

Meeting	LICENSING SUB COMMITTEE
Time/Day/Date	6.00 pm on Thursday, 21 April 2016
Location	Council Chamber, Council Offices, Coalville
Officer to contact	Democratic Services (01530 454512) Licensing Enforcement Officer (01530 454596)

All persons present are reminded that the meeting may be recorded and by attending this meeting you are giving your consent to being filmed and your image being used. You are kindly requested to make it known to the Chairman if you intend to film or record this meeting.

The Monitoring Officer would like to remind members that when they are considering whether the following items are exempt information under the relevant paragraph under part 1 of Schedule 12A of the Local Government Act 1972 they must have regard to the public interest test. This means that members must consider, for each item, whether the public interest in maintaining the exemption from disclosure outweighs the public interest in making the item available to the public.

NOTIFICATION OF HEARING

Item	Pages
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1. ELECTION OF CHAIRMAN

2. APOLOGIES FOR ABSENCE

3. DECLARATION OF INTERESTS

Under the Code of Conduct members are reminded that in declaring disclosable interests you should make clear the nature of that interest and whether it is pecuniary or non-pecuniary.

4. APPLICATION FOR VARIATION OF A PREMISES LICENCE

PREMISES: The Queens Head Hotel and Ciro's, 79 Market Street, Ashby de la Zouch, Leicestershire LE65 1AH

3 - 94

APPLICANT: Ashley John Edward Rayner

To determine an application for a variation of a premises licence in respect of the above.



Representations have been received from Leicestershire Constabulary, the District Council's Environmental Protection section and one interested party. A Notice of Hearing inviting them to attend has been sent to each of them. If they fail to attend, the hearing can be held in their absence or adjourned.

The following documents are attached: -

- a) Report of the Licensing Enforcement Officer.

At the beginning of the Hearing, the authority shall explain to the parties the procedure it is proposed to follow. The Hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless it is required to consider the representations.

5. APPLICATION FOR VARIATION OF A PREMISES LICENCE

PREMISES: VIP Rooms, North Street, Ashby De La Zouch,
Leicestershire, LE65 1HS.

95 - 146

APPLICANT: Ashley John Edward Rayner

To determine an application for a variation of a premises licence in respect of the above.

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Circulation:

Councillor J Cotterill
Councillor P Purver
Councillor A C Saffell

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LICENSING SUB COMMITTEE – THURSDAY 21 APRIL 2016

Title of report	APPLICATION FOR VARIATION OF A PREMISES LICENCE
Contacts	<p>Portfolio Holder Councillor Alison Smith MBE 01530 835668 alison.smith@nwleicestershire.gov.uk</p> <p>Environmental Health Team Manager 01530 454610 lee.mansfield@nwleicestershire.gov.uk</p> <p>Licensing Enforcement Officer 01530 454596 andy.cooper@nwleicestershire.gov.uk</p>
Purpose of report	<p>To determine an application for variation of a premises licence in respect of premises: The Queens Head Hotel and Ciro's, 79 Market Street, Ashby De La Zouch, Leicestershire, LE65 1AH. This report outlines the application and summarises the representations received. It also highlights the licensing objectives, the relevant parts of Government guidance and the pertinent sections of the Licensing Authority's Licensing Policy.</p>
Council Priorities	<p>Business and Jobs Homes and Communities</p>
Implications:	
Financial/Staff	Implications arising from an appeal made to the Magistrates Court by anyone aggrieved by the decision of the Sub-Committee.
Link to relevant Corporate Action Team	N/A
Risk Management	The risk of incurring costs arising from an appeal against the decision of the Committee. In any event and in order to mitigate these risks, the Committee should give clear reasons for its decisions and any such reasons would need to be substantiated in Court.
Equalities Impact Screening	Equality impact screening already undertaken, issues identified actioned.

