

AGENDA

Licensing Sub-Committee 4

**Wednesday, 09 July 2014 AT 14:00
In the Flensburg Room, Civic Centre, Carlisle, CA3 8QG**

Note to Members:

Councillors Mrs Parsons, Scarborough and Mrs Warwick will attend this Sub-Committee as members and Councillor Mrs Franklin will attend as substitute.

Appointment of Chairman for the meeting

To appoint a Chairman of Licensing Sub-Committee 4 for this meeting.

Apologies for Absence

To receive apologies for absence.

Declarations of Interest

Members are invited to declare any disclosable pecuniary interests, other registrable interests and any interests, relating to any items on the agenda at this stage.

Public and Press

To agree that the items of business within part A of the agenda should be dealt with in public and the items of business within Part B of the agenda should be dealt with in private.

PART A

To be considered when the Public and Press are present

A.1 APPLICATION FOR A PREMISES LICENCE - 5 DEVONSHIRE STREET

3 - 76

CARLISLE

The Licensing Manager to submit a report on an application for a Premises Licence for 5 Devonshire Street, representations have been made with regard to the application.

(Copy Report GD.28/14)

PART B

To be considered when the Public and Press are excluded from the meeting

- NIL -

Members of the Licensing Sub Committee 4

Conservative: Bowman S, Mrs Parsons (sub)

Labour: Scarborough, Mrs Warwick, Mrs franklin (sub), Mrs Stevenson (sub)

Note to Members - Councillors Mrs Parsons Scarborough and Mrs Warwick will attend this Sub-Committee as members and Councillor Mrs Franklin will attend as substitute.

**Enquiries, requests for reports, background papers,
etc to Lead Committee Clerk: Rachel Rooney – 817039**

Report to Licensing Sub Committee

Agenda Item:
A.1

Meeting Date: 9th July 2014
 Portfolio: Finance, Governance and Resources
 Key Decision: Not Applicable:
 Within Policy and Budget Framework NO
 Public / Private Public

Responsible Authority Representations	Representations	Included	Attending
Cumbria Constabulary	None	No	Yes
Cumbria Fire Service	None	No	No
Environmental Health	None	No	No
Planning Services	None	No	No
Social Services	None	No	No
Trading Standards	None	No	No
Public Health	None	No	No
Other Party Representations			
David M Ward, St Aidans Road, Carlisle	Yes	Yes	Yes
Mr Malcolm Ward	Yes	Yes	Yes
Marie Olesen	Yes	Yes	No
Donna McGeorge	Yes	Yes	No

Title: Licensing Act 2003 – Application for a Premises Licence
 5 Devonshire Street, Carlisle
 Report of: Director of Governance
 Report Number: GD.28/14

Summary: 5 Devonshire Street is located on the North side of Devonshire Street near the junction with Lowther Street in Carlisle City Centre. The applicant is applying for a new Premises Licence to allow the sale and supply of alcohol and Regulated Entertainment in accordance with the application. Representations have been made by the owner of nearby business premises as well as two residents.

Recommendations:

Members to reach a decision from the options outlined after hearing the evidence

Tracking

Executive:	N/A
Overview and Scrutiny:	N/A
Council:	N/A

To the Chairman & Members of the Licensing Sub Committee – 9th July 2014

1.1 THE APPLICATION

Premises Licence application under Section 17 Licensing Act 2003 (**Appendix 1a**)

1.2 Applicant:

Nigel Tarn, Moo Bar, King Street, Penrith CA11 7AY

1.3 Premises:

5 Devonshire Street, Carlisle CA3 8LG

1.4 Application:

The premises at 5 Devonshire Street had previously been the HFC Bank until closing in recent years. An application for a Premises Licence has now been made under section 17 of the Licensing Act 2003. The premises is being converted and refurbished to provide a venue that will offer specialist cask ales from Cumbria as well as bottled beer from around the world. Food would also be served to complement the cask ales.

1.5 The operating schedule includes:

Relevant licensable activities:

Provision of Regulated Entertainment including:
Section 7 - Films, Section 10 - Live music, Section 11 - Recorded music
Section 15 - Sale by retail of alcohol
(**Appendix 1a**)

Hours of licensable activities:

Sale by retail of alcohol (on/off sales)

Sunday to Saturday 1100hrs – Midnight
On Christmas Eve and New Years Eve extended until 0300hrs

Regulated Entertainment (indoor)

Sunday to Saturday 1200hrs – Midnight

Premises opening times 1100hrs – Midnight

On Christmas Eve and New Years Eve extended until 0300hrs

Additional steps to promote the licensing objectives which include the prevention of crime and disorder, Public Safety, the prevention of public nuisance and the protection of children from harm can be seen in Section 18 within the application.

In addition, following discussions with the Police and Licensing Authority Mr Tarn submitted additional steps to promote the four licensing objectives (**Appendix 1b**)

1.6 **Designated Premises Supervisor:**

Nigel Tarn, Church Street, Skirwith, Penrith (**Appendix 2**)

1.7 The area for licensable activities which covers the ground floor and first floor are indicated on the premises plan. (**Appendix 3**)

2.1 CONSULTATION

2.2 The application has been advertised in a local newspaper and on the premises in accordance with the legislation.

3.1 RELEVANT REPRESENTATIONS

3.2 Responsible Authorities:

There are no representations from any Responsible Authorities.

3.3 Other Persons:

Mr David M Ward, St Aidans Road, Carlisle (**Appendix 4a-d**)

Mr Ward is the owner of commercial properties in Devonshire Street area and has concerns regarding a premises licence being granted in that area and contends there is reasonable evidence of factors which can adversely affect the prevention of crime and disorder, public safety and public nuisance. His letters of representation and the response from Licensing are appended to this report.

3.4 Mr Malcolm P Ward, Friars Court, Carlisle (Appendix 5a-d)

Mr Ward is the father of David Ward and also owns property in Devonshire Street. He makes similar representations to David Ward regarding public nuisance, primarily in relation to Friars Court which cannot be attributed to this application as the premises are closed.

3.5 Ms Marie Oleson, Friars Court, Carlisle CA3 8LF (Appendix 6a-c)

Ms Oleson resides in Friars Court and is a tenant of Malcolm Ward. The representations are almost identical to those from Malcolm Ward at Appendix 5a

3.6 Ms Donna McGeorge, Friars Court, Carlisle CA3 8LF (Appendix 7a-c)

Ms McGeorge resides and works in Friars Court and is a tenant of Malcolm Ward. The representations are almost identical to those from Malcolm Ward at Appendix 5a

Both Ms Oleson and Ms McGeorge state that Mr Malcolm Ward produced the written representations to them and they signed them. Neither of them were aware of the intentions of the new proprietor of 5 Devonshire Street and both mentioned historic issues of persons being sick or urinating outside their premises. One was concerned about existing licensed premises emptying empty bottles into bottle bins late at night. The applicant has already volunteered a condition in relation to this at Appendix 1b.

3.7 In brief the comments from the licensing section in relation to the representations are:

- a) This application is for a premises licence. The applicant intends to showcase specialist cask ales from Cumbrian micro breweries alongside more than 100 bottled beers from around the world. It will also offer food to complement the cask ales.
- b) The majority of concerns raised by persons making representations are planning considerations, which is a separate regime to licensing and should be considered by the Development Control Committee. Both Mr Wards made similar representations to the Development Control Committee on 20 June 2014 where the application was approved without amendment.
- c) The Responsible Authorities - Cumbria Constabulary, Cumbria Fire and Rescue Service, Environmental Health, Planning Services and the Licensing Section are satisfied that the information in the application and operating schedule address the Licensing Objectives.
- d) There is reference in the representations to longer operating hours to early in the morning. The application is for licensable activities that will terminate at midnight, which is at least two hours prior to the closing times of other licensed premises in Devonshire Street area. The exception is Christmas and New Years Eve when many premises have later hours.
- e) Malcolm and David Ward own a number of properties within the Devonshire Street area. Some are leased out and are currently liquor licensed premises. Neither of them has previously made representations regarding their own premises when applications have been submitted under the Licensing Act 2003.
- f) The issue of too many similar premises within the same area is a Planning issue, which is determined by the Development Control Committee, not a Licensing Sub Committee.
- g) In relation to the comment "disabled access that is so lacking" this is a Building Control issue not for a Licensing Sub Committee. In fact the plan at Appendix 3 clearly shows disabled unisex toilets.
- h) In relation to "Door Supervisors to be provided at all times". Each application will be considered on its own merits and in this application door supervisors are addressed in the conditions at Appendix 1b. Cumbria Constabulary will always discuss with the applicants during the consultation period and agreement is made. If the police consider that door supervisors are required during certain periods the applicant will volunteer this as a condition of their licence. It would not be commercially viable, or proportionate for premises to employ door supervisors during all opening hours.
- i) Reference is made to current ant-social problems in Friars Court. These being noise, breaking of bottles, urinating and people being sick. These instances cannot be attributed to the current application as the premises are closed.
- j) Reference is also made to Carlisle City Council designating Botchergate as the preferred 'Leisure Area'. This has not come from the Licensing Authority or the Local Plan which designates Botchergate as 'Mixed Commercial Development' and Devonshire Street as 'Primarily Retail Area'.
- k) Mr David Ward quotes how Newcastle City Council is taking a stronger line as regards licensing and is 'recognising the extent of this problem'. The case he quotes refers to premises that are in a 'Cumulative Impact' area which already holds a 2am licence and was applying for a 4am licence. This application is for midnight only, other than Christmas and New Years Eve.

A 'Cumulative Impact' area is an area designated by the council where there have been serious problems of nuisance and disorder as a result of the number of licensed premises concentrated in one area. Any such area has to be designated by Full Council and is evidence based. Carlisle has no such 'Cumulative Impact' areas and statistical evidence indicates that there has been a 39% reduction in violent crime in the City Centre over the last few years.

The situation at Newcastle cannot be compared directly with this application.

- 3.8 The applicant Mr Tarn has been provided with copies of the representations.
- 3.9 To assist the sub-committee a street plan of the area has been produced showing nearby licensed premises **(Appendix 8)**.
- 3.10 A comparison chart of licensable activities and closing times for these premises is also attached **(Appendix 9)**.

4.1 LOCAL LICENSING POLICY CONSIDERATIONS

The Licensing Act 2003 requires the Council to publish a Statement of Licensing Policy that sets out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act.

Members should have regard to all relevant information and it is considered that the following sections of the policy, (though not exclusively) have a bearing upon the application. **(Paragraph numbers refer to the policy)**:

Introduction

1.2 Carlisle City Council is a licensing authority (the Authority) for the purposes of the Act. The Authority must carry out its licensing functions with a view to promoting the four licensing objectives, which are:

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

1.10. In determining its policy, the Authority considered the provisions of the Act and had particular regard to:

- the licensing objectives;
- the guidance issued by the Secretary of State under section 182 of the Act;
- the representations made following consultation;
- its duties and obligations under other legislation, including:

Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way that is incompatible with a Convention right. The Authority will have particular

regard to the following relevant provisions of the European Convention on Human Rights:

- Article 6 that in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law;
- Article 8 that everyone has the right to respect for his home and private life; and

Article 1 of the First Protocol that every person is entitled to the peaceful enjoyment of his or her possessions, including, for example, the possession of a licence.

