

NOTTINGHAM CITY COUNCIL
SPECIAL LICENSING PANEL

Date: Tuesday 27 November 2012

Time: 10.30am

Place: Meeting Room LB 32 - 3rd Floor at Loxley House, Station Street

Councillors are requested to attend the above meeting on the date and at the time and place stated to transact the following business.



Acting Corporate Director of Resources

Constitutional Services Officer: Mark Leavesley Direct dial - 8764302

A G E N D A

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTERESTS

3 APPLICATION FOR A PREMISES LICENCE D BAR, 191 ALFRETON ROAD, RADFORD, NOTTINGHAM NG7 3NW
Report of Corporate Director for Communities

Attached

<p>PLEASE NOTE, THIS IS A TWO DAY PANEL. THE PANEL WILL BE CONTINUED ON 28 NOVEMBER AT 10:30AM IN ROOM LH3.30, LOXLEY HOUSE, STATION STREET.</p>

IF YOU ARE UNSURE WHETHER OR NOT YOU SHOULD DECLARE AN INTEREST IN A PARTICULAR MATTER, PLEASE CONTACT THE CONSTITUTIONAL SERVICES OFFICER SHOWN ON THIS AGENDA, IF POSSIBLE BEFORE THE DAY OF THE MEETING, WHO WILL PROVIDE ADVICE IN THE FIRST INSTANCE.

CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT LEAST FIFTEEN MINUTES BEFORE THE START OF THE MEETING TO BE ISSUED WITH VISITOR BADGES

Agenda, reports and minutes for all public meetings can be viewed online at:-
<http://open.nottinghamcity.gov.uk/comm/default.asp>

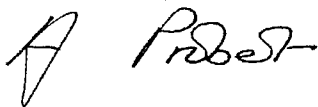
NOTTINGHAM CITY COUNCIL
SPECIAL LICENSING PANEL

Date: Wednesday 28 November 2012

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Place: LH 3.30 at Loxley House, Station Street

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Acting Corporate Director of Resources

Constitutional Services Officer: Mark Leavesley Direct dial - 8764302

A G E N D A

- 1 APOLOGIES FOR ABSENCE**
- 2 DECLARATIONS OF INTERESTS**
- 3 APPLICATION FOR A PREMISES LICENCE D BAR, 191 ALFRETON ROAD, RADFORD, NOTTINGHAM NG7 3NW (CONTINUATION)**
Report of Corporate Director for Communities

Attached

<p>PLEASE NOTE, THIS IS A TWO DAY PANEL. THE FIRST DAY OF THIS PANEL HEARING IS 27 NOVEMBER AT 10:30AM IN ROOM LB32, LOXLEY HOUSE, STATION STREET.</p>

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REPORT OF CORPORATE DIRECTOR FOR COMMUNITIES

Applicant:	Winston Douglas Reid
Application Premises:	D Bar 191 Alfreton Road Radford Nottingham NG7 3NW The location of the premises is shown on the map.
Date application Received:	11 October 2012
Last date for representations:	8 November 2012 The Licensing Officer displayed public notice of this application in accordance with Regulations 26B and C of the Licensing Act 2003 (Premises Licence) Regulations 2005 (as amended) from 12 October to 8 November 2012 inclusive.
Nature of Application	Application for a New Premises Licence <u>Summary of proposals:</u> <ul style="list-style-type: none"> Plays, Films, Indoor Sporting Events, Live & Recorded Music, Performances of Dance on Friday and Saturday from 19.00 hrs to 02.00 hrs the following morning and Sunday from 19.00 hrs to 01.00 hrs the following morning. Late Night Refreshment on Friday and Saturday from 23.00 hrs to 2.30 hrs. Sale by Retail of Alcohol from Sunday to Thursday from 11.00 hrs to 1.30 hrs the following morning. Friday and Saturday from 11.00 hrs to 2.30 hrs the following morning. Opening Hours on Sunday to Thursday from 11.00 hrs to 02.00 hrs the following morning. Friday and Saturday from 11.00 hrs to 03.00 hrs the following morning. <p>NB – Although the application included reference to provision of “entertainment facilities”, as a result of the Live Music Act 2012, these are no longer licensable.</p> <p>See copy application attached</p>
Steps Applicant proposes to take to promote the Licensing Objectives	See operating Schedule/application for full details
Relevant representations received	<u>Responsible Authorities:</u> Police objected on the grounds of the prevention of crime & disorder, public safety and the prevention of

