

CARLISLE CITY COUNCIL

Report to:- THE CHAIRMAN AND MEMBERS OF THE LICENSING SUB COMMITTEE

Date of Meeting:- 18th August 2005

Agenda Item No:-

Public	Operational	Delegated Yes	
Responsible Authority Representations	Representations	Included	Attending
Cumbria Constabulary	Yes	Yes	Yes
Cumbria Fire Service	No	No	No
Environmental Protection Services	No	No	No
Planning Services	No	No	No
Social Services	No	No	No
Trading Standards	No	No	No
Health & Safety Executive	No	No	No
Interested Party Representations			
Title:-	WILLIAM RUFUS, (LLOYDS), 10/16 BOTCHERGATE, CARLISLE		
	APPLICATION FOR CONVERSION AND VARIATION TO A PREMISES LICENCE		
Report of:-	HEAD OF ENVIRONMENTAL PROTECTION SERVICES		
Report reference:-	EP 37/05		

Summary:-

The William Rufus (Lloyds) is situated at 10/16 Botchergate, Carlisle. The applicant has applied to convert his current licence to a Premises Licence and at the same time applies for a variation.

Representations have been received from Cumbria Constabulary in respect of the prevention of crime and disorder objective.

Recommendation:-

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

J A Messenger
Licensing Manager

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:- The Application, written comments from: Cumbria Constabulary a copy of which is attached to this report.

To the Chairman and Members of the Licensing Sub Committee on 18th August 2005

A. THE APPLICATION

(Appendix 1)

Applicant:

JD Wetherspoon PLC, Wetherspoon House, Reeds Crescent, Watford
(Represented by Ford and Warren, Solicitors)

Premises:

William Rufus (Lloyds), 10/16 Botchergate, Carlisle

Conversion application

The premises have the benefit of trading under a Justices 'on' licence and section 77 Special Hours Certificate. Application was made under Schedule 8 Para 2 Licensing Act 2003 for conversion of this licence under the same terms and conditions as currently held. Cumbria Constabulary are the only consultees for conversion and make representations under the crime and disorder objective. This is explained in more detail below in the variation application.

Variation application

1. An application for variation of the Premises Licence during the transitional period under Schedule 8 Para 7(b) Licensing Act 2003 has been made. The operating schedule at Appendix 1 includes:

2. Relevant licensable activities:

- Sale by retail of alcohol - Para. M
- Provision of regulated entertainment (live and recorded music, films, dance) (Para's B, E, G-K)
- Late Night refreshment – Para. L

3. Hours of licensable activities:

- Sunday to Saturday 0900hrs – 0200hrs (Alcohol & Late night refreshment)
- Sunday to Saturday 0900hrs – 0300hrs (Entertainment)

An additional hour is requested for late night refreshment and alcohol on certain occasions listed at Para M in accordance with the non standard timings.

4. Other times premises proposed to be open: An additional hour after the above times.
5. Designated Premises Supervisor: Christopher David Caddy
6. Supply of alcohol is for consumption both on and off the premises.
8. Additional steps to promote licensing objectives that are relevant to this hearing (Appendix 1, Para. Q)

Crime and Disorder

The Company is committed to strict compliance with the law in the course of the operation of its premises and to maintaining good standards of behaviour by its customers. The measures identified in the attached Overview of Operations are designed to meet the Prevention of Crime and Disorder objective and may be found at Sections A,B,C,D,E,F,G,I,J and L. These measures will continue to apply to the additional hours sought by this variation.

A copy of the Overview of Operations is at Appendix 2

B. RELEVANT REPRESENTATIONS

Responsible authorities:

Cumbria Constabulary – (Appendix 3)

Cumbria Constabulary has made representations under the prevention of Crime and Disorder objective. Their concern centres around the use of door supervisors at the premises. The Overview of Operations (Appendix 2, Section G) outlines the company policy with regard to security.

Interested parties:

None

C. 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:

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.

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. Anyone considering making an objection is invited to discuss their objection with licensing officers prior to submitting their representation.

n.b. The term “vicinity” is used within the Licensing Act 2003 on a number of occasions and, in particular, with reference to those “interested parties” who may lodge objections to applications for premises licences and who may make representations concerning existing premises licences. Section 13(3) defines an “interested party” as being “a person living in the vicinity, a body representing persons living in the vicinity, a person involved in a business in the vicinity or a body representing those persons”.

The Act does not define the term “vicinity”, therefore where the question arises, it is the responsibility of that particular Licensing sub committee considering the application, to determine in each case which person or body is considered to be living in the “vicinity”.

Fundamental Principles

- 2.1 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.
- 2.2 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.
- 2.3 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.
- 2.4 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.

4.2 General Policy

4.2.1. Consideration of the impact of licensable activities

4.2.2. In the event of relevant representations when considering an application for a licence, the authority may take into account the following factors in assessing its likely impact on the licensing objectives in addition to other relevant matters:

- the nature of activities proposed;
- the number of customers likely to attend the premises and the type of customers expected;
- the location of the premises;
- the proposed hours of operation;

- the level of public transport accessibility for customers either arriving or leaving the premises and the likely means of public or private transport that will be used by the customers;
- the physical and accessible nature of the premises;
- the level of likely car parking demand in relation to the use of the premises in comparison with the existing situation and the likely effect on the movement of priority traffic;
- the cumulative impact of licensed premises in an area;
- the scope for mitigating any impact;
- how often the activity is to occur.

4.2.3. In considering any application where premises are already licensed, or have in the past been licensed for any of the licensable activities (under this or previous legislation), the Authority will take into account any evidence from a responsible authority or interested party of demonstrable adverse impact from the activity in the past. If adverse impact has been caused, consider whether appropriate measures have been proposed or put into effect by the applicant to mitigate that adverse impact. The authority will also consider any changes of circumstances, or evidence that the premises have been well run since the past problems occurred.

