol) authorised by a temporary event notice.

10.55 Whereas the initial mandatory conditions in section 19 of the 2003 Act are set out in Annex A of the licence, the additional mandatory conditions made under section 19A of the 2003 Act are treated as if they were included in existing licences and certificates on the date that those conditions came into force.

10.56 Following their commencement, the mandatory conditions overrode any pre-existing conditions already included in a licence or certificate insofar as the mandatory conditions were identical to, or inconsistent with or more onerous than, any pre-existing conditions. It is not necessary to record on the face of existing licences and certificates the impact the introduction of the mandatory conditions has had on pre-existing conditions.

### **Irresponsible promotions**

10.57 Under this condition, the "responsible person" (defined in the 2003 Act as the holder of a premises licence, designated premises supervisor, a person aged 18 or over who is authorised to allow the sale or supply of alcohol by an under 18 or a member or officer of a club present on the club premises who can oversee the supply of alcohol) should be able to demonstrate that they have taken all reasonable steps to ensure that staff do not carry out, arrange or participate in any irresponsible promotions. An irresponsible promotion is one that fits one of the descriptions below (or is substantially similar), is carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises and carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children. The aim of the condition is to prohibit or restrict promotions which encourage people to drink more than they might ordinarily do and in a manner which does not promote the licensing objectives.

### **Drinking games**

10.58 Irresponsible promotions can include activities, whether drinking games or not, which may require or encourage individuals to drink a quantity of alcohol within a time limit, or drink as much alcohol as possible within a time limit or otherwise. For example, this may include organised 'drink downing' competitions. This would not prevent the responsible person from requiring all drinks to be consumed or abandoned at, or before, the closing time of the premises. Nor does it necessarily prohibit 'happy hours' as long as these are not designed to encourage individuals to drink excessively or rapidly.

### **Large quantities of alcohol for free or a fixed price**

10.59 Irresponsible promotions can include the provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted price. This includes alcohol provided to the public or to a group defined by a particular characteristic, for example, a promotion which offers women free drinks before a certain time or "all you can drink for £10". This condition does not apply to a promotion or discount on alcohol for consumption with a table meal. Promotions can be designed with a particular group in mind (for example, over 65s). A common sense approach is encouraged, which may include specifying the quantity of

alcohol included in it or not targeting a group which could become more vulnerable or present a greater risk of crime and disorder as a result of excessive alcohol consumption.

### **Prizes and rewards**

10.60 The sale, supply or provision of free or discounted alcohol or any other item as a prize to encourage or reward the purchase and consumption of alcohol can be within the definition of an irresponsible promotion. This may include promotions under which free or discounted alcohol is offered as a part of the sale of alcohol, for example, "Buy one and get two free" and "Buy one cocktail and get a second cocktail for 25p". This includes promotions which involve the provision of free or discounted alcohol within the same 24 hour period.

### **Sporting Events**

10.61 Irresponsible promotions can include the provision of alcohol for free or for a discounted price in relation to a sporting event shown on the premises, where the sale, supply or provision of alcohol depends on the outcome of a race, match or other event. For example, this may include offering unlimited drinks based on the outcome of a sporting competition. It also applies to events which are unpredictable, such as offering free double shots for every foul committed in a football match, or heavily reduced drinks for five minutes after a try is scored in a rugby match.

### **Posters and Flyers**

10.62 Irresponsible promotions can also include the sale or supply of alcohol in association with promotional materials on display in or around the premises, which can either be reasonably considered to condone, encourage or glamorise anti social behaviour or refer to the effects of drunkenness in any favourable manner.

### **Dispensing alcohol directly into the mouth**

10.63 The responsible person (see paragraph 10.57) must ensure that no alcohol is dispensed directly by one person into the mouth of another person. For example, this may include drinking games such as the 'dentist's chair' where a drink is poured continuously into the mouth of another individual and may also prevent a premises from allowing another body to promote its products by employing someone to dispense alcohol directly into customers' mouths. An exception to this condition would be when an individual is unable to drink without assistance due to a disability.

### **Free tap water**

10.64 The responsible person (see paragraph 10.57) must ensure that free portable tap water is provided on request to customers where it is reasonably available on the premises. What is meant by reasonably available is a question of fact; for example, it would not be reasonable to expect free tap water to be available in premises for which the water supply had temporarily been lost because of a broken mains water supply.

## **Age verification**

- 10.65 The premises licence holder or club premises certificate holder must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. This must as a minimum require individuals who appear to the responsible person (see paragraph 10.57) to be under the age of 18 years of age to produce on request, before being served alcohol, identification bearing their photograph, date of birth, and a holographic mark.
- 10.66 It is acceptable, and indeed encouraged, for premises to have an age verification policy which requires individuals who appear to the responsible person to be under an age greater than 18 to produce such identification on request. For example, if premises have a policy that requires any individual that appears to be under the age of 21 to produce identification that meets the criteria listed above, this is perfectly acceptable under the mandatory code.
- 10.67 Licence holders should consider carefully what steps they are required to take to comply with the age verification requirements under the 2003 Act in relation to sales of alcohol made remotely. These include sales made online, by telephone and mail order sales, and alcohol delivery services. Each of these sales must comply with the requirements of the 2003 Act. The mandatory condition requires that age verification takes place before a person is served alcohol. Where alcohol is sold remotely (for example, online) or through a telephone transaction, the sale is made at this point but the alcohol is not actually served until it is delivered to the customer. Age verification measures (for example, online age verification) should be used to ensure that alcohol is not sold to any person under the age of 18. However, licence holders should also consider carefully what steps are appropriate to ensure that age verification takes place before the alcohol is served (i.e. physically delivered) to the customer to be satisfied that the customer is aged 18 or over. It is, therefore, the responsibility of the person serving or delivering the alcohol to ensure that age verification has taken place and that photo ID has been checked if the person appears to be less than 18 years of age.
- 10.68 The premises licence holder or club premises certificate holder must ensure that staff (in particular staff who are involved in the supply of alcohol) are made aware of the existence and content of the age verification policy applied by the premises.