	<p>public nuisance and the protection of children from harm.</p> <p><u>Other Persons</u> Councillor Stephanie Williams objected on the grounds of the prevention of crime & disorder, prevention of public nuisance and the protection of children from harm.</p>
Any other relevant background information	<p>Following a representation from the Food Team the Applicant has agreed two potential conditions.</p> <p>The premises licence for the D Bar was previously revoked at a summary review hearing on 14 & 16 February 2011.</p>
Issues	
Issue 1	Whether the application promotes the Prevention of Crime and Disorder Objective
Issue 2	Whether the application promotes the Public Safety Objective
Issue 3	Whether the application promotes the Prevention of Public Nuisance Objective
Issue 4	Whether the application promotes the Protection of Children from Harm Objective
Relevant Policy	
General:	2.3 – 2.5
Issue 1	Paragraphs 2.6-2.10 and Appendix A of the Statement of Licensing Policy
Issue 2	Paragraphs 2.11-2.13 and Appendix A of the Statement of Licensing Policy
Issue 3	Paragraphs 2.14-2.16 and Appendix A of the Statement of Licensing Policy
Issue 4	Paragraphs 2.17-2.19 and Appendix A of the Statement of Licensing Policy
Relevant Guidance	
General:	Paragraphs 1.2 -1.5, 8.32-8.34, 8.74, 9.12, 9.27-9.36, 9.38 - 9.40, 10.1-10.13
Issue 1	Paragraphs 2.1 - 2.7
Issue 2	Paragraphs 2.8 - 2.17
Issue 3	Paragraphs 2.18 - 2.24
Issue 4	Paragraphs 2.25 - 2.34
If the application is granted it is suggested that the following conditions be considered for inclusion on the Licence:	
Mandatory Conditions	<p><u>S. 19 Licensing Act 2003</u></p> <ol style="list-style-type: none"> No supply of alcohol may be made under this licence <ol style="list-style-type: none"> At a time when there is no designated premises supervisor in respect of it or, At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence. (1) The responsible person shall take all reasonable steps to ensure that staff on