Crime and Disorder Act 1998 – section 17 of that Act imposes a duty on local authorities to exercise their functions with regard to the impact on crime and disorder and the need to do all it reasonably can to prevent crime and disorder in its area.

- 1.19. The Act limits the representations which can be made about licence applications and who can make such representations. Essentially, representations must relate to one or more of the licensing objectives and must be made by a person living or working in the vicinity of the premises or an organisation which represents such persons. *(Now changed to 'any other person')* Anyone considering making an objection is invited to discuss their objection with licensing officers prior to submitting their representation.

Fundamental Principles

The policy will promote the four licensing objectives contained in the Act, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. These are the only matters that will be taken into account in determining applications and any conditions imposed must be necessary to achieve these.

Nothing in the Statement of Licensing Policy will undermine the rights of any person to apply under the Act for a variety of permissions and have their application considered on its individual merits as well as against the relevant policy and statutory framework. It does not override the right of any person to make representations on any application or to seek a review of a licence or certificate where they are permitted to do so under the Act.

- 2.1 All licensing applications will be determined on their individual merits following consideration of the proposals in the application and any relevant representations. In general, licences will be granted on the terms applied for, but licences will not normally be granted in terms which conflict with any of the policies in this document, unless an applicant is able to demonstrate that the exceptional circumstances of their application justify a departure from the policy. The Authority will not depart from the policy if any of the licensing objectives will be undermined by a proposal in the application.
- 2.2 Licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the Act. The licensing function cannot be used for the general control of anti social behaviour once consumers are beyond the direct control of the individual, club or business holding the

licence, certificate or other authorisation concerned. However the Authority expects holders of a licence, certificate or permission, to make every effort to minimise the impact of their activities and anti social behaviour by their patrons within the immediate vicinity of their premises.

4.3. Prevention of Crime and Disorder

4.3.1 General Policy

The Authority's starting point is to seek a reduction in crime and disorder throughout the District, consistent with its statutory duty under section 17 of the Crime and Disorder Act 1998.

Licences may be granted if applicants can demonstrate that a positive reduction in crime and disorder will result, or that it will not increase, as a result of the application being granted.

4.3.4. Carlisle and Eden Crime and Disorder Reduction Partnership (*now Community Safety Partnership*)

Where appropriate, applicants will be expected to have regard to the information published by the Carlisle and Eden Crime and Disorder Reduction Partnership and consider the impact of their proposals on the issues identified as being of particular concern in the area for example:

- violent crime;
- fear of crime;
- road safety;
- anti-social behaviour.

Applicants will be expected to propose steps to reduce the risks of such crimes increasing as a result of the licensable activities proposed.

Reason

The prevention of crime and disorder is one of the licensing objectives, which the Authority is under a duty to promote. The Authority recognises that some licensed premises can attract or encourage criminal behaviour, especially disorder problems where customers have consumed alcohol.

4.5 Prevention of Public Nuisance

4.5.1 General policy on Licensing Hours

4.5.2. The Authority recognises that fixed and artificially early closing times can lead to peaks of disorder and disturbance on the streets when large numbers of people leave licensed premises at the same time. Longer licensing hours, particularly relating to the sale of alcohol, may therefore be a factor in reducing disorder at late night food outlets, taxi ranks and other sources of transport in areas where there have already been incidents of disorder and disturbance.

4.5.3. The Authority will not seek to introduce any form of 'zoning' in relation to licensing hours. Zoning is defined as the setting of fixed trading hours within a designated area. All residents living in the vicinity of licensed premises have equal rights to make representations concerning applications for, and reviews of, premises licences, including hours of trading and to have those representations given equal weight regardless of where they live.

4.5.5. In general, the Authority will deal with the issue of licensing hours on the individual merits of each application. However, in the event of relevant representations, when issuing a licence stricter conditions are likely to be imposed with regard to noise control in the case of premises that are situated in predominantly residential and other noise sensitive locations.

Reason

Experience in other areas shows that zoning can lead to additional problems including the movement of people in search of premises opening later and can put greater pressure on town centres than is necessary.

4.5.6. Policy - Location of premises

4.5.7. The Authority will assess the potential impact of the premises against the characteristics of the area in which they are situated. For example, in the event of representation being made there would be close scrutiny of applications for a closing time of later than 11pm in respect of premises situated in quiet residential or other noise sensitive locations with low background noise. Greater flexibility on closing times would be considered where for example, applicants could demonstrate that:

- there is a high level of accessibility to public transport services;
- there is an appropriate amount of car parking, readily accessible to the premises, and in places where vehicle movement will not cause demonstrable adverse impact to local residents;
- the operating schedule indicates that the applicant is taking appropriate steps to comply with the licensing objective of preventing public nuisance;
- the licensable activities would not be likely to cause adverse impact especially on local residents, or that, if there is a potential to cause adverse impact, appropriate measures are to be put in place to prevent or minimise that impact.

Reason

This part of the policy dealing with opening hours is based on a broad distinction between the approach to be taken in certain predominantly commercial areas like parts of the town centres and the rest of the District.

Any activity involving public entertainment or eating or drinking on the premises has the potential to impact adversely on the surrounding area due

to noise, smells, or congestion on the footway. Public nuisance may also be caused by customers being noisy when leaving, leaving litter or taking up on-street car parking space needed by residents. The impact of noise generated by these activities, especially customers departing either on foot or in cars, is particularly intrusive at night when ambient noise levels are much lower.

Parts of the District are sensitive to the impact of licensable activities because they are either residential or close to residential areas. Many shopping areas are abutted by residential areas, including housing above commercial premises. The impact of traffic and parking related to licensed premises can be considerable. Even where a majority of customers arrive on foot or by public transport, the additional parking demand may be significant, especially where there are already a number of licensed premises. The impact may be felt by local residents in preventing them from parking close to their homes and by increasing the danger from traffic in residential streets.

However, some commercial areas in the District, such as parts of town centres, may be more suitable locations for licensed activities, especially for those that have late opening hours or attract significant numbers of people. In town centres, more customers are likely to travel by public transport and the activities may help bring vitality to the area after normal shopping hours. The ambient noise levels are also likely to be higher in the evening, particularly when compared with predominantly residential areas so that additional noise may be less objectionable.

An entertainment use attracting large numbers of people should be very close to bus routes or taxi ranks, for instance. For the same reasons, the level of public transport accessibility will be an important factor in considering any exception to the normal closing times in any location.

4.5.8. Noise Policy

4.5.9. In the event of representations, the Authority will not normally grant a premises licence in terms which are, in its opinion, likely to result in increased noise disturbance to people living or working in the vicinity.

4.5.10. In particular, the Authority will give careful consideration to an application for a licence, for premises situated in a predominantly residential or other noise sensitive locations where the proposed hours of operation would be likely to result in unreasonable noise disturbance between the hours of 11pm and 7am.

4.5.11. The Authority expects the applicant to assess the likely sources of noise disturbance that could arise due to the proposed use consider the existing noise context of the area and propose practical steps to prevent noise disturbance or minimise its effects.

4.5.12. Potential sources of noise include:

- sound leakage from the licensed premises (from entertainment provided, customers on the premises, mechanical equipment etc);

- customers and staff arriving and leaving the premises (including car doors slamming);
- excessive noise from outside entertainment.

4.5.13. Practical steps could include:

- keeping doors and windows closed whilst entertainment is provided;
- installing soundproofing measures to the premises (specialist double glazing, acoustic hoods over extractor fan outlets etc);
- reducing sound levels inside the premises (inclusion of a sound limitation device in the sound system);
- ensuring that queues are directed to form leading away from residential premises;
- ensuring that sufficient door security staff manage queuing and leaving customers to minimise noise;
- erecting prominent notices at exits requesting customers to leave quietly;
- reducing the volume of music entertainment towards the end of the evening;
- giving free lollipops to customers leaving the premises;
- ensuring that sufficient transport is nearby to enable customers leaving the premises to disperse quickly;
- banning from the premises customers known to cause noise disturbance regularly on leaving the premises;
- ensuring that customers are encouraged to leave the premises (including any car park or forecourt) swiftly;
- ensuring the volume of outdoor entertainment does not cause noise disturbance;
- providing police supervision at closing times.

4.5.14. The Authority may impose conditions to ensure that appropriate steps are taken to minimise noise disturbance.

4.5.15. Live music, dancing and theatre

4.5.16. The Authority recognises the need to encourage and promote live music, dance and theatre for the wider cultural benefit of the economy and community, particularly for children and young people.

4.5.17. When considering applications for such events and the imposition of conditions on licences or certificates, the Authority will carefully balance the cultural needs with the necessity of promoting the licensing objectives.

4.5.18. Consideration will be given to the particular characteristics of any event, including the type, scale and duration of the proposed entertainment, especially where limited disturbance only may be caused.

Reason

The prevention of public nuisance is a licensing objective. Noise disturbance can be a public nuisance. The authority is required to promote the licensing objectives. Granting a licence in circumstances where nuisance is likely to be caused will

undermine that objective. The Authority recognises that noise from licensed premises can cause great disturbance to people living and working near those premises. The authority recognises that noise can be a nuisance during the day and at night in both residential and commercial areas and other noise sensitive locations if not properly managed or controlled.

4.5.19. Tables and chairs outside premises including garden areas.

Policy

4.5.20. The Authority recognises that provision of tables and chairs outside premises, either on the highway or on private land, may enhance those premises. It can have the benefit of encouraging a continental-style café culture. However, late at night these same tables and chairs can contribute to noise and disorder problems. This is because they can encourage patrons and passers by to loiter rather than disperse. Licensees should note that in certain areas, byelaws prohibit the consumption of alcohol in public. Before planning to use tables and chairs outside premises (particularly where it is intended that alcohol will be sold) applicants should ensure that they will not contravene any byelaws or orders. Applicants should also ensure that other legislation, for example in relation to highways and planning will not be contravened.

4.5.21. In the event of representations being made, the Authority will carefully consider any application where outdoor tables and chairs are proposed to be provided. In particular, the Authority will assess the premises in the context of their location, the hours during which the premises are to be open, the proposed licensable activities and proposals for control of the tables and chairs outside the hours of operation.

Reason

This policy is designed to strike a fair balance between the needs of those wishing to enjoy refreshment in the open air and the need to prevent safety and nuisance problems.

4.8. **Consideration of applications and the imposition of conditions**

4.8.1. On granting a licence, the Authority may only impose conditions that are:

- required by law, and/or
- necessary for the promotion of the licensing objectives and
- proportionate

4.8.2 If no relevant representations are received, a licence will be granted on the terms sought, subject only to such conditions as are consistent with the operating schedule and which comply with the above paragraph and any relevant statutory conditions.

4.8.3. In deciding what conditions to impose, the Authority shall have regard to the operating schedule, together with the provisions of this policy statement, the

law, government guidance and any relevant representations made. Where there is any ambiguity or uncertainty in the meaning of any part of the application, the application shall be interpreted in such a way as shall best promote the licensing objectives.