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.

4.3.2. In the event of Police representations, the Authority will generally not grant a licence where it is likely that the premises will be used for unlawful purposes, or where it is considered that the use of the premises is likely to cause an increase in crime and disorder in the area. Where necessary and/or appropriate, and in relation to the type of premises and licensable activity being carried out, applicants are expected to consider the impact of their proposals on crime and disorder, both within and in the vicinity of the premises and to propose practical steps in their operating schedule to prevent crime and disorder. Such steps could include:

- use of CCTV inside and outside the premises;
- use of metal detection or other search equipment or procedures;
- crime and disorder risk assessment in relation to the proposed activities;
- measures to prevent the use or supply of illegal drugs;
- ensuring that all staff are appropriately trained;
- determine the safe occupancy capacity for the premises by carrying out a fire safety assessment;
- employment of sufficient security staff controlling admission and patrolling the interior and exterior of the premises (such staff will be required to be licensed by

the Security Industry Authority). The Authority recognises that there is a greater need for security staff in some premises than in others. For example there will be a greater need for security staff in a town centre nightclub than in a village pub;

- participation in Pub Watch or other relevant schemes;
- agreed protocols with police and other organisations and a commitment to cooperate and provide evidence to the police if required;
- ensuring that measures are in place to disperse customers over an extended period and to ensure customers leave the venue in an orderly fashion and without bottles or glasses.

It is recognised that some premises will require minimum measures to promote the licensing objectives.

4.3.4. Carlisle and Eden Crime and Disorder Reduction 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.

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.
- 4.8.5 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.
- 4.8.6 In general, any conditions imposed will be drawn from a pool of conditions.
- 4.8.7. 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.
- 4.8.7 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.

D. NATIONAL GUIDANCE (Section 182 Licensing Act 2003)

Members should have regard to all relevant information and it is considered that the following guidance, (though not exclusively) have a bearing upon the application:

Annex D

Door Supervisors

Conditions relating to the provision of door supervisors and security teams may be valuable in:

- preventing the admission and ensuring the departure from the premises of the drunk and disorderly without causing further disorder;
- keeping out excluded individuals (subject to court bans or imposed by the licence holder)
- searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons; and
- maintaining orderly queuing outside of the venues prone to such queuing.

Where door supervisors conducting security activities are to be a condition of a licence, which means that they would have to be registered with the Security Industry Authority, conditions may also need to deal with the number of such supervisors, the displaying of name badges, the carrying of proof of registration, where and at what times they should be stationed on the premises, and whether at least one female supervisor should be available (for example, if female customers are to be the subject of body searches). Door supervisors also have a role to play in ensuring public safety.

E. OBSERVATIONS

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.

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.

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

F. 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 variation 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 of the Council's statement of Licensing Policy with regard to the consideration of applications and the imposition of conditions.

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.

In order to assist members and applicants and to achieve consistency, sample conditions for premise licences and club premises certificates have been prepared which may be utilised (Guidance GD6).

Prepared by J A Messenger
Licensing Manager

SCHEDULE 1

[insert name and address of relevant licensing authority and its reference number, optional]

(Part A) Application for an existing licence to be converted to a premises licence under the Licensing Act 2003 and (Part B) application to vary the premises licence simultaneously

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/We JD Wetherspoon Plc
apply to convert an existing licence to a premises licence under Schedule 8 to the Licensing Act 2003 for the premises described in Part A1 below

Part A1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

The William Rufus (Lloyds)
10-16 Botchergate
Carlisle
Cumbria
CA1 1QS

Telephone number of premises (if any)

01228 633160

Non-domestic rateable value of premises

£167,000

Part A2 – Applicant Details

Please state the capacity in which you are applying to convert your existing licence

Please tick ✓

- | | |
|----------------------------------------------------|-----------------------------------------------------------------|
| (a) An individual or individuals | <input type="checkbox"/> please complete section (A) |
| (b) A person other than an individual | |
| i. as a limited company | <input checked="" type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| (c) A recognised club | <input type="checkbox"/> please complete section (B) |
| (d) A charity | <input type="checkbox"/> please complete section (B) |
| (e) The proprietor of an educational establishment | <input type="checkbox"/> please complete section (B) |
| (f) A health service body | <input type="checkbox"/> please complete section (B) |

- (g) A person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital ☐ please complete section (B)
- (h) A chief officer of police of a police force in England and Wales ☐ please complete section (B)

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title (for example, Rev) ☐

Surname

First names

I am 18 years old or over

Please tick ☒ Yes ☐

Current postal address
if different from premises
address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title (for example, Rev) ☐

Surname

First names

I am 18 years old or over

Please tick ☒ Yes ☐

Current postal address
if different from premises
address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS

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

Name JD Wetherspoon Plc
Address Wetherspoon House Reeds Crescent Watford WD24 4QL
Registered number (where applicable) 01709784
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any) 01923 477777
E-mail address (optional)

Part A3 – Operating Schedule

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

General description of premises (please read guidance note 1)

The premises operate as a bar with facilities for music and dancing and entertainment of a like kind. Alcohol and food are available throughout the public areas. Private entertainment may be provided at any time without limitation. If the Local Authority have adopted the Private Places of Entertainment (Licensing) Act 1967, private entertainment is a convertible licensable activity. There are no restriction on the hours during which members of the public may be present on the premises. Children under 14 may also be allowed in the bar area in accordance with the Children's Certificate granted for the premises.

Recorded music may be played throughout the premises.