	<p>relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.</p> <p>(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children –</p> <p>(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –</p> <p>(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or</p> <p>(ii) drink as much alcohol as possible (whether within a time limit or otherwise)</p> <p>(b) provision of unlimited or unspecified quantities of alcohol free</p> <p>or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act)</p> <p>(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;</p> <p>(d) provision of free discounted</p>
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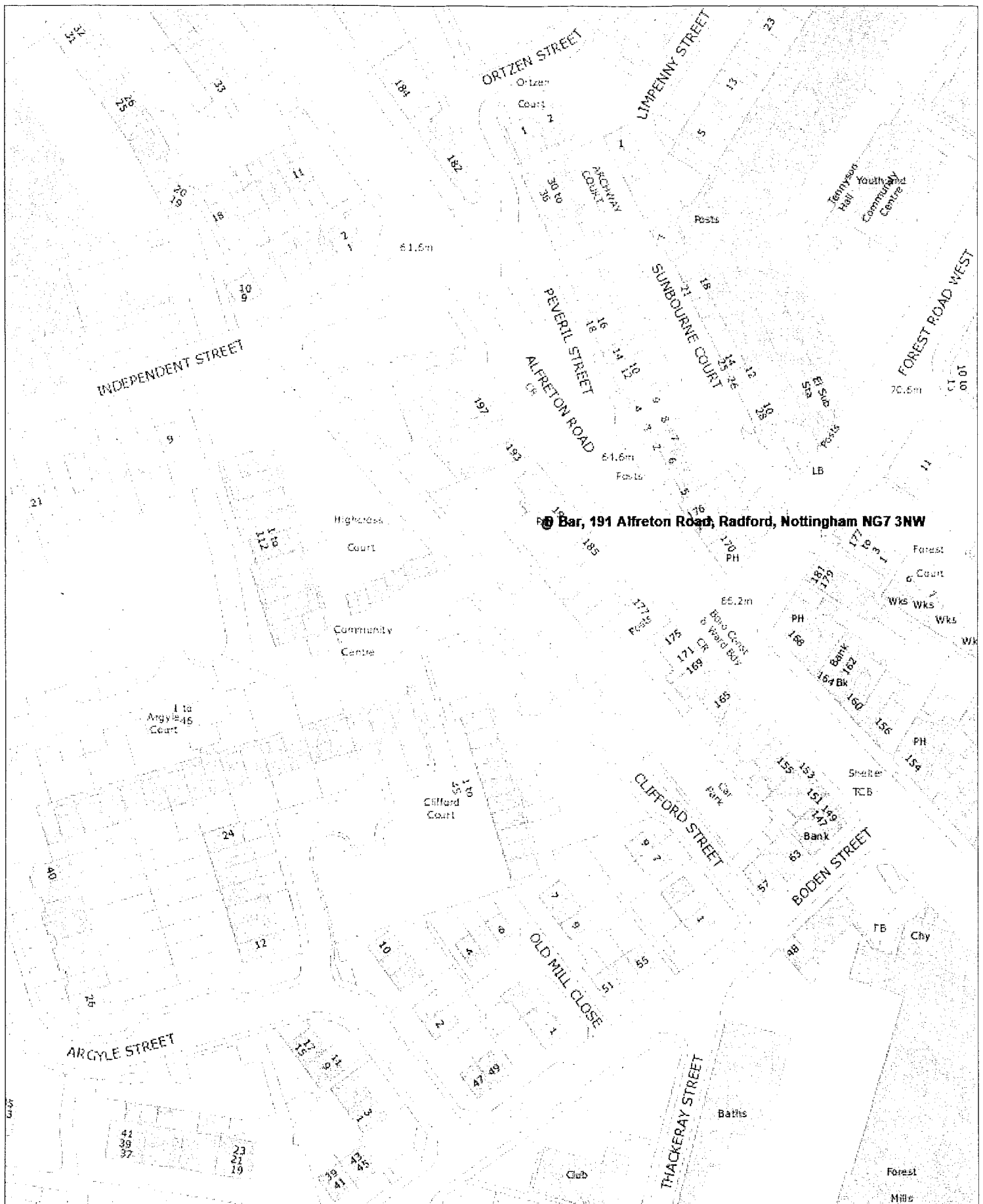
	<p>alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on –</p> <ul style="list-style-type: none"> (i) the outcome of a race, competition or other event or process, or (ii) the likelihood of anything occurring or not occurring; <p>(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.</p> <p>4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that person is unable to drink without assistance by reason of a disability).</p> <p>5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.</p> <p>6. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.</p> <p>7. The responsible person shall ensure that –</p> <ul style="list-style-type: none"> (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures- <ul style="list-style-type: none"> (i) beer or cider: ½ pint; (ii) gin, rum, vodka or whisky: 25 ml or 35
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	<p>ml; and (iii) still wine in a glass: 125 ml; and (b) customers are made aware of the availability of these measures.</p> <p><u>S. 20 Licensing Act 2003</u></p> <p>The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made</p> <ol style="list-style-type: none"> by the British Board of Film Classification (BBFC,) where the film has been classified by that Board, or by the Licensing Authority where no classification certificate has been granted by the BBFC, or, where the licensing authority has notified the licence holder that section 20 (3) (b) of the Licensing Act 2003 applies to the film. <p><u>S. 21 Licensing Act 2003</u></p> <p>Only individuals licensed under the Private Security Industry Act 2001 are entitled to carry out the relevant activity listed below by virtue of section 4 of that Act may be used at the premises to guard against:-</p> <ol style="list-style-type: none"> unauthorised access or occupation (eg through door supervision), or outbreaks of disorder, or damage
Agreed conditions	<p><u>Food Team:</u></p> <ol style="list-style-type: none"> All electrical sockets used by entertainers shall be fitted with residual current device protection (complying with BS 7671; Requirements for Electrical Installations) and labelled accordingly. Any dance floor(s) used for the provision of regulated entertainment shall be positioned in such a way as to ensure the safety of persons using the dance floor(s). The arrangements for access around any dance floor(s) and for seating in the vicinity of any such dance floor(s) shall be such that neither dancers nor others, seated or otherwise are put at risk of injury.
Conditions Consistent with the Operating Schedule	<ol style="list-style-type: none"> CCTV system shall be installed and maintained in the premises in accordance with Police Licensing Officers' recommendations and images shall be retained for 31 days and made available to the Police