4.8.4. Where relevant representations are received, the Authority will consider those representations together with any representations of the applicant, having regard to the provisions of this policy, the law and government guidance. Where relevant representations have been made, the Authority will not normally grant a licence in terms which conflict with this policy statement. In particular it may:

- reject the application – if to do so is necessary to promote the licensing objectives and none of the following actions is reasonably practicable;
- grant the licence but exclude from its scope one or more of the licensable activities applied for in order to ensure that the licence complies with this policy and promotes the licensing objectives;
- grant the licence but modify such of the conditions imposed as is necessary to ensure compliance with this policy and to promote the licensing objectives;
- grant the licence but refuse to specify a particular person in the licence as the designated premises supervisor if to name that person would undermine the promotion of the licensing objectives;
- approve different parts of the premises for different activities.

4.8.5 The Authority will not impose conditions that duplicate other areas of regulation. For example, conditions will not be imposed which simply duplicate planning conditions or conditions attached to a fire certificate.

4.8.6. However, there may be occasions when conditions will be imposed which the Authority considers necessary for the promotion of the licensing objectives and which overlap with other areas of regulation, when for example the conditions on the fire certificate or planning permission do not adequately deal with those matters.

4.8.7. In general, any conditions imposed will be drawn from a pool of conditions.

4.8.8. Provided the licensing objectives are not undermined and the proposal does not conflict with the other statements in this policy, licences will be granted so that premises will be able to open to provide licensable activities between such times as the applicant sets out in his application.

4.8.9. When deciding what conditions to impose, the Authority will have regard to the particular requirements of people with disabilities and will, so far as possible, seek to ensure that none of the conditions imposed on licences will have the effect of excluding such persons access to licensed premises.

5.1 SECRETARY OF STATE GUIDANCE (Section 182 Licensing Act 2003)

Section 182 of the Licensing Act 2003 states that the Secretary of State must issue guidance to local authorities on the discharge of their functions under this Act.

Amended guidance was laid before Parliament in June 2014 and came into force immediately.

Members should have regard to all relevant information and it is considered that the following extracts from the Guidance, (though not exclusively) have a bearing upon the application. (*Paragraph numbers refer to the Guidance*):

Guidance on Crime and Disorder:

2.3 Conditions should be targeted on deterrence and preventing crime and disorder. For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

Guidance on Public Nuisance:

2.18 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.19 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low level nuisance, perhaps affecting a few people living locally, as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.20 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the

community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues.

- 2.21 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.22 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late-evening or early-morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise immediately surrounding the premises may also prove appropriate to address any disturbance anticipated as customers enter and leave.
- 2.24 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area and to respect the rights of people living nearby to a peaceful night.

Where representations are made

- 9.3 Where a representation concerning the licensing objectives is made by a responsible authority about a proposed operating schedule and it is relevant (see paragraphs 9.4 to 9.09 below), the licensing authority's discretion will be engaged. It will also be engaged if another person makes relevant representations to the licensing authority, which are also not frivolous or vexatious (see paragraphs 9.4 to 9.09 below). Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

Relevant, vexatious and frivolous representations

- 9.4 A representation is "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no

requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

- 9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.
- 9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority's corporate complaints procedure. A person may also challenge the authority's decision by way of judicial review.
- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the sub-committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.
- 9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

Conditions attached to premises licences

- 10.3 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

- 10.4 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.

- 10.5 It is 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.

Consistency with steps described in operating schedule

- 10.6 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.
- 10.7 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

- 10.8 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.
- 10.9 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

- 10.10 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. 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.

Fundamental Principles:

13.12 Statements of policies should make clear that:

- licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the 2003 Act, and
- conditions attached to various authorisations will be focused on matters which are within the control of individual licence holders and others with relevant authorisations, i.e. the premises and its vicinity.

13.13 A statement of policy should also make clear that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in town and city centres.

The need for licensed premises

13.18 There can be confusion about the difference between the “need” for premises and the “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.

Guidance regarding licensing hours:

13.42 With regard to licensing hours, the Government acknowledges that different licensing approaches 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 such decisions based on their local knowledge and in consultation with other 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.

13.43 Statements of licensing policy should set out the licensing authority’s approach regarding licensed opening hours and the strategy it considers appropriate for the promotion of the licensing objectives in its area. The statement of licensing policy should emphasise the consideration which will be given to the individual merits of an application. The Government recognises that licensed premises make an important contribution to our

local communities, and has given councils a range of tools to effectively manage the different pressures that licensed premises can bring. In determining appropriate strategies around licensed opening hours, licensing authorities cannot seek to restrict the activities of licensed premises where it is not appropriate for the promotion of the licensing objectives to do so.

Planning and building control

13.55 The statement of licensing policy should indicate that planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa.

13.56 There are circumstances when as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. Proper integration should be assured by licensing committees, where appropriate, providing regular reports to the planning committee.

6.1 OBSERVATIONS

6.2 Pursuant to the Licensing Act 2003, the Committee is obliged to determine this application with a view to promoting the licensing objectives which are:

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

6.3 In making its decision, the Committee is also obliged to have regard to Guidance issued under section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy. Extracts are included in this report however copies are available on line or from the licensing office.

6.4 The Committee must also have regard to the representations made and the evidence given before them.

6.5 Paragraph 9.3 to 9.9 of the section 182 Guidance refers to 'where representations are made' and whether the Committee considers these to be relevant, vexatious or frivolous.

7.1 OPTIONS

The Committee may take such of the following steps as it considers necessary for the promotion of the licensing objectives:

As a guide members may:

1. Grant the application as requested.
2. Modify the conditions of the licence, by altering or omitting or adding to them.
3. Reject the whole or part of the application.

When considering their decision, members should refer to paragraph 4.8.4 of the Council's statement of Licensing Policy with regard to the options they should consider. (As above)

The Committee is reminded that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

Contact Officer: Fred Watson Ext: 7523

Appendices attached to report:

- 1(a-b) - Application form and additional conditions provided by applicant**
- 2- Consent of Designated Premises Supervisor**
- 3 - Plan of 5 Devonshire Street**
- 4(a-d) Correspondence with David Ward**
- 5(a-d) - Correspondence with Malcolm Ward**
- 6(a-c) - Correspondence with Marie Oleson**
- 7(a-c) - Correspondence with Donna McGeorge**
- 8 - Street plan of Devonshire Street area**
- 9 - Premises activities and times comparison chart**

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: Licensing Act 2003, Section 182 Guidance, Carlisle City Council Licensing Policy, premises application, representations and responses.

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's -	n/a
Deputy Chief Executive –	n/a
Economic Development –	n/a
Governance –	Included within the report
Local Environment –	n/a
Resources -	n/a



Carlisle
Application for a premises licence
Licensing Act 2003

For help contact
 licensing@carlisle.gov.uk
 Telephone: (+44) 1228 817523

* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number



Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

* Is your business registered in the UK with Companies House? Yes No

* Is your business registered outside the UK? Yes No

* Business name If your business is registered, use its registered name.

* VAT number Put "none" if you are not registered for VAT.

* Legal status

Continued from previous page...

* Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

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

Section 4 of 19

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

SPECIALIST CASK ALE AND WORLD BEER BAR

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

Continued from previous page...

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the exhibition of films take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

Continued from previous page...

State 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.

State any seasonal variations for the exhibition of film

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

none

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed in the column on the left, list below

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

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start 12:00

End 24:00

Start

End

WEDNESDAY

Start 12:00

End 24:00

Start

End

THURSDAY

Start 12:00

End 24:00

Start

End

FRIDAY

Start 12:00

End 24:00

Start

End

SATURDAY

Start 12:00

End 24:00

Start

End

SUNDAY

Start 12:00

End 24:00

Start

End

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

acoustic and amplified music including (but not exclusively) background recorded music

State any seasonal variations for the performance of live music

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

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

Continued from previous page...

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

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

Continued from previous page...

State 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.

State any seasonal variations for playing recorded music

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

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

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

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Yes No

Section 13 of 19

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 11:00

End 24:00

Start

End

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.

TUESDAY

Start 11:00

End 24:00

Start

End

WEDNESDAY

Start 11:00

End 24:00

Start

End

THURSDAY

Start 11:00

End 24:00

Start

End

FRIDAY

Start 11:00

End 24:00

Start

End

SATURDAY

Start 11:00

End 24:00

Start

End

SUNDAY

Start 12:00

End 24:00

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on
the premises select on, if the sale of alcohol
is for consumption away from the premises
select off. If the sale of alcohol is for
consumption on the premises and away
from the premises select both.

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

Continued from previous page...

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

extended drinking on Christmas eve & New years eve until 3am

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Continued from previous page...

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 etc gambling machines etc.

NO adult entertainment will be offered.

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

n/a

Continued from previous page...

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

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

Extended opening hours on Christmas eve and New years eve

Section 18 of 19

LICENSING OBJECTIVES

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

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

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

The licencing objectives will be raised will all staff and upheld as part of our operating guidelines.

b) The prevention of crime and disorder

CCTV will be employed throughout the building

c) Public safety

CCTV will be employed throughout the building

d) The prevention of public nuisance

At closing time customers will be reminded to leave with consideration to others.

e) The protection of children from harm

No Children will be permitted into the premises unless accompanied by an adult and only prior to 9pm.

Section 19 of 19

PAYMENT DETAILS

Continued from previous page...

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.
Premises Licence Fees are determined by the non domestic rateable value of the premises.
To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text" value="NIGEL TRAM"/>
* Capacity	<input type="text" value="PREMISES"/>
Date (dd/mm/yyyy)	<input type="text" value="16/5/14"/>

Once you're finished you need to do the following:

1. Save this form to your computer by clicking to file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/carlisle/apply-1> to upload this file and continue with your application

Don't forget to make sure you have all your supporting documentation to hand.

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

Moo Bar - Conditions proposed by Licensing Authority

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

General

- The licensing objectives will be adhered to and upheld as part of our operating guidelines and all staff will have full training prior to commencement of duties. A full pack, including Pub Watch information, will be available for consultation by staff at all times. Challenge 21 posters and a CCTV notice will be displayed at the main entrance to the premises.

The Prevention of Crime and Disorder

- A Risk Assessment will be carried out to determine whether or not door supervisors are required, and if they are, door supervisors shall be provided at the premises door to such a number as the management of the premises consider are sufficient to control the entry of persons to the premises and for keeping of order in the premises when they are used for licensable activities.
- A tamper proof CCTV system shall be installed at the premises in liaison with and to the satisfaction of the Cumbria Police Licensing Safety Officers and shall be used to record during the hours that a licensable activity takes place on the premises. The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 28 days.
- Moo Bar will be an active member of Pub Watch.
- Customers appearing to be drunk or deemed to have consumed in excess will be refused service.

Public Safety

- A suitable and sufficient fire risk assessment will be completed to the satisfaction of Cumbria Fire Service.
- All fire fighting equipment will be maintained in working order.
- Customer numbers in the venue will be monitored by the DPS and will not exceed a safe comfortable limit in accordance with the fire risk assessment.

The Prevention of Public Nuisance

- At closing time customers will be reminded to leave with consideration to others.
- A list of taxi numbers will be available and staff will offer to book taxis for customers to assist with dispersal.
- A representative of the Licence Holder shall conduct regular assessments of the noise coming from the premises and shall take steps to reduce the level of noise where it is likely to cause a nuisance to noise sensitive premises in the vicinity.
- Refuse such as bottles shall be disposed of from the premises at a time when it is not likely to cause a disturbance to residents in the vicinity of the premises.
- An inner front door is proposed that will remain closed except for access and egress. Windows will be kept closed during trading hours.