	Please tick ✓	Yes
What existing licensable activities are authorised by your existing licence(s)?		
a) Plays		<input type="checkbox"/>
b) Films		<input type="checkbox"/>
c) indoor sporting events		<input type="checkbox"/>
d) boxing or wrestling entertainment		<input type="checkbox"/>
e) live music		<input checked="" type="checkbox"/>
f) recorded music		<input checked="" type="checkbox"/>
g) performances of dance		<input checked="" type="checkbox"/>
h) anything of a similar description to that falling within (e), (f) or (g)		<input checked="" type="checkbox"/>

Provision of entertainment facilities for:

i) making music	<input checked="" type="checkbox"/>
j) dancing	<input checked="" type="checkbox"/>
k) entertainment of a similar description to that falling within (i) or (j)	<input checked="" type="checkbox"/>
l) provision of late night refreshment	<input checked="" type="checkbox"/>

Sale by retail of alcohol

a) for consumption on the premises	<input checked="" type="checkbox"/>
b) for consumption off the premises	<input checked="" type="checkbox"/>

Please state who you wish to be specified to be the premises supervisor under the new licence

Name Christopher David Caddy

Address The William Rufus (Lloyds), 10-16 Botchergate, Carlisle, Cumbria, CA1 1QS

Personal Licence number, if known Not known

State any limitations on the hours during which you are permitted by your licence(s) or any additional authorities to conduct licensable activities, including the sale of alcohol.

Alcohol

The provisions of Sections 59 – 61 inclusive and Section 63 of the Licensing Act 1964 apply.

A Certificate under Section 77 (subject to the provisions of Section 76) of the Licensing Act 1964 is in force for the hours shown in the certificate/as follows;-

Late Night Refreshment

Food may be sold in line with either alcohol sales or the provision of public entertainment plus an extra 30 minutes.

Private Entertainment for Gain

Private entertainment may be provided at any time without limitation. If the Local Authority have adopted the Private Places of Entertainment (Licensing) Act 1967, private entertainment is a convertible licensable activity.

Recorded Music

Recorded music may be played throughout the premises without limitation in line with the provisions of Section 182 of the Licensing Act 1964. To clarify this means recorded music can be provided 24 hours a day.

Public Entertainment

The hours permitted for public entertainment are set out in the attached certified copy of the public entertainment licence. On New Years Eve entertainment is permitted until the commencement of permitted hours on the following day due to the provisions of the Regulatory Reform (Special Occasions Licensing) Order 2002.

Describe the conditions subject to which your existing licence(s) has/have been granted (please read guidance note 2):

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

Please see attached certified copy Justices' Licence.
Please see attached certified copy Children's Certificate.
Please see attached certified copy Public Entertainment Licence.
Please see attached certified copy Special Hours Certificate.

b) The prevention of crime and disorder

See a) above.

c) Public safety

See a) above.

d) The prevention of public nuisance

See a) above.

e) The protection of children from harm

See a) above.

- Please tick ✓
- | | |
|-------------------------------------------------------------------------------------------------------|--------------------------------------------|
| ■ I have made or enclosed payment of the fee | Yes
<input checked="" type="checkbox"/> |
| ■ I have enclosed my existing licence(s) or a certified copy of each licence | <input checked="" type="checkbox"/> |
| ■ I have enclosed a plan of the premises | <input checked="" type="checkbox"/> |
| ■ I have sent copies of this application to the chief officer of police (please read guidance note 3) | <input checked="" type="checkbox"/> |
| ■ I have enclosed the consent form completed by the proposed premises supervisor, if relevant | <input checked="" type="checkbox"/> |
| ■ I have enclosed the consent of the justices' licence holder to my application, if relevant | <input checked="" type="checkbox"/> |
| ■ I understand that if I do not comply with the above requirements my application will be rejected | <input checked="" type="checkbox"/> |

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

Part A4 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 5).
If signing on behalf of the applicant please state in what capacity.

Signature Gosschalks
Date 30/6/05

Capacity Solicitors and Authorised Agents for the Applicant

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (Please read guidance note 6). If signing on behalf of the applicant please state in what capacity.

Signature
Date
Capacity

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 7)	
Gosschalks Queens Gardens	
Post Town Hull	Post Code HU1 3DZ
Telephone number 01482 324252	Ref: RJT/HMX/101254.198.4
E-mail address (optional) jdw@gosschalks.co.uk	Contact: Hugo Moore

IF YOU WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S) UNDER SECTION 34 OR 37 OF THE LICENSING ACT 2003, NOW COMPLETE PART B OF THIS FORM.

IF YOU DO NOT WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S), YOU SHOULD LEAVE PART B BLANK.

PART B – Application to vary a premises licence under the Licensing Act 2003

I/We JD WETHERSPOON, being the proposed premises licence holder of an existing licence to be converted under the terms of Schedule 8 to the Licensing Act 2003 apply to vary it under section 34 of the Licensing Act 2003 (delete as applicable) for the premises described in Part A above.

Part B1 – Variation

Do you want the proposed variation to have effect from the second appointed day?

Please tick ✓



Day Month Year

If not do you want the variation to take effect from

--	--	--	--	--	--	--	--

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

--

Please describe briefly the nature of the proposed variation. (Please read guidance note 8)

1. To allow accompanied children under 16 in the bar in line with the provisions of Licensing Act 2003.
2. To increase the hours allowed for regulated entertainment, late refreshment and for the sale and supply of alcohol.
3. To remove the ancillary nature of alcohol in respect of music and dancing and/or food.
4. To allow promotional videos, music videos and the like to be shown.
5. To remove the restrictions in relation to drinking up.
6. To remove all conditions attached to the Public Entertainment Licence and any attached to the Special Hours Certificate.

Part B2 – Operating Schedule

Please complete those parts of the operating schedule which would be subject to change if this application to vary were successful.

What licensable activities do you now intend to conduct on the premises and/or at what varied times do you intend to conduct them?