	<p>and other authorised persons.</p> <ol style="list-style-type: none"> 2. Children shall be accompanied by an adult at all times, when permitted to be on the premises. 3. Children shall not be permitted on the premises after 20.00 hours. 4. A bound and sequentially paginated training book shall be kept to record staff training. This book is to be made available for inspection and copying by the Police and other officers of Responsible Authorities immediately on request and all such books to be retained at the premises for at least 12 months. 5. A bound book shall be kept and updated daily, containing the names, addresses and dates of birth, SIA registration number and hours worked of door supervisors employed on any particular day. This book shall be kept at the premises for at least twelve months and made available for inspection and copying by the Police immediately upon request. 6. Door supervisors shall use a body scanner on customers entering the premises to detect metal objects. 7. Signage to be displayed prominently throughout public areas detailing the premises users behavioural code.
Other Suggested conditions	None
Published documents referred to in compiling this report	Nottingham City Council Statement of Licensing Policy S182 Guidance – Oct 2012 (As amended) Licensing Act 2003

Andrew Errington
Director of Community Protection
Central Police Station
North Church Street
Nottingham
NG1 4BH

Contact Officer: Zoey Mayes: Tel 0115 8761756



**D Bar, 191 Alfreton Road,
Radford, Nottingham NG7 3NW**

 City Boundary

0 39.7 Meters



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Geoperspectives. 2007

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**Nottingham
City Council**

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I/We Winston Douglas Reid
(Insert name(s) of applicant)

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

Part 1 – Premises Details

Community & Culture - Licensing

Postal address of premises or, if none, Ordnance Survey map reference or description <u>191 Alfreton Road</u> <u>Radford</u> <u>Nottingham</u>	Time received <u>1 : OCT 2012</u> £ <u>105.00</u> <u>W-04 000 82623</u> <u>RECEIPT</u> <u>AT COUNTER</u>
Post town <u>Radford</u>	Post code <u>NG7 3NW</u>

Telephone number at premises (if any)	<u>07869254986</u>
Non-domestic rateable value of premises	<u>£ NO rateable value to £4,300</u>

Part 2 - Applicant Details

Bond
A.

Please state whether you are applying for a premises licence as

Please tick yes

- | | |
|---|---|
| a) an individual or individuals * | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i. as a limited company | <input 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 ☐ please complete section (B)
- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Reid			First names Winsten Douglas		
I am 18 years old or over			<input checked="" type="checkbox"/> Please tick yes		
Current postal address if different from premises address		191 Alfreton Road Nottingham			
Post Town	Roulford			Postcode	NG7 3NW
Daytime contact telephone number		07869254986			
E-mail address (optional)		douglasbarz1@googlemail.com			

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year	
0	9	1	1	2	0
1	2	0	1	2	

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

Day		Month		Year	

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

- fun pub, provide alcohol, soft drinks as well as bar snacks and hot drinks. Availability of games machines and two pool tables, sky sports, karaoke which includes music and dance
- CCTV security.

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

--

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

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

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

- | | |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
|---|-------------------------------------|

j) dancing (if ticking yes, fill in box J)

☒

k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K)

☐

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

☒

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

☒

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri	19:00	2:00			
Sat	19:00	2:00	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	19:00	1:00			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri	19:00	2:00	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 5)		
Sat	19:00	2:00			
Sun	19:00	1:00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			
Fri	19:00	2:00	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Sat	19:00	2:00	
Sun	19:00	1:00	

D

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri	19:00	2:00	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 5)		
Sat	19:00	2:00			
Sun	19:00	1:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri	19:00	2:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	19:00	2:00			
Sun	19:00	1:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri	19:00	2:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	19:00	2:00			
Sun	19:00	1:00			

H

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

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>	
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed				
Thur			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Fri	19:00	3:00	<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat	19:00	3:00		
Sun	19:00	1:00		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u>			
Day	Start	Finish				
Mon			<u>Please give further details here</u> (please read guidance note 3)			
Tue						
Wed						
Thur			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)			
Fri	19:00	3:00				
Sat	19:00	3:00				
Sun	19:00	1:00	<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			

K

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

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri	19:00 2300	2:30	<u>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</u> (please read guidance note 5)		
Sat	19:00 2300	2:30			
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises <input checked="" type="checkbox"/>
				Off the premises <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)	
Mon	11:00	1:30		
Tue	11:00	1:30		
Wed	11:00	1:30		
Thur	11:00	1:30		
Fri	11:00	2:30		
Sat	11:00	2:30		
Sun	11:00	2:30	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)	