Human Rights	Article 1 of Protocol 1 of the European Convention of Human Rights provides that everyone is entitled to the peaceful enjoyment of his possessions, except in the public interest and subject to the conditions provided for by law.
Transformational Government	Not applicable.
Consultees	Leicestershire Constabulary, Leicestershire Fire and Rescue Service, Trading Standards, Health and Safety, Environmental Protection, Licensing Authority, Planning, Health Authority and members of the public/local businesses by way of notice at the premises, on the Council's website and at the Council Offices, Coalville.
Background papers	Guidance issued under Section 182 of the Licensing Act 2003 Statement of Licensing Policy – Issue 6
Recommendations	THAT THE SUB-COMMITTEE DETERMINE THE APPLICATION.

1. Background

- 1.1 The premises currently operate as a nightclub and hotel under the authorisation of a premises licence. The premises licence authorises the sale by retail of alcohol, regulated entertainment and late night refreshment subject to conditions. A copy of the premises licence and conditions is attached as **Appendix 1**.
- 1.2 A map showing the location of the premises is attached as **Appendix 2**.
- 1.3 An application for the variation of premises licence was received from Mr Ashley John Edward Rayner on 1 March 2016. A copy of the application is attached as **Appendix 3**.
- 1.4 The variation of the premises licence is detailed as follows:

Live music, recorded music performance of dance and anything of a similar description to live music, recorded music and performance of dance, indoor sporting events:

Current permissions	Requested variation
Monday and Tuesday - 09:00hrs until 12 midnight Wednesday to Sunday - 09:00hrs until 02:30hrs the following morning New Years Eve from the end of permitted hours to the start of permitted hours on New Years Day Christmas Eve, Boxing Day, the Sunday before a Bank Holiday and Bank Holiday Mondays 09:00hrs until 02:30hrs the	Monday to Sunday - 09.00hrs until 05.00hrs the following morning.

<p>following Morning.</p> <p>Good Friday - 09:00hrs until 03:00hrs the following Morning</p> <p>An additional hour to the standard finish time on the day when British summertime commences.</p>	
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Late night refreshments:

Current Permissions	Requested Variation
<p>Monday to Wednesday - 23:00hrs until 12 midnight</p> <p>Thursday - 23:00hrs until 02:30hrs the following morning</p> <p>Friday and Saturday - 23:00hrs until 03:30hrs the following morning</p> <p>Sunday - 23:00hrs until 02:30hrs the following morning</p> <p>New Years Eve from the end of permitted hours to the start of permitted hours on New Years Day</p> <p>Good Friday, Bank Holiday Sundays and Boxing Day 23:00hrs until 03:00hrs the following Morning.</p> <p>An additional hour to the standard finish time on the day when British summertime commences.</p>	<p>Monday to Sunday - 09.00hrs until 05.00hrs the following morning.</p>

Supply of Alcohol:

Current Permissions	Requested Variation
<p>Monday and Tuesday - 09:00hrs until 12 midnight</p> <p>Wednesday to Sunday - 09:00hrs until 02:00hrs the following morning</p> <p>New Years Eve from the end of permitted hours to the start of permitted hours on New Years Day</p> <p>Christmas Eve, Boxing Day, the Sunday before a Bank Holiday and Bank Holiday Mondays 09:00hrs until 02:00hrs the following Morning.</p>	<p>Monday to Sunday - 09.00hrs until 04.30hrs the following morning.</p>

<p>Good Friday - 09:00hrs until 03:00hrs the following Morning</p> <p>An additional hour to the standard finish time on the day when British summertime commences.</p>	
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Hours the premises are open to the public:

Current Permissions	Requested Variation
<p>Monday and Tuesday - 09:00hrs until 12 midnight</p> <p>Wednesday to Sunday - 09:00hrs until 02:30hrs the following morning.</p> <p>New Years Eve from the end of permitted hours to the start of permitted hours on New Years Day</p> <p>Christmas Eve, Boxing Day, the Sunday before a Bank Holiday and Bank Holiday Mondays 09:00hrs until 02:30hrs the following Morning.</p> <p>Good Friday - 09:00hrs until 03:00hrs the following Morning</p> <p>An additional hour to the standard finish time on the day when British summertime commences.</p>	<p>Monday to Sunday - 09.00hrs until 05.00hrs the following morning.</p>

The applicant has also requested removal of conditions of the premises licence which are out of date, unenforceable or superseded by current legislation. The itemised requested conditions requested for removal are enclosed within the application form at **Appendix 3**.