(Please see section 1 of the Licensing Act 2003 and Schedule 1 to the Licensing Act 2003)

Please tick ✓ Yes

Provision of regulated entertainment

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

Provision of entertainment facilities for:

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

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

☒

Sale by retail of alcohol (if ticking yes, fill in box M)

☒

Please complete Part B3 of this form.

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick [✓] (please read guidance note 9)	Indoors	Outdoors	Both
Day	Start	Finish	Please give further details here (please read guidance note 10)			
Mon						
Tue						
Wed						
Thur						
			State any seasonal variations for performing plays (please read guidance note 11)			
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 12)			
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both - - please tick [✓] (please read guidance note 9)	
			Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 10)	
Mon	09:00	03:00	Advertisements, promotional videos, music videos and anything of the like kind.	
Tue	09:00	03:00		
Wed	09:00	03:00	State any seasonal variations for the exhibition of films (please read guidance note 11)	
			New Years Eve until the commencement of permitted hours on the following morning.	
Thur	09:00	03:00		
Fri	09:00	03:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 12)	
			In line with the hours mentioned under non-standard timings in Box M.	
Sat	09:00	03:00		
Sun	09:00	03:00		

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 10)	
Day	Start	Finish		
Mon				
Tue			State any seasonal variations for indoor sporting events (please read guidance note 11)	
Wed				
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 12)	
Fri				
Sat				
Sun				

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [✓] (please read guidance note 9).	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 10)		
Mon					
Tue					
Wed					
Thur			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 11)		
Fri					
Sat					
Sun					
			Non standard timings. Where you intend to use the premises for boxing or wrestling at different times to those listed in the column on the left, please list (please read guidance note 12)		

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick [✓] (please read guidance note 10)	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 10)		
Mon	09:00	03:00	Live music may be provided on an occasional basis.		
Tue	09:00	03:00			
Wed	09:00	03:00			
Thur	09:00	03:00	State any seasonal variations for the performance of live music (please read guidance note 11) For the avoidance of doubt by virtue of the Regulatory Reform (Special Occasions Licensing) Order 2002 this licensable activity is allowed to take place on New Years Eve until the commencement of permitted hours on the following day.		
Fri	09:00	03:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 12) In line with the hours mentioned under non-standard timings in Box M.		
Sat	09:00	03:00			
Sun	09:00	03:00			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the performance of recorded music take place indoors or outdoors or both – please tick [✓] (please read guidance note 9)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 10)		
Mon			For the avoidance of doubt, this section has not been completed as recorded music without limitation is a converted right.		
Tue					
Wed			State any seasonal variations for playing recorded music (please read guidance note 11)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick [✓] (please read guidance note 9)	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 10)		
Mon	09:00	03:00			
Tue	09:00	03:00			
Wed	09:00	03:00	State any seasonal variations for the performance of dance (please read guidance note 11)		
Thur	09:00	03:00	For the avoidance of doubt by virtue of the Regulatory Reform (Special Occasions Licensing) Order 2002 this licensable activity is allowed to take place on New Years Eve until the commencement of permitted hours on the following day.		
Fri	09:00	03:00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat	09:00	03:00			
Sun	09:00	03:00	In line with the hours mentioned under non-standard timings in Box M.		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing Occasional performances by entertainers.		
Day	Start	Finish	Will the performance of dance take place indoors or outdoors or both – please tick [✓] (please read guidance note 9)	Indoors	<input checked="" type="checkbox"/>
Mon	09:00	03:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	09:00	03:00	Please give further details here (please read guidance note 10)		
Wed	09:00	03:00			
Thur	09:00	03:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 11)		
Fri	09:00	03:00	For the avoidance of doubt by virtue of the Regulatory Reform (Special Occasions Licensing) Order 2002 this licensable activity is allowed to take place on New Years Eve until the commencement of permitted hours on the following day.		
Sat	09:00	03:00	Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sun	09:00	03:00	In line with the hours mentioned under non-standard timings in Box M.		

I

Provision of facilities for making music Standard days and timings (please read guidance note 8)			Please give a description of the facilities for making music you will be providing Floor space as required.		
Day	Start	Finish	Will the facilities for making music be indoors or outdoors or both – please tick [✓] (please read guidance note 9).	Indoors	<input checked="" type="checkbox"/>
Mon	09:00	03:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	09:00	03:00	Please give further details here (please read guidance note 10)		
Wed	09:00	03:00			
Thur	09:00	03:00	State any seasonal variations for the provision of facilities for making music (please read guidance note 11)		
Fri	09:00	03:00	For the avoidance of doubt by virtue of the Regulatory Reform (Special Occasions Licensing) Order 2002 this licensable activity is allowed to take place on New Years Eve until the commencement of permitted hours on the following day.		
Sat	09:00	03:00	Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sun	09:00	03:00	In line with the hours mentioned under non-standard timings in Box M.		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 8)			Will the facilities for dancing be indoors or outdoors or both – please tick [✓] (please read guidance note 9).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish			
Mon	09:00	03:00	Please give further details here (please read guidance note 10)		
Tue	09:00	03:00			
Wed	09:00	03:00	State any seasonal variations for providing dancing facilities (please read guidance note 11) For the avoidance of doubt by virtue of the Regulatory Reform (Special Occasions Licensing) Order 2002 this licensable activity is allowed to take place on New Years Eve until the commencement of permitted hours on the following day.		
Thur	09:00	03:00			
Fri	09:00	03:00	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat	09:00	03:00			
Sun	09:00	03:00	In line with the hours mentioned under non-standard timings in Box M.		

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment facility you will be providing Floor space as required.		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick [✓] (please read guidance note 9).	Indoor	✓
Mon	09:00	03:00		Outdoor	
				Both	
Tue	09:00	03:00	Please give further details here (please read guidance note 10)		
Wed	09:00	03:00			
Thur	09:00	03:00	State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within J or K (please read guidance note 11) For the avoidance of doubt by virtue of the Regulatory Reform (Special Occasions Licensing) Order 2002 this licensable activity is allowed to take place on New Years Eve until the commencement of permitted hours on the following day.		
Fri	09:00	03:00			
Sat	09:00	03:00	Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within J or K at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sun	09:00	03:00			
			In line with the hours mentioned under non-standard timings in Box M.		