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

Name	Winsten Douglas Reid
Address	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)



O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	11:00	2:00	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p>
Tue	11:00	2:00	
Wed	11:00	2:00	
Thur	11:00	2:00	
Fri	11:00	3:00	
Sat	11:00	3:00	
Sun	11:00	2:00	

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

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

b) The prevention of crime and disorder

Prevention is better than cure. To prevent crime and disorder on the premises, the appropriate signs are displayed to ensure that customers are aware (non-smoking sign, what we tolerate). CCTV cameras is good to capture the scenery and also acts as a preventative measure to crime and disorder. A body scanner is also appropriate to use to detect metal objects. We also have security on the premises which is good for deterrence.

c) Public safety

To promote public safety, again signs are used to show potential hazards. Trained staff are also on site to help to maintain good orderly behaviour.

d) The prevention of public nuisance

Staff are trained to look out for problems brewing before and deal with it before it gets out of control and making sure objects such as pool cues, loose wires etc are placed in appropriate places in a safe manner.

e) The protection of children from harm

We do not cater for children except for when they are with adults or parents. All children should vacate the premises by 8pm. Parents and adults are asked for children not to run around as this can be annoyance for others.

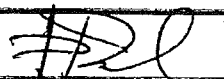
Please tick yes

- I have made or enclosed payment of the fee ☒
- I have enclosed the plan of the premises ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable ☒
- I understand that I must now advertise my application ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	
Date	10/10/12
Capacity	300

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

Signature	
Date	
Capacity	

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

Post town			Post code
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			



Form of Representation under the Licensing Act 2003

NB Before completing this form please read the quick guidance notes which accompanied it and refer to the City Council's Statement of Licensing Policy.

Once fully completed please return to: Licensing Officer, Public Protection, Derwent Building, Eastcroft Depot, London Road, Nottingham NG2 3AH

Section 1 – Licence application details

Please indicate as appropriate:

☒ I wish to object to the following application

☐ I wish to support the following application

Applicant premises name and address:

The D Bar, 191 Alferton Road, Radford, Nottingham, NG7 3NW

Community

- 7 Nov 2012

Application for premises licence or club premises certificate ☒

Application to vary an existing premises licence or club premises certificate ☐

Section 2 – Your details

☒ Any person - **City councillor for Radford and Park**

☐ Person representing others – **NB** if this box is ticked then you must supply the names & addresses of those you are representing (amended law).

Title: ☐ Mr ☐ Mrs ☐ Miss ☐ Ms ☒ **Councillor**

Surname:

Williams

First name or initials:

Stephanie

Address including postcode:

Nottingham City Council, Loxley House, Station Street, Nottingham, NG2 3NG

Your full residential address must be provided (or the business address if applicable)

NB a copy of this form and any supporting documents will be sent to the applicant and will be published online and at any hearing which may result.

Section 3 – Grounds of Representation

The representation is relevant to one or more of the following licensing objectives. Please indicate which you consider may be undermined if the application is granted (at least one must be ticked):

- ☒ Prevention of crime and disorder
- ☐ Public safety
- ☒ Prevention of public nuisance
- ☒ Protection of children from harm

Please state what your grounds are for your representation: (Try to be as specific as possible)

- 1) There is a history of incidents at these premises. The most recent incident, January 2011, resulted in a serious injury to a man and the revocation of the licence. These premises would continue to attract people who are likely to commit crimes.
- 2) Residents have raised anti-social behaviour problems which are related to drugs and alcohol. If this application is granted, this will lead to an increase in ASB and in nuisance to the public.
- 3) Mr Read has said that children will be allowed onto the premises under certain conditions. This is not appropriate given the history of the premises and the location of the premises on such a main road. Children will not be sufficiently protected.
- 4) All of the above will lead to a significant increase in the use of Police, City Council and Health resources and will not the D Bar will not add any benefit to the local area.

Please continue on separate sheets if necessary.

Please suggest any conditions you think might be appropriate if a licence was granted:

I can think of none.

Please continue on separate sheets if necessary.

Please suggest any amendments you think might be appropriate eg: earlier closing time etc

I can think of none.

If the above boxes are not completed as fully as possible the Licensing Authority may not be able to assess your representation.

Signed: S. L. Willia

Date: 6/11/12

Please note that if a hearing is arranged you will be invited to attend.