- 1.5 The applicant has specified the following steps that they intend to take in order to promote the four licensing objectives.

The prevention of crime and disorder:

- A CCTV system shall be installed and in working condition
- Security Staff and duty manager to use "walkie talkie" system to communicate as well as using the Town retail radio.

Public Safety:

- Fire risk assessments to be completed annually
- Electrical PAT testing completed annually

- Fire drill, fire alarm call point testing and emergency lighting testing completed monthly.

The prevention of public nuisance:

- Signage to be displayed at main exit encouraging customers to show consideration for residents when leaving the premises.
- Dispersal procedure first issued in 2012 to be updated annually.

The protection of children from harm

- Challenge 25 scheme in use and logs kept detailing challenges made and the outcome.

2. Representations

- 2.1 In respect of an application to vary, the applicant is responsible for advertising the application by way of a notice in specified form at the premises for not less than 28 consecutive days and in a local newspaper. The applicant placed notice in the Leicester Mercury on 15 March 2016 and officers are satisfied that the correct notices have been displayed at the premises. Details of the application were also posted onto the Council website on 1 March 2016.
- 2.2 As the application was received electronically, the Licensing Authority is required to serve a copy of the application to each of the responsible authorities, namely, the Police, Fire and Health Authority, Trading Standards Department and the District Council's Health and Safety, Environmental Protection and Planning Teams. Officers served the application on all parties as required via email on 1 March 2016.
- 2.3 A representation has been received from Leicestershire Constabulary on the grounds of crime and disorder, and public nuisance. A copy of the representation is attached as **Appendix 4**.
- 2.4 A representation has also been received from the District Council's Environmental Protection team on the grounds of prevention of public nuisance. A copy of the representation is attached as **Appendix 5**.
- 2.5 Following further discussions between the Environmental Protection team and the applicant, the applicant has submitted a noise and management dispersal policy as part of their application. As a result of this policy, the Environmental Protection team has agreed to this policy and has withdrawn their representation. A copy of the noise and dispersal policy is attached as **Appendix 6**. A copy of the written agreement is attached as **Appendix 7** and the representation withdrawal from the Environmental Protection team is attached as **Appendix 8**.
- 2.6 Interested parties in the vicinity of the premises are able to make representations within 28 days of display of the notice of application to the Licensing Authority. One representation has been received from Ashby Town Council based on the prevention of public nuisance. A copy of the representation is attached as **Appendix 9**.

3. Cumulative Impact

- 3.1 The special policy was initially adopted by the Licensing Authority in November 2005 and has been regularly reviewed. The special policy in respect of Ashby de la Zouch town centre has been retained following reviews of the policy in 2008, 2011 and 2014.
- 3.2 The effect of the Ashby de la Zouch Town Centre special policy is the creation of a rebuttable presumption that applications for new premises licences or club premises certificates or variations will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. This special policy applies to applications from all types of premises operating between 20:00 and 06:00
- 3.3 The Licensing Authority recognises that this policy cannot be absolute and will consider each application properly on its merits and those that are unlikely to contribute to the cumulative impact problems will be granted.

4. Statutory Guidance

- 4.1 In making its decision, the Sub-Committee is obliged to have regard to Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. All Licensing Committee members have been provided with a full copy of the guidance document. Officers consider that paragraphs 2.1 to 2.20, 3.10,3.11 to 3.18,8.33 to 8.41 8.66 to 8.72, 8.75, 9.1,9.3,9.4 to 9.19, 9.30 to 9.43, 10.1 to 10.10,10.13 to 10.15,13.44, 15.1 to 15.4, 15.10, 15.26 to 15.33 and 15.54, may have a bearing upon the application.

5. Statement of Licensing Policy

- 5.1 The Sub-Committee is also obliged to have regard to its own Statement of Licensing Policy. Officers consider that paragraphs 1.2, 2.1 to 2.5, 3.0, 4.1 to 4.4, 6.1 to 6.4, 10, 11,13,19,19.1, 21, 22, and 26, may have a bearing upon the application.