The Protection of Children from Harm

- No person under 18 years of age will be permitted into the premises unless accompanied by a responsible adult and only prior to 9pm.

Moo Bar - Conditions proposed by Licensing Authority

- **We will operate a Challenge 21 Policy and shall require any person who appears to be under the age of 21 years to provide evidence of them being over 18 years of age.**

CA16

Carlisle City Council
Licensing Manager, Civic Centre, Carlisle CA3 8QG
Tel: 01228 817523 Fax: 01228 817023
Email: licensing@carlisle.gov.uk



Consent of individual to being specified as premises supervisor

I NIGEL TARN
[full name of prospective premises supervisor]

of CHURCH ST
SKIRWITH
PENRITH
CAID IRG
[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

MOO BAR
[type of application]

by NIGEL TARN
[name of applicant]

relating to a premises licence _____
[number of existing licence, if any]

for MOO BAR
S DEVONSHIRE ST
CARLISLE
[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

NIGEL TARN
[name of applicant]

concerning the supply of alcohol at

MOO BAR

[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

PA 0865
[insert personal licence number, if any]

Personal licence issuing authority

EOEN DC
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

Name (please print)

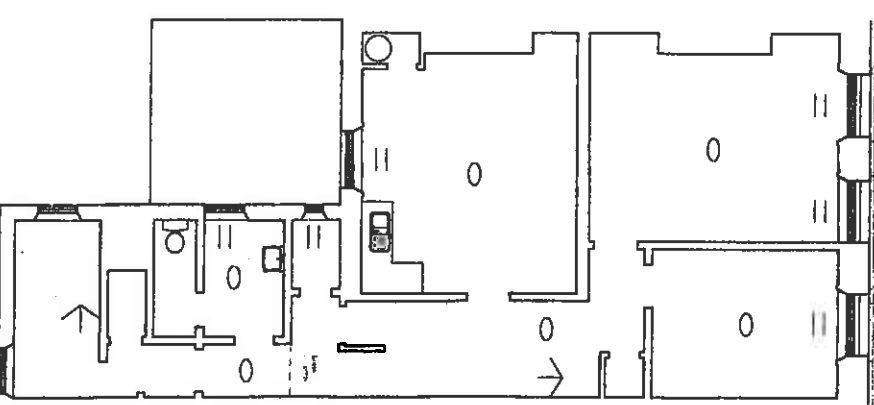
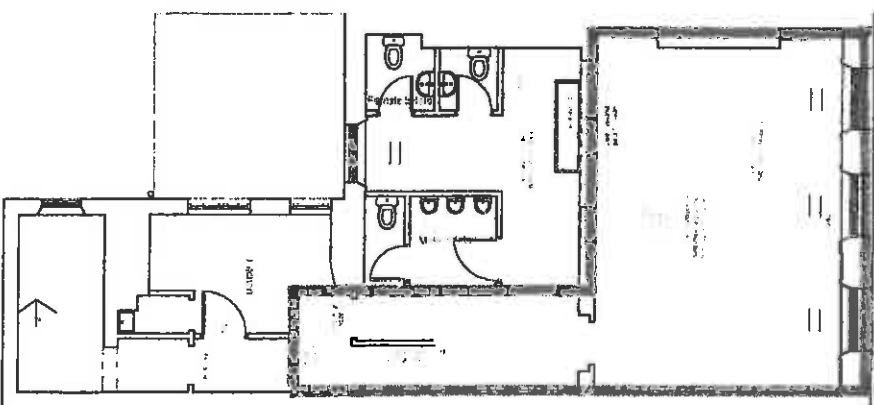
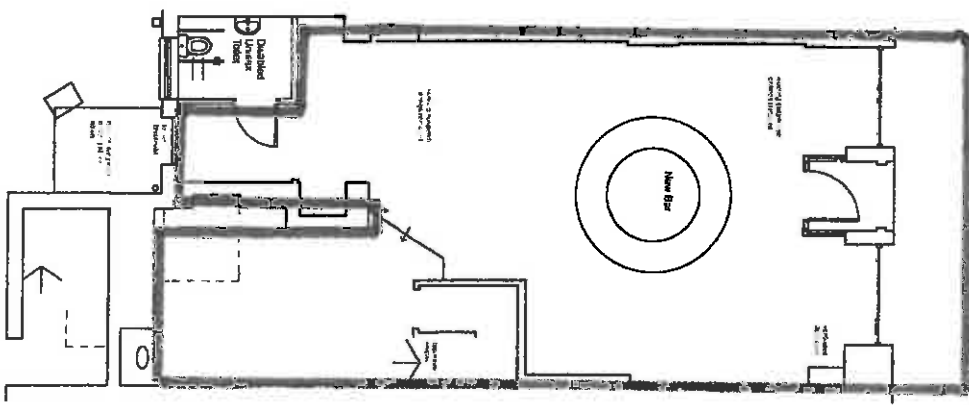
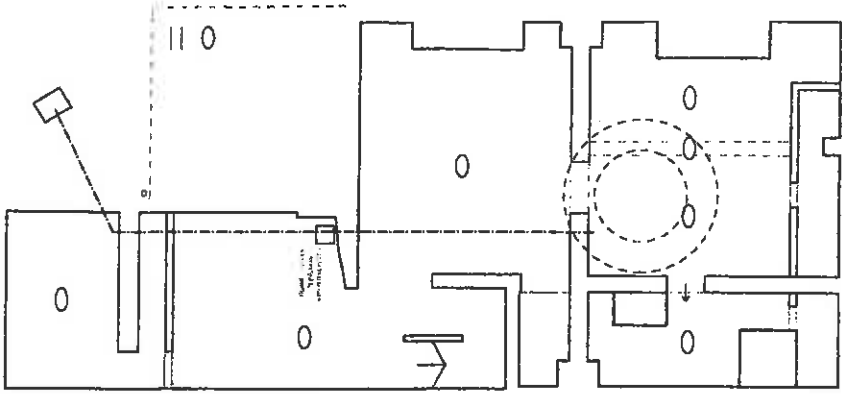
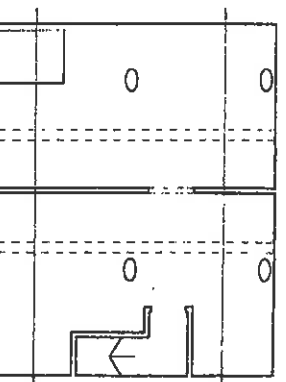
Date

NIGEL TARN

16-5-14

Additional Areas of Work to note:

- a. **Alcohol Supply** - Although it appears from the plans that the premises that some dispensing units have been installed in the bar area, it is noted that the plans do not show any of the units removed as part of the work, an inspection of the premises by an approved inspector should be made to confirm that and ensure no residual materials are present.
- a. **Electrical Supply and Wiring Checks** - advise an inspection of the existing installation by an NICEIC approved electrical contractor to determine the condition of existing supply and advise on the new installation.
- a. **Fire Alarm and Detection Installation** - advise an inspection of the existing installation by a Maintenance Fire and Security or similar approved contractor to determine the condition of the existing installation and advise on how best to extend the system.
- a. **Heating Installation** - Recommend an inspection by a Gas Registered contractor to advise the role of the existing gas service and heating installation and advise on a potential new system to serve the Bar area.
- a. Parts of the existing walls may need to be removed to conceal the new service.
- a. The existing mechanical ventilation system will need to be removed or altered to accommodate the new layout. This system should be assessed by an approved contractor.



GROUND FLOOR

FIRST FLOOR

LICENSED AREA
MOO BAR
S DEVONSHIRE

130 Angel Lane,
 Penryn, Cornwall,
 CN11 9BP

Client: [Redacted]
 Date: 28/10/2011
 Drawing Title: Project Brief

Fred Watson

From: DAVID WARD [davidmward1@btinternet.com]
Sent: 09 June 2014 16:22
To: Licensing (Carlisle)
Subject: premises licence for 5 Devonshire Street Carlisle,ref 018901
Attachments: 5 Devonshire Street Carlisle planning 14 0378.pdf

Sir/Madam,

please take this e-mail and attachments/e-mail link as an objection to the above premises licence application.

My objections have also been placed before the planning committee for similar reasons in that Devonshire Street is becoming overwhelmed by licensed premises.(so a change of use to an A3/A4 type category should not be allowed)

The resultant problems from this drink led phenomena are numerous and as I articulated at a previous licensed premises application recently (for 18-22 Devonshire Street).

Other cities are recognising the extent of this problem now (see <http://www.chroniclive.co.uk/news/north-east-news/bar-bosses-must-think-again-6944805>) with council leaders/police authorities/interested parties/the public saying enough is enough.

I strongly believe and contend that the council/council officers need to have a clearer vision for the city especially as to individuals living in and around this area- the drinking culture in Carlisle should not prevail at the expense of the majority who have to suffer the consequences.

I am more than happy to set out my views again and rationale thereon to the licensing sub committee which include stricter requirements as to :-

- 1) the granting of the licence per se (the consequences are seemingly just ignored)
- 2) gradual shift of licence hours (invariable longer hours to early in the morning)
- 3) requirement for door supervisors at all times
- 4) requirement for stricter noise abatement measures
- 5) no off licence
- 6) proper disabled access

etc etc etc

Kind Regards

David M Ward

APPENDIX 4b

St Aidans Road
Carlisle
Cumbria
CA1 1LS

The Planning Officer
Carlisle City Council
Civic Centre Carlisle
CA3 8QG

2nd June 2014

Planning Application No14/0378 5 Devonshire Street, Carlisle

I wish to oppose this application for these main reasons:

GENERAL

(a) Devonshire Street is one of Carlisle's few prestigious streets, with its buildings listed accordingly.

Every step should be taken to maintain/enhance Devonshire Street, particularly as the upper floors in each building become ripe for movement into residential as has happened at Numbers 9, 11/13 and 18/22.

Further buildings are likely to follow the trend back to residential led accommodation e.g. the substantial, currently vacant, area over Pizza Express and Greggs.

This conversion into residential is really the only avenue open for the upper floors of these premises which invariably, and as noted above, have been vacant for many years.

A coherent policy therefore needs to be adopted by the various authorities with responsibility across our city which encourages conversion which is predicated by their being demand for such converted residential premises.

This will only occur if there are positive reasons for people to live in these conversions-i.e. will people want to live in an area that is saturated with licensed premises?

Further to the extent licenses are given out then strict conditions need to be given to the licence both in terms of minimising noise/social disruption (i.e. by limiting the opening hours of such units so they do not gravitate to the lowest common denominator of, say, a 2am licence-do we really need such licences/late night drinking???)

These conditions then need to be actively monitored and social disruption minimised.

(b) Logically the aim should be the creation of quality apartments attracting residents who appreciate the all round offer and quality of the buildings in and around Devonshire Street i.e. we need to entice students, young professionals, retired individuals etc who would otherwise take up residence elsewhere back into the city.

As I have stated above Devonshire Street will not attract that quality resident if the street is full of drinking bars and all the activity that follows.

Therefore for this, and other, reasons highlighted in this letter I recommend that the planning authorities draw a halt be drawn to planning permission for drinking bars/licensed premises in Devonshire Street and also the 'late night' culture which brings undoubted social disruption.

(c) the City Council has "designated" Botchergate" as the **Leisure Quarter** of Carlisle. Botchergate, with its gated facility, is (very) well established. It draws together the huge number of people who favour late night licensed premises.