L

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [✓] (please read guidance note 9).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 10)		
Mon	23:00	02:00			
Tue	23:00	02:00			
Wed	23:00	02:00			
Thur	23:00	02:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 11) For the avoidance of doubt by virtue of the Regulatory Reform (Special Occasions Licensing) Order 2002 this licensable activity is allowed to take place on New Years Eve until the commencement of permitted hours on the following day.		
Fri	23:00	02:00			
Sat	23:00	02:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 12) In line with the hours mentioned under non standard timings in Box M.		
Sun	23:00	02:00			

M

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption - Please tick box ✓ (please read guidance note 13).	On the premises	
				Off the premises	
				Both	✓
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 11) For the avoidance of doubt Good Friday and Christmas Day are included within the standard timings shown in this part. However the position in relation to New Years Eve remains as existing under Licensing Act 1964 (ie on New Years Eve alcohol sales may continue until the start of trading hours on New Years Day).		
Mon	09:00	02:00			
Tue	09:00	02:00			
Wed	09:00	02:00			
Thur	09:00	02:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 12) On Christmas Eve until 3.00 am On Boxing Day until 3.00 am		
Fri	09:00	02:00			
Sat	09:00	02:00	For an additional hour to the finish times on the following days:- Burns Night – 25 January Australia Day – 26 January St David's Day – 1 March St Patrick's Day – 17 March St George's Day – 23 April St Andrew's Day – 30 November On the morning of the day the clocks go forward (in order to negate the loss of one hour's trading on the relevant day) For an additional 30 minutes to the finish times on the following days:- Thursday immediately preceding Good Friday Sunday immediately preceding a Bank Holiday Monday From 6.00 am until the beginning of the standard hours or until 3.00 am as follows:- On no more than 12 occasions per calendar year. These extensions for the supply of alcohol can only take place if at least 7 days notice is provided to the Police and the Licensing Authority and <u>only</u> if the Police give their consent.		
Sun	09:00	02:00			

IN ALL CASES, PLEASE COMPLETE BOXES N, O, P AND Q

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 14)

NONE

O

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variation (please read guidance note 11)
Date	Start	Finish	
Mon	07:00	03:00	
Tue	07:00	03:00	
Wed	07:00	03:00	Non-standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 12) In line with the hours mentioned under non standard timings in Box M plus an additional hour. For an additional hour on the morning of the day the clocks go forward (in order to negate the effect of the change from British Summer Time to Greenwich Meantime). Notwithstanding these usual opening times, the premises, in accordance with the converted right, may choose to open to the public at any time for non-licensable activities/purposes.
Thur	07:00	03:00	
Fri	07:00	03:00	
Sat	07:00	03:00	
Sun	07:00	03:00	

P

Please identify any of the conditions, terms or restrictions currently imposed on the converted licence which you believe could be removed as a consequence of the proposed variation you are seeking.

1. To remove the restrictions and effects of Section 168, 168A and Section 171 Licensing Act 1964 so as to allow the provisions under the Licensing Act 2003 to apply in relation to children.
2. To remove the restrictions relating to permitted hours as set out in Section 60 Licensing Act 1964 with the exception of New Years Eve.
3. To remove the ancillary nature of alcohol sales under the Special Hours Certificate: Sections 76-83 of the Licensing Act 1964.
4. To remove the restriction on consumption of alcohol as set out in Section 63(1) of the Licensing Act 1964 (i.e. drinking up time).
5. To remove all conditions attached to the Public Entertainment Licence and any attached to the Special Hours Certificate.

Q Please describe any additional steps that you intend to take in order to promote the four licensing objectives if the proposed variation is granted:

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 15)

Existing Company procedures will be applied to the premises in relation to the additional hours that are requested, and further information in respect of the Company procedures and policies can be found in the attached documents.

JD Wetherspoon – Overview of Operations
JD Wetherspoon Approach to Responsible Drinks Retailing.

b) The prevention of crime and disorder

The Company is committed to strict compliance with the law in the course of the operation of its premises and to maintaining good standards of behaviour by its customers. The measures identified in the attached Overview of Operations are designed to meet the Prevention of Crime and Disorder objective and maybe found at sections A, B, C, D, E, F, G, I, J and L. These measures will continue to apply to the additional hours sought by this variation.

c) Public safety

JD Wetherspoon undertakes ongoing risk assessments in order to comply with Health and Safety legislation. The attached Overview of Operations identifies certain areas from a licensing perspective which address the Public Safety objective. Please see sections A, B, C, D, G, I, J and L.

d) The prevention of public nuisance

There is to be no change in the trading terms of these premises other than the later opening hours sought by this variation. The existing measures identified in the attached Overview of Operations will continue to apply. Please see sections A, B, C, D, E, F, G, I, J and L.

e) The protection of children from harm

The company has many years of experience in catering for families with over 95% of its premises having the benefit of Children Certificates. It is Company policy that children will be required to vacate the Bar by 21.00hrs unless they are eating in which case they will be required to vacate the Bar by 21.30hrs. Children must always be accompanied by an adult who will be required to maintain constant supervision of them. The measures identified in the attached Overview of Operations provide further confirmation of the Company's compliance with the Protection of Children From Harm Objective. Please see sections A, B, C, D, G, I, J, K and L.

Part B3 – Premises Supervisor

Full name of proposed designated premises supervisor

THERE IS NO APPLICATION TO VARY THE PREMISES SUPERVISOR (THE NAME OF THE PREMISES SUPERVISOR IS SHOWN ON PART A3 OF THE OPERATING SCHEDULE).