Notification to Licensing Authority of Representation under Licensing Act 2003

1. Name of Responsible Authority making representation:

a. Your name: **M Turner**
[Deputy Head of Legal Services, for and on behalf of the Chief Constable]

b. Your address: **City Division Licensing Team**
Riverside
Rennie Hogg Road
Nottingham
NG21RX

Donnerstag, 8. November 2012 14:00
Time received
8 NOV 2012

c. Your phone number: **101 Ext: 816 5178**

d. Your e-mail address: **peter.deighton@nottinghamshire.pnn.police.uk**
[Contact at City Licensing]

2. Please identify the application you wish to make a representation about.

a. Name and address of application premises:

D Bar
191 Alfreton Road
Radford
Nottingham
NG7 3NN

b. Nature of application: **New Premises Licence**

3. Which of the licensing objectives does your representation relate to? Please delete as appropriate ².

- a. The Prevention of Crime and Disorder**
- b. Public Safety**
- c. The Prevention of Public Nuisance**
- d. The Protection of Children from Harm**

Details of the representation(s)

- 4. Please give details of your representation(s) including details as to why you feel the application would be unlikely to promote the objective(s) you have ticked above and including as much evidence as possible in support of your representation. Please continue on a separate sheet if necessary.**

For reasons outlined below the police have serious concerns that the grant of a licence in the terms outlined in the operating schedule will seriously undermine rather than promote the Licensing Objectives. The police also have concerns over the increase in crime, disorder and nuisance that will be directly attributable to this premise.

The applicant and proposed Designated Premises Supervisor is Winston Douglas REID. Mr REID was the Premises Licence Holder and Designated Premises Supervisor when the previous premises licence at this venue was revoked. The circumstances which ultimately led to the revocation are as follows:

In the early hours of Sunday 16 January 2011, a serious, unprovoked assault took place at D Bar which resulted in an individual sustaining very serious facial injuries. These injuries were caused by several weapons, and the victim required hospital treatment.

Whilst conducting enquiries into that incident, several breaches of the premises licence were identified.

At the time of the assault [approximately 03:10 hours] the premises should not have been open at all; the premises licence dated 20 October 2010 states that the premises should close at 0300 hours. On viewing the CCTV footage obtained from the premises, it clearly shows the supply of alcohol after permitted hours and persons smoking in the premises.

On arrival at the premises officers noted that there was a strong smell of cannabis inside the premises.

The premise has been linked to drugs use previously, as on 18 January 2010 Mr Reid was assaulted by 2 males on the premises having confronted them for dealing drugs inside the premises. Following this on 25 February 2010, a Misuse of Drugs Act warrant was executed. During the subsequent search of the premises a rock of crack cocaine was recovered from under a table where 4 males were sitting.

On 21 February 2010, the premises operated under the authorisation of a Temporary Event Notice between 0100 hours and 0330 hours. Whilst investigating a number of incidents that occurred outside the premises it was evident that the premises were open until 0430 hours, with large numbers of persons entering and leaving the premises. The premises user was Mr Reid.

On 28 February 2010, the premises operated under the authorisation of the premises licence dated 19 November 2007, which permitted the sale of alcohol until 0100 hours and the premises to close at 0200 hours. Evidence was obtained that showed the premise was open to the public until 0400 hours. On checking Police systems no temporary event notice

had been given to authorise the extended hours. The premises licence holder and designated premises at this time was Mr Reid.

On 5 March 2010 the premises operated under the authorisation of the premises licence dated 19 November 2007. Evidence was obtained that showed the premise was still open to the public at 0215 hours, again no temporary event notice had been given to authorise the extended hours. Mr Reid was still the premises licence holder and designated premises supervisor.

On 16 March 2010, Mr Reid was visited at the venue and the above breaches were discussed. At this time a licensing compliance visit was also conducted and it was established that Mr Reid was also breaching conditions appertaining to the provision of door supervisors, an incident/accident register, a door supervisor's register and customer conduct notices.

Mr Reid was given a written warning for the above breaches.

On 23 August 2010, it was found that Mr Reid had again not been employing a door supervisor from 1900 hours, in accordance with condition 2 of the premises licence dated 19 November 2007, and he was strongly advised to ensure future compliance. At this time Mr Reid was seeking Police support to a variation to extend his hours for the sale of alcohol on Fridays and Saturdays. Mr Reid was advised that due to the breaches of his licence the Police would not support an application at that time.