One particular danger of granting more licences in and around Devonshire Street is the shift of 'popularity' from Botchergate to the Devonshire Street area.

This can happen as people grow tired of Botchergate and news spreads of Devonshire Street

This nature of movement happens in cities ...indeed we have seen this in Carlisle with the Twisted Wheel in West Wall, Buskers in Lonsdale St, Moods in Botchergate and the Pagoda in Lancaster St ...all no more

(d) the "shift of popularity" can quickly alter the status of the street, the patrons thereof and eventually the quality of the bars/restaurants in Devonshire Street. As Botchergate patrons move in the result is a shift out of the former Devonshire Street patrons. "Botchergate" qualities extend into Devonshire Street!

(e) therefore it must be the position that no further bars be allowed in Devonshire Street...with applicants for licensed premises directed to Botchergate where there is a range of premises, including the former Moods. That action will foster use of Botchergate and so aid its development and, indeed, survival.

(f) In addition avoiding the further spread of leisure/night life activity from Botchergate must aid Police activities both as regards the quality of control and the extent of expense.

(g) Regulations require the presence of Door supervisors. It is a formidable to see, in the evening, these huge uniformed men standing at bar entrance doorshardly a sight for our tourists and/or other evening strollers and/or residents returning back to their apartments.

(h) Devonshire Street is on the one way system from English Street and the Viaduct so traffic can be busy and so a pedestrian danger

PLANNING AND LICENCE

In my opinion City Councillors and the relevant authorities dealing with planning and control of licensed premises need to fully and carefully re-examine its policies relevant to drinking bars. This will ensure that a decade and more hence qualities will prevail which otherwise will be absent.

At present one by one drinking bars gain planning approval and then the applicant moves on to a separate additional licence application

I suggest there be greater liaison between the Planning Committee and the Licence Committee members so that rules and conditions set are comprehensive and glove tail.

For example under Planning Application No. **13/0669** (also see) **14/0076** the Planning Committee initially set an "end of business" of 1.30 a.m. in their application and set out the reasons for that time.

Despite this the applicant subsequently ,before opening, applied for a Bar/Club licence to 3 a.m. All indications were the Licence Officer was on his way to grant a licence to 3 a.m. until protests arose about the 3 a.m. proposal

With limited notification to anyone (except the applicant) the 1.30 a.m. was altered* (see below) to 2.30 a.m. so the opportunity to lodge objections was lost. I need to enquire + complain at that lack of notification and also to understand why the planning officer so readily acceded to such a request when they had effectively already directed that a 1.30 closing was adequate.

Reason: To define the permission This was the first Permission

3) The use of the premises hereby permitted shall not operate between 01:30 hours and 09:00 hours on Mondays to Sundays with the exception of New Years Day.

Reason: To prevent disturbance: nearby occupants in accordance with Policy EC10 of the Carlisle District Local Plan 2001-2016.

***NEW WORDING INTRODUCED AFTER THE FIRST PERMISSION**

3) The use of the premises hereby permitted shall not operate between 02:30 hours and 09:00 hours on Mondays to Sundays with the exception of New Years Day.

Reason: To prevent disturbance: nearby occupants in accordance with Policy EC10 of the Carlisle District Local Plan 2001-2016.

AS INTIMATED ABOVE THE FIRST PERMISSION ISSUED INTRODUCED 1.30 A.M.

Over-all the result of directing future Bar activity to Botchergate and/or calling a halt to new Bar permissions in Devonshire Street will aid:

1. the prevention of crime and disorder
2. public safety
3. the prevention of public nuisance

PERSONAL

In my own case I am the owner of two properties in Devonshire Street which have been maintained to a very high standard with six apartments converted from vacant upper floor units (some of these had been vacant for many many years).

To encourage the positive development of Devonshire Street it is important it does not have yet more licensed premises.

Currently Friars Court, to the rear of Devonshire Street, is effectively used as a public toilet/vomitorium by both males and females ... a disgusting state of affairs which is an extra reason for the banning of further drinking bar activity in Devonshire Street.

In addition I see that the applicant will place their "trade waste" which is mainly bottles into a 1000 litres bin which will be stored at "the rear of their building" ... and thus a few feet from my converted apartments

Under Article 8 of the Human Rights Act the tenants of my apartments are entitled to peace and quiet and certainly respect for the quality of my life

I therefore must ask the planning authorities to

- (a) re-ject the application, or
- (b) divert the activity to a more suitable place in Carlisle and
- (c) if you cannot accept the above then please please limit the opening hours to something reasonable(why do we need such a proliferation of late night licences???)-

only then will Carlisle start to improve, more residential conversions taking off and people moving back into the centre of Carlisle.

If not then Carlisle's city centre will become more and more desolate catering only for the late night drinking establishments and all the hassle that goes with it so that the will of the minority prevails.

As needs be, and as I have done so before, I am more than happy to discuss to the committee my views in person.

Yours faithfully

David M Ward

Assistant Director (Governance): M D Lambert LLB (Hons)

Civic Centre Carlisle CA3 8QG Telephone (01228) 817000 Fax (01228) 817023

Document Exchange Quote DX 63037 Carlisle Type talk please ring 18001 01228 817000

Council Website www.carlisle.gov.uk

Mr D Ward
St Aidens Road
Carlisle
CA1 1LS

Please ask for:

Direct Line:

E-mail:

Your ref:

Our ref:

Licensing Officer

01228 817028

licensing@carlisle.gov.uk

Licensing/FW

10 June 2014

Dear Sir,

I acknowledge receipt of an e mail forwarded to the Licensing Office on 9th June 14 in relation to you making representations to a current Premises Licence application for 5 Devonshire Street under the Licensing Act 2003.

The Licensing Act Statutory Guidance clearly states that the Licensing and Planning regimes must be properly separated to avoid duplication and inefficiency.

When representations are made upon the 'need' for a particular premises in a particular area sometimes stating that there is no need for any further similar premises in that area then the Licensing Act Statutory Guidance is absolutely clear that this is not a matter for the licensing authority in discharging its licensing functions. 'Need' is a matter for planning committees and for the market.

In relation to permitted operating hours, and in particular where a different terminal hour is set for the use of premises by Licensing and Planning, again this is because of the different issues that may be considered by the two regimes, primarily public nuisance or crime and disorder in the case of Licensing, compared to the less restricted issues of amenity, character etc. in the case of Planning.

The attachment forwarded by you is clearly an objection to a Planning application made by the proprietor of 5 Devonshire Street.

If you wish to make representations to the Premises Licence application for 5 Devonshire Street then you should forward your objections based

Continued

upon the Licensing Act 2003 objectives which are: 1. The prevention of crime and disorder 2. Public Safety 3. Prevention of public nuisance 4. Protection of children from harm.

These are the only representations that can be considered and they can not be a duplication of representations made under Planning.

If you wish to make representations I suggest you forward them as soon as possible as they have to be received by 12th June 14.

F Watson
Licensing Office
01228 817028

Fred Watson

From: DAVID WARD [davidmward1@btinternet.com]
Sent: 16 June 2014 18:00
To: Licensing (Carlisle)
Subject: Re: premises licence for 5 Devonshire Street Carlisle,ref 018901

For the attention of F Watson-licensing officer

Sir/Madam

Many thanks for your e-mail and letter of the 10th June 2014- I have been away and therefore have been unable to reply to your communications until now.

My covering e-mail of the 9th June 2014 sets out the principal reasons as to why I object to the premises licence application and as can be seen from this covering e-mail (regardless of the accompanying letter of the 2nd June 2014) :-

1) I set out various points that the sub committee should consider in light of the four headings that are relevant (crime and disorder, public safety, prevention of public nuisance, protection of children from harm) i.e. the need for the following to be proactively considered as part of this licensing application:-

- the effects of the gradual shift of licencing hours,
- the need for door supervisors as part of the licensed conditions
- public nuisance reduction by reduction of noise
- disabled access that is so often lacking
- no need for an 'off licence' element- and the consequential effects this has of drinking on the streets

2) this covering e-mail clearly refers to an example where Newcastle City Council is taking a stronger line as regards to licensing per se

3) I referred you to my previous arguments/statements in respect of the premises application at 18-22 Devonshire Street (as needs be I can supply you with copies but these are on public record and can be accessed/supplied by you to the licensing committee as needs be- I would be grateful if you could review them/supply them as required).

4) My attached letter of 2nd June 2014 is simply that- one of two attachments that set out the scene in terms of Devonshire Street- I do not therefore consider that this should be taken as my representation- it is only one part of a licensing submission-

I am therefore of the opinion that my representation remains valid in full

If however you are of the view that this not the position I would be grateful if you could:-

- 1) confirm this.
- 2) forward me the legislation/guidance from which you have taken this position
- 3) confirm that you have still submitted my covering e-mail and attachment re Newcastle as a representation
- 4) note that I would like to take up my right to speak in due course
- 5) please place as required this e-mail on the public access of this application

Best Regards and many thanks in advance for your assistance

David M Ward

From: Licensing (Carlisle) <Licences@carlisle.gov.uk>
To: DAVID WARD <davidmward1@btinternet.com>
Sent: Tuesday, 10 June 2014, 14:37
Subject: RE: premises licence for 5 Devonshire Street Carlisle,ref 018901

Mr Ward, I have attached a letter for you to read as the time scales for making a representation to this application are very narrow. I have forwarded a hard copy by mail. F Watson Licensing Officer

Licence Application 5 Devonshire St., Carlisle

I object to this application, on a constructive, in these capacities:

- (a) as the owner of the apartment of Friars Court, Carlisle
- (b) as the owner of the commercial properties numbered 9 to 15 Friars Court
- (c) in a work capacity in Friars Court. I can also work in the evenings
- (d) as citizen and council tax payer of Carlisle

Carlisle City Council has designated Botchergate as the preferred "Leisure Area" for our City. The granting of permission for a DRINKING ESTABLISHMENT at 5 Devonshire St. will be yet another expansion of the Devonshire St. area into a "Night Life" scenario with all the dire adverse aspects going with that activity

A further consequence is the prompting of nightly movement of drinkers walking from Botchergate to Devonshire St., with the control problems which then arise. Alas this movement could become more and more popular

Then there is the matter of:

- 1. noise, smells, and evening disturbance
- 2. breaking of bottles in Friars Court
- 3. the harsh noise when empty bottles are dumped into the waste container
- 4. the use, by BOTH males and females, of Friars Court as a urinal
- 5. the frequent evidence of the drinkers being sick ..often over a doorstep

ENOUGH IS ENOUGH

The tolerance level re 1 to 5 above has ALREADY been reached.

The granting of planning permission for yet another DRINKING ESTABLISHMENT CANNOT BE ACCEPTED AND SO THE LICENCE APPLICATION SHOULD BE RE-JECTED.

It is one too many ..and so should be re-jected

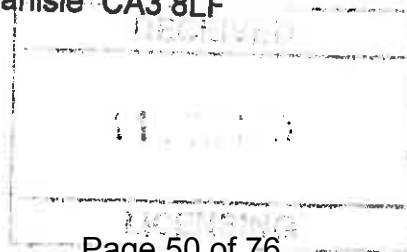
The ordinary person is entitled to a peace which is not eroded by the antics of those who choose to party during night-time hours.