Address of proposed designated premises supervisor

The William Rufus (Lloyds)
10-16 Botchergate
Carlisle
Cumbria
CA1 1QS

Personal licence number of proposed designated premises supervisor, if any, and issuing authority of the personal licence, if applicable

Not known

- Please tick ✓ Yes
- I enclose the consent form completed by the proposed premises supervisor ☐
 - I will give a copy of Part B3 of this application to the chief officer of police (section 37 of the Licensing Act 2003) ☐
 - I have sent copies of this application to vary (except Part B3) to responsible authorities and others where applicable (section 34 of the Licensing Act 2003) ☒
 - I understand that I must now advertise my application to vary (section 34 of the Licensing Act 2003) ☒
 - I understand that if I do not comply with the above requirements my application will be rejected ☒

Part B4 – Signatures (please read guidance note 16)

Signature of applicant (the proposed current premises licence holder) or applicant's solicitor or other duly authorised agent. (See guidance note 17). If signing on behalf of the applicant please state in what capacity.

Signature: Conseal Ms

Date: 30/6/05

Capacity: APPLICANTS SOLICITORS

Where the premises licence is jointly held signature of 2nd applicant (the proposed current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (Please read guidance note 18). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 19)

Post town

Post code

Notes for Guidance

PART A

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and provide a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where the conditions to which your existing licence(s) is granted do not relate solely to any one of the four licensing objectives, please describe such conditions in the general box.
3. The law requires you to send a mandatory copy of this application to the chief officer of police for that area at the same time as sending to the relevant licensing authority.
4. The application form must be signed.

5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
7. This is the address we shall use to correspond with you about this application.

PART B

This application cannot be used to vary the licence to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act.

8. Please give timings in 24 hour clock and only give details for days of the week when you intend the premises to be used for the activity.
9. Where taking place in a building or other structure, please tick as appropriate. Indoors may include a tent.
10. Please 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.
11. For example (but not exclusively), where the activity will occur on additional days during the summer.
12. For example (but not exclusively), where you wish the activity to go on longer on a particular day ie Christmas Eve.
13. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
14. Please give information about anything to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gambling machines.
15. Please list here steps you will take to promote all four licensing objectives together.
16. The application form must be signed.
17. A applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
18. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
19. This is the address which we shall use to correspond with you about this application.

J D WETHERSPOON PLC

OVERVIEW OF OPERATIONS

A. PROCEDURAL DEVELOPMENT AND THE LICENSING OBJECTIVES

1. JD Wetherspoon plc currently operates over 550 licensed premises throughout England and Wales. Over the last 25 years the company has developed a sophisticated range of procedures aimed at providing a safe and convivial environment in which the public may enjoy the wide range of facilities which the company offers.
2. The procedures which the company has put in place are subject to constant review and improvement and are the result of careful consideration by our experienced team of directors, managers and professional advisors.
3. It has always been the company's policy to work closely with the statutory authorities and to adopt their recommendations where appropriate. The result is that our operating procedures address each of the Licensing Objectives under the Licensing Act 2003 and comply closely with other regulatory requirements.

4. This Overview of Operations is intended to provide a general guide to the way in which the company seeks to trade. There is a considerable overlap between the measures we have adopted and the Licensing Objectives so that some of the company's procedures will simultaneously address more than one of the objectives. For example, the staff training procedures address all four objectives while the CCTV policy meets the crime prevention and the prevention of public nuisance objectives.
5. Where appropriate, the objective which is addressed by a particular procedure is identified in the relevant heading.

B. KEY ELEMENTS OF A JD WETHERSPOON PUB

6. The combination of facilities offered within the company's premises is the key to our success and compliance with the licensing objectives. They are considered in detail below but most significantly include:

- ★ Carefully planned and well appointed premises with the provision of high quality furniture in a high proportion of the licensed area.
- ★ Extensive range of well kept traditional ales.
- ★ Carefully selected wines by the bottle and glass
- ★ Large range of soft drinks, including fresh juices
- ★ Enhanced range of coffee, cappuccino, latte, espresso and tea
- ★ Wide ranging food menu available throughout trading hours (to 1 hr before closing or midnight whichever is the earlier)
- ★ Extensive kitchen provision
- ★ Full disabled facilities
- ★ No smoking areas (a minimum of one third of the trading area - with all new openings totally non smoking and an ongoing conversion of the existing estate)

C. MANAGEMENT STRUCTURE

LICENSING OBJECTIVE MET

THE PREVENTION OF CRIME AND DISORDER ✓

PUBLIC SAFETY ✓

THE PREVENTION OF PUBLIC NUISANCE ✓

THE PROTECTION OF CHILDREN FROM HARM ✓

7. Each of the company's premises is managed by a team of between 4 and 8 managers (an average of over 5) with control over the day to day operation on site and responsible for a full team of staff. This strength in depth enables managers to play a much greater part in front of house supervision than in most licensed premises.
8. These managers have the support of their area manager who in turn reports to one of the company's general managers, while the regional operations directors maintain regular contact with management at all levels.

D. STAFF TRAINING

LICENSING OBJECTIVE MET

THE PREVENTION OF CRIME AND DISORDER

✓

PUBLIC SAFETY

✓

THE PREVENTION OF PUBLIC NUISANCE

✓

THE PROTECTION OF CHILDREN FROM HARM

✓

9. It is widely recognised that the level and quality of staff training is a significant factor in controlling the behaviour of customers on licensed premises.

10. JD Wetherspoon has always taken great care in the training of staff at all levels and provides extensive training facilities for the purpose.

11. Indeed, the company is recognised by the industry as being at the forefront of good training practice, winning the Supreme Training Award from the British Institute of Innkeeping in 2004 for the third year.