As a result of the incident on 16 January 2011, and due to breaches of the licence the Police applied for an expedited review seeking an immediate suspension of the licence, pending the full determination of the review, in which revocation of the licence was sought. The Licensing Authority was satisfied with the evidence the Police provided and supported the application by initially suspending then revoking the premises licence. Mr Reid subsequently appealed this decision and following a 5 day hearing at Nottingham Magistrates Court the appeal was dismissed.

Mr. REID was also prosecuted for 7 offences contrary to Section 136 of the Licensing Act 2003 and 1 offence contrary to Section 8 (d) of and schedule 4 to the Misuse of Drugs Act 1971. Following a hearing at Nottingham Magistrates Court he was found guilty of all charges. Mr REID subsequently appealed to the crown court against all convictions and on his appearance offered guilty pleas to 3 counts under Section 136 of the Licensing Act 2003, all other counts were left on file.

Mr Reid has now submitted this new application to the Licensing Authority, however he has not served the application on the police; thus in order not to be prejudiced a copy of the application was obtained from the public register published on the licensing authorities website.

Prior to the submission of the application to the licensing authority the Neighbourhood Policing Inspector (NPI) who has responsibility for the area in question together with other representatives from Nottingham Police met with Mr REID to discuss the proposed application.

Mr REID made it clear the licensing panel was wrong in revoking the premises licence in the first place and that it should be 're-installed'. Having listened to all that Mr REID had to say, the NPI advised him he had concerns that should a new licence be issued, and the premises were to re-open, there would be further incidents of crime, disorder and anti social behaviour and that Mr Reid would be unable to promote the licensing objectives. In view of this, Mr Reid was advised that the police would have no option other than to object to any application submitted.

The new application for a premises licence shows that Mr Reid intends to supply alcohol for a longer period than authorised by the previous licence. As a result there are serious concerns from officers responsible for policing the area that should a new licence be issued there would be an increase in crime and disorder, public nuisance and anti social behaviour which will ultimately impact on the overall feelings of the community, which in turn would have an adverse effect on their personal safety.

This view is held by local councillors, the safer neighbourhood team, partners and the community at large.

It is also anticipated there would be an increased demand for police resources through attendance at incidents and subsequent investigations.

The application allows for children on the premises up to 20:00 hours daily however due to previous issues at the venue it is believed there are insufficient safeguards in place to ensure children are safe from harm whilst at the premises.

The police stance is simple; there is absolutely nothing in this application to suggest that the style and method of operating would be any different to how it was prior to the revocation. To the contrary, this application is for the supply of alcohol later than in the previous licence, the proposed Premises Licence Holder and Designated Premises Supervisor remains Mr Reid. The police evidence shows he is a thoroughly poor operator who has shown a blatant disregard for the licensing laws and continued to breach his licence despite several warnings. The police are of the opinion that there will be no change in the way any new premises will be operated and have no confidence whatsoever in Mr Reid's ability to uphold the licensing objectives. The community has had a period of respite from the problems previously associated with the premises and the police fear that should a premise licence be granted their quality of life would again be affected.

Given the above the police object outright to this application

The Police reserve the right to:

- **Bring further evidence of the Licensing Objectives being undermined to any subsequent panel hearing and to provide live oral evidence to this effect.**

5. If you are suggesting that conditions should be attached to any licence granted please give the wording of the proposed condition(s) and state why you feel they are necessary and proportionate. Please continue on a separate sheet if necessary.

Not applicable.

6. Please indicate any parts of the Licensing Authority's Statement of Policy that you feel may be relevant to your representation ³.

Indication of those relevant parts will be given prior to a Panel Hearing.

7. Please indicate any parts of the Guidance issued under S 182 of the licensing Act 2003, which you feel may be relevant to your representation ⁴.

Indication of those relevant parts will be given prior to a Panel Hearing.

8. As you have made a representation the Application may need to be determined at a hearing of the Licensing Committee or one of its Panels. At this stage would you intend to attend such a hearing⁵? Please circle as appropriate.

Yes

No

9. If you intend to attend any hearing that may be held it would be helpful at this stage if you could give an indication as to how long you think you would need to make your representation(s).

Not Known

Signed: M Turner [Deputy Head of Legal Services, for and on behalf of the Chief Constable]

Date: 7 November 2012

c.c .Applicant [by email]

Not Protectively Marked