"Enough is Enough" ..the time has now arrived to respect the rights of the "ordinary person"

I ask the Licence Committee to liaise with the Planning Officer so there is curtailment and control of the spread of drinking bars along Devonshire St. e.g. see policies EC9 and EC10
The scene should be set for the introduction of quality upper floor apartments.

This "Enough is Enough" objection is in addition to the issues relating to:

- (a) Crime and Disorder ... evening disorder is to the fore
- (b) Public Safety via the introduction of night revellers
- (c) Public Nuisance via noise, urination, glass bottles, vomit, smell, litter. Etc



3rd June 2014 v1

Planning Application No14/ 0378 5 Devonshire St., Carlisle

I wish to oppose this application for these main reasons:

GENERAL

(a) Devonshire St. is one of Carlisle's prestige streets, with its buildings being listed. Every step should be taken to maintain/enhance Devonshire St, particularly as the upper floors in each building become ripe for movement into residential as has happened at Nos. 9, 11/13 and 18/22.

Further buildings are likely to follow to residential e.g. the substantial area over Pizza Express and Greggs.

(b) Logically the aim should be the creation of quality apartments attracting residents appreciating the quality of the building and Devonshire St. Thus students et al may be more comfortable elsewhere

Devonshire St. will not attract that quality resident if the street is full of bars and all the "night-life" activity that follows that follows.

It is thus logical for this and other reasons highlighted in this document that a halt be drawn to planning permission of bars in Devonshire St.

(c) the City Council has "designated" Botchergate" as the **Leisure Quarter** of Carlisle. Botchergate, with its gated facility, is (very) well established. It draws plus contains a huge number of people.

One particular danger is the shift of popularity from Botchergate to the Devonshire St. area.

This can happen as people grow tired of Botchergate and news spreads of Devonshire St.

This nature of movement happens in cities ... indeed we have seen this in Carlisle with the Twisted Wheel in West Wall, Buskers in Lonsdale St, Moods in Botchergate and Pagoda in Lancaster St ... all no more

(d) the "shift of popularity" can quickly alter the status of the street, the patrons thereof and eventually the quality of the bars/restaurants in Devonshire St. As Botchergate patrons move in, the result is a shift out of the former Devonshire St. patrons. "Botchergate" qualities extend into Devonshire St.

(e) I thus contend that no further bars be allowed in Devonshire St...with applicants directed to Botchergate where there is a range of premises, including the former Moods. That action will foster use of Botchergate and so aid its development and, indeed, survival.

(f) In addition avoiding the further spread of leisure/night life activity from Botchergate must aid Police activities both as regards the quality of control and the extent of expense.

(g) Regulations require the presence of Door Guards. It is a formidable to see, in the evening, these huge uniformed men standing at bar entrance doors ..hardly a sight for our tourists and/or other evening strollers.

(h) Devonshire St. is on the one way system from English St. and the Viaduct so traffic can be busy and so a pedestrian danger

PLANNING AND LICENCE

In my opinion City Councillors need to fully and carefully re-examine its policies relevant to bars. This is will ensure that a decade and more hence qualities will prevail which otherwise will be absent.

At present one by one bars gain planning approval and then the applicant moves on to a licence application

I suggest there be greater liaison between the Planning Committee and the Licence Committee members so that rules and conditions set are comprehensive and glove tail. For example under Planning Application No. 13/0669 (also see) 14/0076 the Planning Committee set an "end of business" of 1.30 a.m. and set out the reasons for that time.

Despite this the applicant applied for a Bar/Club licence to 3 a.m. All indications were the Licence Officer was on his way to grant a licence to 3 a.m. until protests arose about the 3 a.m.

Without notification to anyone (except the applicant) the 1.30 a.m. was altered* to 2.30 a.m. so the opportunity to lodge objections was lost. I need to inquire + complain at that lack of notification and I request a response

Reason: To define the permission This was the first Permission

3) The use of the premises hereby permitted shall not operate between 01:30 hours and 09:00 hours on Mondays to Sundays with the exception of New Years Day.

Reason: To prevent disturbance: nearby occupants in accordance with Policy EC10 of the Carlisle District Local Plan 2001-2016.

***NEW WORDING INTRODUCED AFTER THE FIRST PERMISSION**

3) The use of the premises hereby permitted shall not operate between 02:30 hours and 09:00 hours on Mondays to Sundays with the exception of New Years Day.

Reason: To prevent disturbance: nearby occupants in accordance with Policy EC10 of the Carlisle District Local Plan 2001-2016.

AS INTIMATED ABOVE THE FIRST PERMISSION ISSUED INTRODUCED 1.30 A.M.

Over-all the result of directing Bar activity to Botchergate and/or calling a halt to new Bar permissions in Devonshire St will aid:

1. the prevention of crime and disorder
2. public safety
3. the prevention of public nuisance

PERSONAL

In my own case I am the owner of an apartment at Friars Court, Carlisle.

The "night-life" activities flowing from 5 Devonshire St. will certainly aggravate the evening/early morning tranquillity which should prevail in Friars Court ...and Devonshire St. Currently Friars Court is used as a public toilet by both males and females ...a disgusting state of affairs which is an extra reason for the banning of a yet further drinking bar activity in Devonshire St

In addition I see that the applicant will place their "trade waste" which is mainly bottles into a 1000 litres bin which will be stored at "the rear of their building" ..more loud, sharp, obtrusive noise as bottles are dumped in a bin at night

Under Article 8 of the Human Rights Act people entitled to peace and quiet and certainly respect for the quality of my life

PLEA

(a) re-ject the application, or

(b) divert further bar activity to a more suitable place in Carlisle

Yours faithfully

Malcolm P Ward
Friars Court Carlisle CA3 8LF

Governance Directorate

Director of Governance: M D Lambert LLB (Hons)

Civic Centre Carlisle CA3 8QG Telephone (01228) 817000 Fax (01228) 817023

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Council Website www.carlisle.gov.uk

Mr M P Ward
Friars Court
Carlisle
CA3 8LF

Please ask for:

Direct Line:

E-mail:

Your ref:

Our ref:

Licensing Officer

01228 817028

licensing@carlisle.gov.uk

Licensing/FW

16 June 2014

Dear Sir,

I acknowledge receipt of a letter forwarded to the Licensing Office on 11th June 14 in relation to you making representations to a current Premises Licence application for 5 Devonshire Street under the Licensing Act 2003.

The Licensing Act Statutory Guidance clearly states that the Licensing and Planning regimes must be properly separated to avoid duplication and inefficiency.

When representations are made upon the 'need' for a particular premises in a particular area sometimes stating that there is no need for any further similar premises in that area then the Licensing Act Statutory Guidance is absolutely clear that this is not a matter for the licensing authority in discharging its licensing functions. 'Need' is a matter for planning committees and for the market. Planning departments do receive a copy of all Premises Licence applications.

The Licensing Sub Committee can not be used as a re run of a Planning Objection.

Your objections must be based upon the Licensing Act 2003 objectives which are: **1. The prevention of crime and disorder 2. Public Safety 3. Prevention of public nuisance 4. Protection of children from harm.**

These are the only representations that can be considered and they can not be a duplication of representations made under Planning applications unless they are relevant to the licensing objectives

I have enclosed Guidance document GD20 and request you read the guidance before completing Section 3 (the representations). Please forward this completed form to the Licensing Office as soon as possible in order to consider if they are relevant.

F Watson
Licensing Office
01228 817028

Representation made in respect of an application for, or variation to a Premises Licence or Club Premises Certificate by Interested Party.

I (insert name of person making representation whether as an individual or on behalf of a group)

..... M ALCOCK · PETER WARD

make representations in respect of an application or variation to a; (tick as appropriate)

Premises Licence	<input type="checkbox"/>
Club Premises Certificate	<input checked="" type="checkbox"/>

Section 1 – Premises or club premises details

Name, address and postcode of premises or club premises in respect of which you are making representations. 5, DEVONSHIRE ST., CARNISLE	
Post town CARNISLE	Post code (if known)

Name of premises licence holder or club holding club premises certificate (if known)

Section 2 – Details of person/body making representations

I am;

(Tick as appropriate)

- (a) Responsible Authority
- (b) Other person ✓

If you are an individual applicant complete **Part A** then go to section 3.

If you are a Responsible Authority complete **Part B** then go to section 3.

Part A - DETAILS OF INDIVIDUAL APPLICANT (tick as appropriate)

Mr.	<input checked="" type="checkbox"/>	Mrs.	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Other	<input type="checkbox"/>
-----	-------------------------------------	------	--------------------------	------	--------------------------	----	--------------------------	-------	--------------------------

Surname	WARR	First Name	MALCOLM PETER
---------	------	------------	---------------

I am 18 years old or older	<input checked="" type="checkbox"/>
----------------------------	-------------------------------------

Current address

, FRIARS COURT, CARNISHE Postcode CA3 8LP

Daytime contact telephone number	01228 - 514 969
E-mail address	

Part B - DETAILS OF RESPONSIBLE AUTHORITY

Name of the Body	
------------------	--

Surname of person representing the body		First Name of person representing the body	
---	--	--	--

Address of body

Postcode	
----------	--

Daytime contact telephone number	
E-mail address	

Section 3 - Information and details of the representation.

Please note that your representations must be relevant to one of the four licensing objectives and must relate only to the current application. Any representations to the terms and conditions of a current licence held by the applicant, must be made by way of a review of that licence.

This representation relates to the following licensing objective(s). Detail the evidence supporting your representation or the reason for your representation against the appropriate objective (use separate sheet if necessary).

A	<p>Prevention of crime and disorder</p>	<p>THIS THIS IS AN APPLICATION FOR A PREMISES LICENCE WHICH HAS THE EFFECT OF THE PREMISES GAINING A HIGH ALCOHOL FOCUS. ALTHOUGH THE APPLICANT HAS AN APPARENT HIGH REPUTATION AND MAY WELL RUN A GOOD SHIP ALCOHOL SCENARIO CAN DRAW THOSE WITH A TENDENCY OR MORE TO CRIME AND DISORDER. THUS THE (FURTHER) BAR IN DEVONSHIRE ST CAN ONLY BUT INCREASE CRIME AND DISORDER. THE STAINS OF "CRIME AND DISORDER" OF BUTCHER GATE SHOULD NOT VISIT DEVONSHIRE ST</p>
B	<p>Public safety</p>	<p>THERE ARE MANY WHO WOULD NOT EASILY CONSIDER A VISIT TO THE BUTCHER GATE AREA IN THE EVENING FOR REASONS WHICH ARE WELL KNOWN. OR SIMILAR THAT ATMOSPHERE (REPUTATION MUST NOT BE ALLOWED) TO ARISE IN DEVONSHIRE ST. THE FURTHER BAR INCREASES THE CHANCES OF POLLUTION OF DEVONSHIRE'S ST. "PUBLIC SAFETY" STANDARD)</p>
C	<p>Prevention of public nuisance</p>	<p>(a) REASONS AS GIVEN IN (A) and (B) ABOVE (b) CURRENTLY FRIARS COURT CAN SUFFER THE CONSEQUENCES OF 1) URINATION BY MALES AND FEMALES 2) VOMIT ... EVEN ON DOORSTEP 3) BROKEN BOTTLES AND OTHER WASTE 4) NOISE FROM BOTTLES BEING PLACED IN WASTE CONTAINERS 5) NOISE OF DEPARTING REVEALED</p>
D	<p>Protection of children from harm</p>	<p></p>
<p>Please provide as much information as possible to support your representation. Note that if you have not disclosed some information, you may not be able to introduce it at the hearing unless all the other parties consent.</p>		

Section 4

Have you made any representations in respect of these premises before? (Tick as appropriate)	Yes ✓	No
Date that you made representations	June 2014	
	June 2014	

I understand that the Licensing Authority is obliged to give notice of a hearing to all parties to the hearing and this must include a copy of this representation. All representations are treated as a public document. (You must tick this box)	Yes ✓
I agree to attend any hearing before either the Licensing Sub-Committee or Magistrates Court to give evidence in support of my representation.	Yes/No ✓

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION OR REPRESENTATION.