12. Training of management is undertaken on a modular basis with continuing assessment throughout the employment period.

13. Bar staff training is primarily undertaken by on site managers according to company procedures.

14. The Company utilises an extensive network of Area Training Co-ordinators to ensure that management and staff training has been undertaken and to the right standard. There is typically one co-ordinator for every 6-8 pubs.

E. FOOD PROVISION

LICENSING OBJECTIVE MET

THE PREVENTION OF CRIME AND DISORDER ✓

PUBLIC SAFETY

THE PREVENTION OF PUBLIC NUISANCE ✓

THE PROTECTION OF CHILDREN FROM HARM

15. The provision of good quality food at reasonable prices is of paramount importance to the company. The wide ranging menu is the subject of regular review and provides carefully selected options from breakfast through to late night dining.

16. Customers may place orders for food at the bar and it is the company's policy to serve to table within ten minutes. The majority of the menu is available throughout trading hours until midnight or one hour before closing (whichever is the earlier).

17. The kitchen facilities have been developed to a high standard so as to ensure that the high level of demand is fully catered for.

18. It is significant that the sale of food accounts for 26% of the company's total turnover while in many of the company's pubs a figure of 50% is typically achieved.

19. There are no designated dining areas and food is typically served throughout the pub.

F. DRINKS PROVISION

LICENSING OBJECTIVE MET

THE PREVENTION OF CRIME AND DISORDER ✓

PUBLIC SAFETY

THE PREVENTION OF PUBLIC NUISANCE ✓

THE PROTECTION OF CHILDREN FROM HARM

20.JD Wetherspoon, as a retailer of alcohol, recognises the importance of encouraging customers to drink responsibly and to behave well. It is clear that this can be achieved, in part, by ensuring that staff are well trained and are fully aware of their responsibilities. It is for this reason that the company has developed its training programme to such a high standard (see Section D above). Furthermore, it is recognised across the industry that the provision of good food at reasonable prices is a significant factor in creating a well controlled environment (see Section E above).

21.The company does not engage in irresponsible discounting and has developed a policy against the practise of "selling up" so as to remove potential incentives for people to drink more alcohol than they intended to.

22.JD Wetherspoon also sells a wide range of soft drinks at considerably lower prices than almost all other pubs. Studies have shown that the availability and prominent display of soft drinks, tea and coffee have a helpful effect on excessive

alcohol consumption. In fact, the company sells more cups of coffee than the best selling bottled lager (Budweiser).

23. Wetherspoon also concentrates on the provision of cask conditioned beers – selling more than any other pub company and having a greater concentration of pubs in The Good Pub Guide than any other company. Cask ale typically attracts a broader cross-section of customers.

G. SECURITY

LICENSING OBJECTIVE MET

THE PREVENTION OF CRIME AND DISORDER ✓

PUBLIC SAFETY ✓

THE PREVENTION OF PUBLIC NUISANCE ✓

THE PROTECTION OF CHILDREN FROM HARM ✓

DOOR STAFF

24.The vast majority of JD Wetherspoon premises operate successfully without the need for door supervisors, as the various measures outlined above create an environment which helps to prevent bad behaviour in any event.

25.There is no doubt that door supervisors can assist with customer control in particularly large premises or in very busy town centres, and on some specific occasions such as some football matches.

26.The high number of managers within JD Wetherspoon premises can deal with issues that may arise, although they do not need to perform the duties traditionally associated with door supervision.

27.The company is always happy to liaise with police and other relevant authorities as to the need for door supervisors in addition to our management levels and will accept using them if it is felt appropriate.

CCTV

28.CCTV is provided throughout JD Wetherspoon premises. It has proved to be an active deterrent in terms of anti social behaviour and the company is committed to continuing its provision.

29.CCTV tapes will be retained for a period of at least 30 days while in some premises the company has installed digital systems.

H. NO SMOKING POLICY

30.JD Wetherspoon pioneered the provision of no smoking areas in pubs. It is a standard feature of all of the company's pubs that a minimum of 30% of the customer area is permanently set aside as no smoking.

31.Similarly, the company was the first to introduce a policy that smoking is not permitted at the bar counter.

32.It is envisaged that new developments of premises will be entirely no smoking.

I. CQSMA (CLEANLINESS, QUALITY, SERVICE, MAINTENANCE, ATMOSPHERE)

LICENSING OBJECTIVE MET

THE PREVENTION OF CRIME AND DISORDER

✓

PUBLIC SAFETY

✓

THE PREVENTION OF PUBLIC NUISANCE

✓

THE PROTECTION OF CHILDREN FROM HARM

✓

33. The standards that are expected to be introduced when JD Wetherspoon opens a new pub are maintained by constant supervision and monitoring through the system of "mystery visits" to the premises to assess "Cleanliness, Quality, Service, Maintenance and Atmosphere (CQSMA).

34. All operational head office staff and all senior head office staff are required to undertake between 15 and 60 "mystery visits" to Wetherspoon pubs per month. They are required to assess the premises in a number of areas varying from the cleanliness of the toilets to the friendliness of the staff.

35. In addition every single set of premises is visited and assessed on at least 2 occasions by a third party independent company every month.

36. The CQSMA results assist in maintaining high standards but also allow pubs experiencing difficulties to be identified so that improvements can be made.

37. By this method, staff bonuses are significantly linked to good standards and service.

38. Management staff earn around 40% of their total bonus through CQSMA and bar staff around two thirds. As far as the Company is aware, no other company places so much emphasis (and bonus) on this non-financial aspect of running a pub business.