## **Smaller Measures**

- 10.69 The responsible person (see paragraph 10.57) shall ensure that the following drinks, if sold or supplied on the premises, are available in the following measures:
- Beer or cider: 1/2 pint
  - Gin, rum, vodka or whisky: 25ml or 35ml
  - Still wine in a glass: 125ml



- 10.70 As well as making the drinks available in the above measures, the responsible person must also make customers aware of the availability of these measures – for example, by making their availability clear on menus and price lists, and ensuring that these are displayed in a prominent, conspicuous place in the relevant premises (for example, at the bar).
- 10.71 This condition does not apply if the drinks in question are sold or supplied having been made up in advance ready for sale or supply in a securely closed container. For example, if beer is only available in pre-sealed bottles the requirement to make it available in 1/2 pints does not apply.
- 10.72 The premises licence holder or club premises certificate holder must ensure that staff are made aware of the application of this condition.

### **Exhibition of films**

- 10.73 The 2003 Act provides that where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (currently only the British Board of Film Classification – BBFC) or by the licensing authority itself.
- 10.74 The BBFC classifies films in accordance with its published Guidelines which are based on extensive research into public opinion and professional advice. The classifications recommended by the Board should be those normally applied unless there are very good local reasons for a licensing authority to adopt this role. Licensing authorities should note that the provisions of the 2003 Act enable them to specify the Board in the licence or certificate and, in relation to individual films, to notify the holder or club that it will make a recommendation for that particular film.
- 10.75 The effect of paragraph 5 of Schedule 1 to the Act is to exempt adverts from the definition of regulated entertainment, but not to exempt them from the definition of exhibition of a film. Since the above mandatory condition applies to 'any film' it is therefore applicable to the exhibition of adverts.

### **Door supervision**

- 10.76 Under section 21 of the 2003 Act, when a condition is included in a premises licence that at specified times an individual must be present at the premises to carry out a security activity (as defined in section 21(3)(a) by reference to the Private Security Industry Act 2001 ("the 2001 Act")), the licence must include a condition requiring that individual to be licensed by the Security Industry Authority ("the SIA") under the 2001 Act, or be entitled to carry out that activity by virtue of section 4 of the 2001 Act.
- 10.77 A premises licence need not require a person to hold a licence granted by the SIA if that person benefits from an exemption under section 4 of the 2001 Act. For example, certain

employees benefit from an exemption when carrying out conduct in connection with a certified sports grounds (section 4(6 to 12)). Furthermore, in certain circumstances persons benefit from an exemption where they operate under the SIA's Approved Contractor Scheme (section 15).

10.78 Conditions under section 21 of the 2003 Act should only relate to individuals carrying out security activities defined by section 21(3)(a) of the 2003 Act. Therefore, they should only relate to an activity to which paragraph 2(1)(a) of Schedule 2 to the 2001 Act applies (certain manned guarding activities) and which is licensable conduct within the meaning of section 3(2) of that Act. The requirement does not relate to individuals performing non-security related activities, and section 21 should not be used in relation to any such activities.

10.79 Section 21 of the 2003 Act continues to ensure that a premises licence need not impose such a requirement in relation to those licensed premises which the 2001 Act treats as unlicensed premises. Those are:

- premises staging plays or exhibiting films;
- casinos or bingo halls licensed under the Gambling Act 2005;
- premises where a club certificate is in force when activities are being carried on under the authority of that certificate.

See paragraph 8(3) of Schedule 2 to the 2001 Act for full details.

10.80 It should be noted, however, that the 2001 Act will require contractors and a small number of employees (those managing/supervising and those supplied under contract) to be licensed as manned guards (rather than door supervisors) when undertaking licensable conduct on premises to which paragraph 8(3) of Schedule 2 to the 2001 Act applies.

10.81 It is therefore important that if a licensing authority intends that individuals must be present to carry out security activities (as defined by section 21(3)(a) of the 2003 Act) this should be explicit, as should the mandatory condition for those individuals to hold an SIA licence or be entitled to carry out that activity by virtue of section 4 of the 2001 Act. On the other hand, where a licensing authority intends that individuals must be present to carry out other activities (for example, activities related to safety or steward activities to organise, advise and direct members of the public) no mandatory condition should be imposed under section 21 of the 2003 Act. In all cases it is important when determining whether or not a condition is to be imposed under section 21 of the 2003 Act to consider whether the activities of any individual working in licensed premises fall within the definition of security activities in section 21(3)(a) of the 2003 Act. (Regardless of whether a condition is imposed under section 21 of the 2003 Act, under the 2001 Act the appropriate SIA licence must be held by any individual performing an activity for which they are licensable under that Act).