Section 6 - Signature

Signature of person making representation or a solicitor or other duly authorised agent. If signing on behalf of any other person, please ensure that you have the right to sign a representation on their behalf and state the capacity in which you are signing. A signed authority from them may be appropriate.

Signature

Date: 17.6.2014

Capacity: INDIVIDUAL

Licence Application 5 Devonshire St., Carlisle

I object to this application, on a constructive^{BASIS} as the long term occupant of the apartment of Friars Court, Carlisle.

My front door is a mere few feet from the rear door of the 5 Devonshire St. premises. My bedroom is in the front immediate above. I have health conditions so I desperately need a good night's sleep plus I cannot tolerate noise even during the day/evening..invariably I am in my apartment.

I understand there is a heavy onus on the Committee to ensure a resident, such as myself, does not suffer annoyance/disturbance. The limit has already been reached and "Enough is Enough" as I high light below i.e. no more bars or the like

Carlisle City Council has designated Botchergate as the preferred "Leisure Area" for our City. The granting of permission for a DRINKING ESTABLISHMENT at 5 Devonshire St. will be yet another expansion of the Devonshire St. area into a "Night Life" scenario with all the dire adverse aspects going with that activity

A further consequence is the prompting of nightly movement of drinkers walking from Botchergate to Devonshire St., with the control problems which then arise. Alas this movement could become more and more popular

Then there is the matter of:

1. noise, smells, and evening disturbance
2. breaking of bottles in Friars Court
3. the harsh noise when empty bottles are dumped into the waste container
4. the use, by BOTH males and females, of Friars Court as a urinal
5. the frequent evidence of the drinkers being sick ..often over my doorstep

ENOUGH IS ENOUGH

The tolerance level re 1 to 5 above has ALREADY been reached. The granting of planning permission for yet another DRINKING ESTABLISHMENT CANNOT BE ACCEPTED AND SO THE LICENCE APPLICATION SHOULD BE RE-JECTED. It is one too many ..and so should be re-jected

The ordinary person is entitled to a peace which is not eroded by the antics of those who choose to party during night-time hours.

"Enough is Enough" ..the time has now arrived to respect the rights of the "ordinary person"

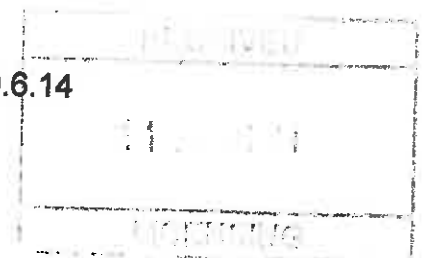
I ask the Licence Committee to liaise with the Planning Officer so there is curtailment and control of the spread of drinking bars along Devonshire St. e.g. see policies EC9 and EC10 The scene should be set for the introduction of quality upper floor apartments.

This "Enough is Enough" objection is in addition to the issues relating to:

- (a) Crime and Disorder ... evening disorder is to the fore
- (b) Public Safety via the introduction of night revellers
- (c) Public Nuisance via noise, urination, glass bottles, vomit, smell, litter. etc. etc

Marie Oleson ^f Friars Court Carlisle CA3 8LF

10.6.14



Section 3 Information

(A) Prevention of Crime and Disorder

Approval of the application will result in a "dry" building being turned into a "wet" one with the resulting high focus on alcohol consumption.

Albeit the applicant has an apparent high reputation and may well run a good ship the alcohol scenario can draw those with a tendency to crime and disorder. The chance of the stains of "crime and disorder" of Botchergate should not enter Devonshire St.

(B) Public Safety

The dangers of entering Botchergate in the evening are well known.

Devonshire St needs to be 100% kept clear of circumstances/events which could pierce the qualities of Devonshire St. The greater impact of alcohol in Devonshire St. increases the chances of Public Safety being eroded.

(C) Prevention of Nuisance

1. please see (A) and (B) above
2. Currently Friars Court can suffer the consequences of:
 - (a) urination by both males and females
 - (b) vomit ..not pleasing to find on a doorstep
 - (c) from time to time bottles, including broken bottles
 - (d) noise from revellers, partic those departing at the end of the evening

Governance Directorate

Director of Governance: M D Lambert LLB (Hons)

Civic Centre Carlisle CA3 8QG Telephone (01228) 817000 Fax (01228) 817023

Document Exchange Quote DX 63037 Carlisle Type talk please ring 18001 01228 817001

Council Website www.carlisle.gov.uk

Ms M Olesen
Friars Court
Carlisle
CA3 8LF

Please ask for:

Direct Line:

E-mail:

Your ref:

Our ref:

Licensing Office

01228 817023

licensing@carlisle.gov.uk

Licensing/FW

16 June 2014

Dear Madam

I acknowledge receipt of a letter forwarded to the Licensing Office on 11th June 14 in relation to you making representations to a current Premises Licence application for 5 Devonshire Street under the Licensing Act 2003.

The Licensing Act Statutory Guidance clearly states that the Licensing and Planning regimes must be properly separated to avoid duplication and inefficiency.

When representations are made upon the 'need' for a particular premises in a particular area sometimes stating that there is no need for any further similar premises in that area then the Licensing Act Statutory Guidance is absolutely clear that this is not a matter for the licensing authority in discharging its licensing functions. 'Need' is a matter for planning committees and for the market. Planning departments do receive a copy of all Premises Licence applications.

The Licensing Sub Committee can not be used as a re run of a Planning Objection.

Your objections must be based upon the Licensing Act 2003 objectives which are: **1. The prevention of crime and disorder 2. Public Safety 3. Prevention of public nuisance 4. Protection of children from harm.**

You should state how it would affect you in relation to the licensing objectives if 5 Devonshire Street was granted a licence. I do note in your letter under points 1-5 that problems already occur from other licensed premises in that area and not 5 Devonshire Street.

These are the only representations that can be considered and they can not be a duplication of representations made under Planning applications unless they are relevant to the licensing objectives

I have enclosed Guidance document GD20 and request you read the guidance before completing Section 3 (the representations). Please forward this completed form to the Licensing Office as soon as possible in order to consider if they are relevant.

F Watson
Licensing Office
01228 817028

Representation made in respect of an application for, or variation to a Premises Licence or Club Premises Certificate by Interested Party.

I (insert name of person making representation whether as an individual or on behalf of a group)

..... MARIE CLESH

make representations in respect of an application or variation to a; (tick as appropriate)

Premises Licence	✓
Club Premises Certificate	

Section 1 – Premises or club premises details

Name, address and postcode of premises or club premises in respect of which you are making representations.	
5 DEVONSHIRE ST. CARNISKE	
Post town	Post code (if known)
CARNISKE	

Name of premises licence holder or club holding club premises certificate (if known)

Section 2 – Details of person/body making representations

I am;

(Tick as appropriate)

- (a) Responsible Authority
- (b) Other person

If you are an individual applicant complete **Part A** then go to section 3.

If you are a Responsible Authority complete **Part B** then go to section 3.

Part A - DETAILS OF INDIVIDUAL APPLICANT (tick as appropriate)

Mr.		Mrs.		Miss	<input checked="" type="checkbox"/>	Ms		Other	
-----	--	------	--	------	-------------------------------------	----	--	-------	--

Surname	OLESH	First Name	MARIE
---------	-------	------------	-------

I am 18 years old or older	<input checked="" type="checkbox"/>
----------------------------	-------------------------------------

Current address

, FRIARS COURT, CARNISH	
Postcode	CA3 8LF

Daytime contact telephone number	
E-mail address	

Part B - DETAILS OF RESPONSIBLE AUTHORITY

Name of the Body	
------------------	--

Surname of person representing the body		First Name of person representing the body	
---	--	--	--

Address of body

Postcode	
----------	--

Daytime contact telephone number	
E-mail address	

Section 3 - Information and details of the representation.

Please note that your representations must be relevant to one of the four licensing objectives and must relate only to the current application. Any representations to the terms and conditions of a current licence held by the applicant, must be made by way of a review of that licence.

This representation relates to the following licensing objective(s). Detail the evidence supporting your representation or the reason for your representation against the appropriate objective (use separate sheet if necessary).

<p>Prevention of crime and disorder</p>	<p>SEE (A) ATTACHED</p>
<p>Public safety</p>	<p>SEE (B) ATTACHED</p>
<p>Prevention of public nuisance</p>	<p>SEE (C) ATTACHED</p> <p>I AM PARTICULARLY CONCERNED AS:-</p> <p>1) MY FRONT DOOR IS A FEW FEET AWAY FROM THE REAR DOOR OF 5, DRYDASHIRE ST</p> <p>2) FOR HEALTH AND OTHER REASONS I HAVE SHARP DIFFICULTIES</p>
<p>Protection of children from harm</p>	
<p>Please provide as much information as possible to support your representation. Note that if you have not disclosed some information, you may not be able to introduce it at the hearing unless all the other parties consent.</p>	

Section 4

Have you made any representations in respect of these premises before? (Tick as appropriate) <u>JUNE 2014</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Date that you made representations	<u>JUNE 2014</u>	

I understand that the Licensing Authority is obliged to give notice of a hearing to all parties to the hearing and this must include a copy of this representation. All representations are treated as a public document. (You must tick this box)	Yes <input checked="" type="checkbox"/>
I agree to attend any hearing before either the Licensing Sub-Committee or Magistrates Court to give evidence in support of my representation. <u>MY HEALTH REASONS PREVENT THIS</u>	Yes /No

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION OR REPRESENTATION.

Section 6 - Signature

Signature of person making representation or a solicitor or other duly authorised agent. If signing on behalf of any other person, please ensure that you have the right to sign a representation on their behalf and state the capacity in which you are signing. A signed authority from them may be appropriate.

SignatureDate: 17.6.2014Capacity: "OTHER PERSON"

Objection to Licence Application for 5 Devonshire St., Carlisle

I object to this licence application, on a constructive basis, as the long term tenant of the hairdressing business at Friars Court, Carlisle.

My front door is a mere few feet from the rear door of the 5 Devonshire St. premises. I understand there is a onus on the Committee to ensure there is the absence of nuisance. The limit has already been reached and **"Enough is Enough"** as I highlight below i.e. no more bars or the like in Devonshire St.