J. LIAISON WITH POLICE AND STATUTORY AUTHORITIES

LICENSING OBJECTIVE MET

THE PREVENTION OF CRIME AND DISORDER

✓

PUBLIC SAFETY

✓

THE PREVENTION OF PUBLIC NUISANCE

✓

THE PROTECTION OF CHILDREN FROM HARM

✓

39. Regular contact with the police and statutory authorities has always been a corner stone of JD Wetherspoon's operational procedures. In accordance with the scheme of the Licensing Act 2003 the company is committed to continuing to work in partnership with the "relevant authorities" and will comply with reasonable recommendations and requirements where they are identified.

K. CHILDREN

LICENSING OBJECTIVE MET

THE PREVENTION OF CRIME AND DISORDER

PUBLIC SAFETY

THE PREVENTION OF PUBLIC NUISANCE

THE PROTECTION OF CHILDREN FROM HARM ✓

40. The Company has many years of experience in catering for families. Over 95% of all Wetherspoon premises have been the subject of Children's Certificates.

41. The Children's menu has been fine tuned over the years to provide wholesome and healthy food that is attractive to children at a reasonable price. It was awarded the Eat Out Magazine Menu Masters 2005 prize.

42. The provision of that menu and soft drinks to children accompanied by adults both during the day and in the early evening represents an important element in our place in the local community.

L. DISPERSAL POLICY

LICENSING OBJECTIVE MET

THE PREVENTION OF CRIME AND DISORDER ✓

PUBLIC SAFETY ✓

THE PREVENTION OF PUBLIC NUISANCE ✓

THE PROTECTION OF CHILDREN FROM HARM ✓

43. We operate a good neighbour principle throughout our estate and as we have always emphasised building and maintaining close relationships with local residents and our premises are run and managed accordingly. Our managers are expected to deal with any complaints from local residents quickly and effectively.

44. In relation to dispersal all of our staff are aware of and operate the following procedures and systems as required to ensure that we operate in a neighbourly manner.

45. Effective management of customer behaviour whilst in the premises by

- ★ High staff/management to customer ratio
- ★ Management presence front of house at all times

- ★ Adoption of the attached JDW Responsible Drinks Retailing Police to minimise the risk of anti social behaviour away from the premises

46. In our experience we find that because we attract a broad cross section of people we tend to peak about 1 hour before closing. We are requesting a 1 hour drinking up time to be incorporated within the premises licence also for the purpose of assisting with the gradual dispersal of all customers in the premises at the end of the evening. We also ensure that there is strong management presence and staff presence in the customer area during the closing time period to ensure all customers leave quietly. Furthermore where appropriate signage is placed at exit doors and information is also provided about local transport.

47. We operate over 40 premises in Scotland, many of which have licences until midnight (Glasgow) or 1am (Edinburgh) and our experience is that we have not attracted a different clientele and indeed food sales are very strong in Scotland.

M. ENTERTAINMENT

LICENSING OBJECTIVE MET

THE PREVENTION OF CRIME AND DISORDER

✓

PUBLIC SAFETY

✓

THE PREVENTION OF PUBLIC NUISANCE

✓

THE PROTECTION OF CHILDREN FROM HARM

✓

48.JD Wetherspoon has extensive experience of providing entertainment by way of music and dancing in its Lloyds No.1 brand.

49.All premises are developed to a high standard to ensure good sound attenuation and a safe environment for dancing.

50.Music is provided by means of high quality sound systems controlled by central computers so that the Company maintains control over the style of music played.

51.The sound systems allow for music to be zoned within the premises which allows for the level of music to vary in accordance with the use of different areas and to ensure that particularly sensitive parts of the premises are quieter.

52.Designated dance floors are provided and it is the Company's policy that drinks are not permitted in these areas so as to ensure the safety of customers.

53. Music levels are reduced towards the end of the evening to assist in the quiet and orderly dispersal of customers.

54. In common with all Wetherspoon's premises the provision of food is a central element and has been found to be particularly popular in the Lloyd No.1 brand. The full menu is available until late hours and appropriate staff and kitchen facilities continue to be available for this purpose.

55. The CQSMA mystery visits continue to operate during later hours and Area Managers, Head of Departments and Directors are required to ensure that they are undertaken. Please see Section I above.

CUMBRIA CONSTABULARY

ASU Facsimile: 01768 218299
 Telephone: 01228 528191
 Email

Please ask for: Richard Higgin

My Reference:
 Your Reference:

Area Commander
 North Cumbria Area
 Supt Andy Davidson

County Police Station
 Citadel Row
 Carlisle
 Cumbria CA3 8QW



Licensing Department
 Environmental Protection Services
 Carlisle City Council
 Civic Centre
 Carlisle CA3 8QG

20th July 2005

Dear Sir,

Objection to proposed operating schedule [REDACTED] and Woodrow Wilson's

With regards to the above premises they have both applied to increase their hours under the Licensing Act 2003. At present both premises are proposing not to have any door supervisors whilst open.

Cumbria Constabulary wish to object to this proposal under the Crime and Disorder objective as both premises are situated in the middle of Botchergate the main thoroughfare for people using the nighttime economy.

The area is currently a hot spot for violent crime and disorder and it is felt that should neither premises employ door supervisors there are unruly elements in Carlisle, which would exploit this for example those currently excluded under the pub watch scheme, which would in turn potentially increase crime and disorder.

It has long been a prerequisite of premises operating under a Public Entertainment licence in Carlisle to employ door supervisors and I propose that should either William Rufus or Woodrow Wilson's wish to remain open beyond midnight on Friday, Saturdays and Sundays they should employ door supervisors to protect both the staff and members of the public frequenting the premises.

I feel that if both were allowed to operate without door supervisors it would set a dangerous precedence in Carlisle and we would return to the days of the Police having to enter licensed premises on the request of the licensee to deal with large-scale disorder.

My proposal is should the premises intend to remain open beyond midnight door supervisors should be employed from 9pm until closure on the days I have outlined.

Yours faithfully,

Richard Higgin
 Carlisle City Sergeant