Carlisle City Council has designated Botchergate as the preferred "Leisure Area" for our City. The granting of permission for a Drinking Bar at 5 Devonshire St. will be yet another expansion of the Devonshire St. area into a "Night Life" scenario with all the dire adverse aspects going with that activity

A further consequence is the prompting of nightly movement of drinkers walking from Botchergate to Devonshire St., with the control problems which then arise. Alas this movement could become more and more popular

Then there is the matter of:

1. noise, smells, and evening disturbance
 2. the finding of broken bottles in Friars Court
 3. the harsh noise when empty bottles (day/night) are dumped into the waste container
 4. the use, by BOTH males and females, of Friars Court as a urinal. Results seen next day
 5. the frequent evidence of the drinkers being sick ..often over my doorstep
- All of this "nuisance" does not enhance my business/customers or my own enjoyment

ENOUGH IS ENOUGH

The tolerance level re 1 to 5 above has ALREADY been reached.
The granting of a licence for yet another DRINKING ESTABLISHMENT CANNOT BE ACCEPTED AND SO THE LICENCE APPLICATION SHOULD BE RE-JECTED.
It is one too many ..and so should be re-jected

The ordinary person is entitled to a peace and the absence of nuisance which is not eroded by the antics/results of those who choose to party during night-time hours.
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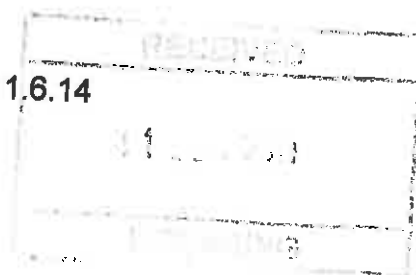
I ask the Licence Committee to liaise with the Planning Officer so there is curtailment and control of the spread of drinking bars along Devonshire St. e.g. see policies EC9 and EC10
The scene should be set for the introduction of quality upper floor apartments to enhance the area long term.

This "Enough is Enough" licence objection is in addition to the issues relating to:

- (a) Crime and Disorder ... evening disorder is to the fore
- (b) Public Safety via the introduction of night revellers
- (c) Public Nuisance via noise, urination, glass bottles, vomit, smell, litter. etc. etc

Donna McGeorge , Friars Court Carlisle CA3 8LF ✓

11.6.14



Section 3 Information

(A) Prevention of Crime and Disorder

Approval of the application will result in a "dry" building being turned into a "wet" one with the resulting high focus on alcohol consumption.

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Governance Directorate

Director of Governance: M D Lambert LLB (Hons)

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Council Website www.carlisle.gov.uk

Ms D McGeorge
Friars Court
Carlisle
CA3 8LF

Please ask for:

Direct Line:

E-mail:

Your ref:

Our ref:

Licensing Officer

01228 817028

licensing@carlisle.gov.uk

Licensing/FW

16 June 2014

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Your objections must be based upon the Licensing Act 2003 objectives which are: 1. **The prevention of crime and disorder** 2. **Public Safety** 3. **Prevention of public nuisance** 4. **Protection of children from harm.**

You should state how it would affect you in relation to the licensing objectives if 5 Devonshire Street was granted a licence. I do note in your letter under points 1-5 that problems already occur from other licensed premises in that area and not 5 Devonshire Street.

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F Watson
Licensing Office
01228 817028

Representation made in respect of an application for, or variation to a Premises Licence or Club Premises Certificate by Interested Party.

I (insert name of person making representation whether as an individual or on behalf of a group)

..... DONNA MC GEORGE

make representations in respect of an application or variation to a; (tick as appropriate)

Premises Licence <input checked="" type="checkbox"/>	
Club Premises Certificate	

Section 1 – Premises or club premises details

Name, address and postcode of premises or club premises in respect of which you are making representations.

5, DEVONSHIRE ST
CARLISLE

Post town CARLISLE	Post code (if known)
-----------------------	----------------------

Name of premises licence holder or club holding club premises certificate (if known)

Section 2 – Details of person/body making representations

I am;

(Tick as appropriate)

(a) Responsible Authority

(b) Other person

If you are an individual applicant complete **Part A** then go to section 3.

If you are a Responsible Authority complete **Part B** then go to section 3.

Part A - DETAILS OF INDIVIDUAL APPLICANT (tick as appropriate)

Mr.		Mrs.	<input checked="" type="checkbox"/>	Miss		Ms		Other	
-----	--	------	-------------------------------------	------	--	----	--	-------	--

Surname	Mc GEORGE	First Name	DONNA
---------	-----------	------------	-------

I am 18 years old or older	<input checked="" type="checkbox"/>
----------------------------	-------------------------------------

Current address

FRIARS COURT,	
CARLISLE	
Postcode	CA3 6LR

Daytime contact telephone number	
E-mail address	

Part B - DETAILS OF RESPONSIBLE AUTHORITY

Name of the Body	CARLISLE CITY COUNCIL
------------------	-----------------------

Surname of person representing the body		First Name of person representing the body	
---	--	--	--

Address of body

Postcode	
----------	--

Daytime contact telephone number	
E-mail address	

Section 3 - Information and details of the representation.

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<p>Prevention of crime and disorder</p>	<p>SEE (A) ATTACHED</p>
<p>Public safety</p>	<p>SEE (B) ATTACHED</p>
<p>Prevention of public nuisance</p>	<p>SEE (C) ATTACHED <u>ALSO</u> <u>N.B</u> MY PREMISES ARE DIRECTLY OPPOSITE THE REAR OF S. DEVONSHIRE ST. URINATION AND VOMIT ARE NOT PLEASING TO FIND AT OR HEAR MY DOORSTEP</p>
<p>Protection of children from harm</p>	<p></p>
<p>Please provide as much information as possible to support your representation. Note that if you have not disclosed some information, you may not be able to introduce it at the hearing unless all the other parties consent.</p>	

Section 4

Have you made any representations in respect of these premises before? (Tick as appropriate) <i>June 2014</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Date that you made representations		

I understand that the Licensing Authority is obliged to give notice of a hearing to all parties to the hearing and this must include a copy of this representation. All representations are treated as a public document. (You must tick this box)	Yes <input checked="" type="checkbox"/>
I agree to attend any hearing before either the Licensing Sub-Committee or Magistrates Court to give evidence in support of my representation.	Yes /No <input type="checkbox"/>

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Section 6 - Signature

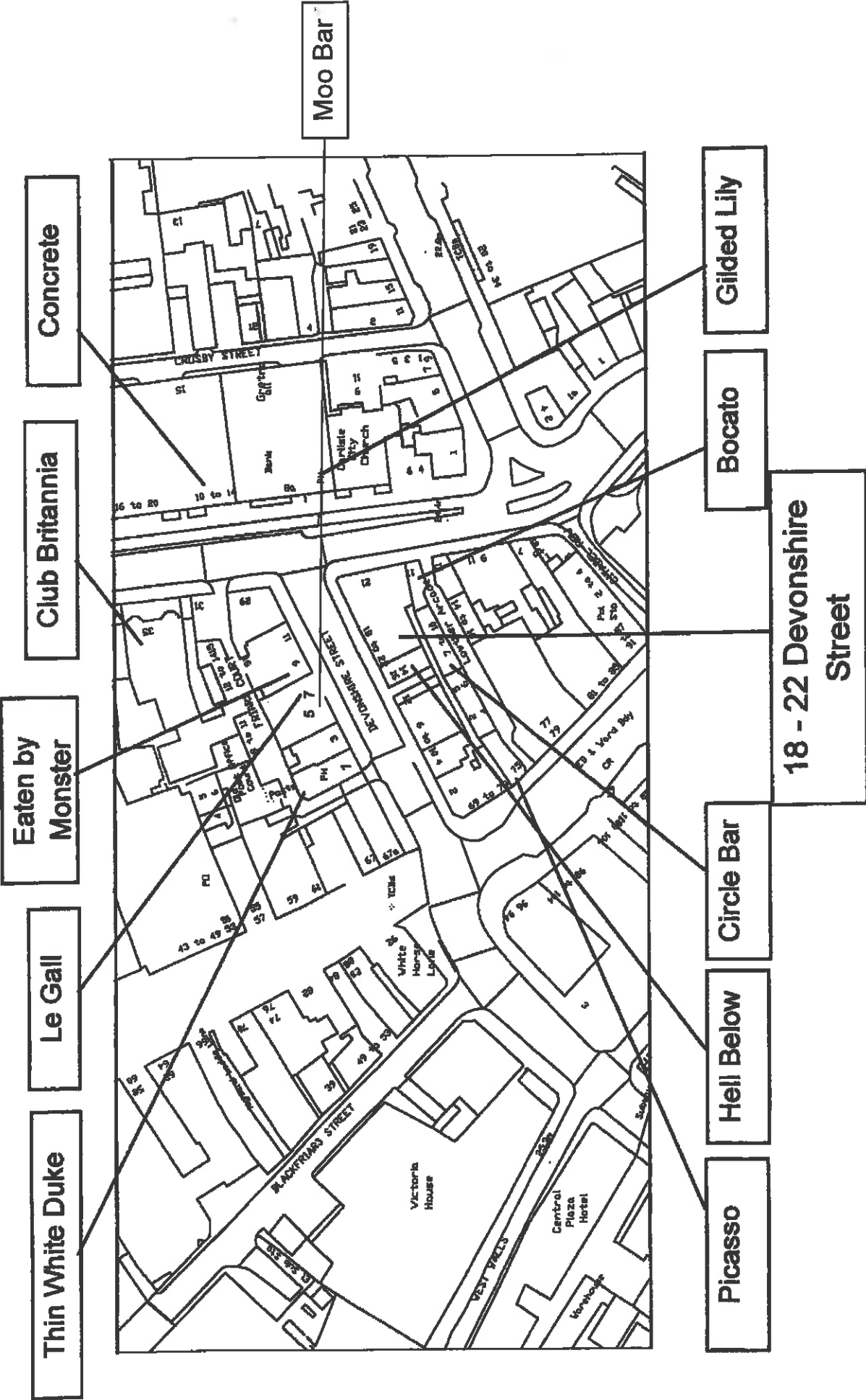
Signature of person making representation or a solicitor or other duly authorised agent. If signing on behalf of any other person, please ensure that you have the right to sign a representation on their behalf and state the capacity in which you are signing. A signed authority from them may be appropriate.

Signature

Date: *18.6.14*

Capacity: *" OTHER PERSON "*

LIQUOR LICENSED PREMISES IN THE VICINITY OF 5 DEVONSHIRE STREET, CARLISLE



Licensing Act 2003 - Comparison chart of premises in vicinity of Devonshire Street, Carlisle

Premises	Live Music	Recorded Music	Late Night Refreshment	Films	Dance	Indoor Sport	Alcohol		Terminal Alcohol hour	Premises Open To
							On	Off		
Thin White Duke	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2am	24 Hours
Le Gall	Yes	Yes	Yes	No	Yes	No	Yes	Yes	1am	1.30am
Eaten by Monsters	Yes	Yes	Yes	Yes	No	No	Yes	Yes	2am	2am
Club Britannia	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2am	2.30am
Concrete	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	24 Hours	24 Hours
Picasso	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	3am	3am
Hell Below	Yes	Yes	Yes	Yes	No	No	Yes	Yes	2am	2.30am
Circle Bar	Yes	Yes	Yes	Yes	No	Yes	Yes	No	1.30am	1.30am
18-22 Devonshire Street	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2am	2.30am
Bocata	No	Yes	Yes	No	No	No	Yes	No	1.30am	1.30am
Gilded Lily	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	2.30am	2.30am
Moo Bar	Yes	Yes	No	Yes	No	No	Yes	Yes	Midnight	Midnight