6. Observations

- 6.1 The Committee is obliged to determine this application with a view to promoting the licensing objectives, which are:
- the prevention of crime and disorder;
 - the prevention of public nuisance;
 - public safety;
 - the protection of children from harm.
- 6.2 The Committee may take such of the following steps, if any, as it considers necessary for the promotion of the licensing objectives:
- a) Grant the application as requested.
 - b) Modify the conditions of the licence, by altering or omitting or adding to them.
 - c) Reject the whole or part of the application.
- 6.3 There is a right of appeal to the Magistrates Court against the decision of the Sub-Committee by the applicant and persons who made relevant representations.

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

Premises licence number

NWL20233

Part 1 – Premises details

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

Queens Head Hotel and Ciro's, 79 Market Street, Ashby de la Zouch

Post town

Leicestershire

Post code

LE65 1AH

Telephone number

01530 412780

Where the licence is time limited the dates

DATED: 14th October 2015

Clare Storer
Licensing Enforcement Officer

Licensable activities authorised by the licence

1. The sale by retail of alcohol for consumption on and off the premises.
2. Late night refreshment – indoors.
3. Performance of live music indoors.
4. Playing of recorded music indoors.
5. Performance of dance indoors.
6. Entertainment of a similar description to that falling within 3, 4 and 5 above indoors.
7. Provision of facilities for making music indoors.
8. Provision of facilities for dancing indoors.
9. Provision of facilities for entertainment of a similar description to that falling within 7 and 8 above indoors.

The time the licence authorises the carrying out of licensable activities**The sale by retail of alcohol for consumption on and off the premises:**

Monday and Tuesday	09:00hrs until 12 midnight
Wednesday to Sunday	09:00hrs until 02:00hrs the following morning
New Years Eve	from the end of permitted hours to the start of permitted hours on New Years Day
Christmas Eve, Boxing Day, the Sunday before a Bank Holiday and Bank Holiday Mondays	09:00hrs until 02:00hrs the following Morning.
Good Friday	09:00hrs until 03:00hrs the following Morning

An additional hour to the standard finish time on the day when British summertime commences.

Late Night Refreshment:

Monday to Wednesday	23:00hrs until 12 midnight
Thursday	23:00hrs until 02:30hrs the following morning
Friday and Saturday	23:00hrs until 03:30hrs the following morning
Sunday	23:00hrs until 02:30hrs the following morning
New Years Eve	from the end of permitted hours to the start of permitted hours on New Years Day
Good Friday, Bank Holiday Sundays and Boxing Day	23:00hrs until 03:00hrs the following Morning.

An additional hour to the standard finish time on the day when British summertime commences.

Performance of live music, Playing of recorded music indoors; Performance of dance indoors; Entertainment of a similar description; Provision of facilities for making music, Provision of facilities for dancing indoors; Provision of facilities for entertainment of a similar description;

Monday and Tuesday	09:00hrs until 12 midnight
Wednesday to Sunday	09:00hrs until 02:30hrs the following morning
New Years Eve	from the end of permitted hours to the start of permitted hours on New Years Day
Christmas Eve, Boxing Day, the Sunday before a Bank Holiday and Bank Holiday Mondays	09:00hrs until 02:30hrs the following Morning.
Good Friday	09:00hrs until 03:00hrs the following Morning

An additional hour to the standard finish time on the day when British summertime commences.

The opening hours of the premises

Monday and Tuesday	09:00hrs until 12 midnight
Wednesday to Sunday	09:00hrs until 02:30hrs the following morning.
New Years Eve	from the end of permitted hours to the start of permitted hours on New Years Day
Christmas Eve, Boxing Day, the Sunday before a Bank Holiday and Bank Holiday Mondays	09:00hrs until 02:30hrs the following Morning.
Good Friday	09:00hrs until 03:00hrs the following Morning

An additional hour to the standard finish time on the day when British summertime commences.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

The sale by retail of alcohol for consumption on and off the premises.

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Mr Ashley John Edward Rayner
The Queens Head Hotel
79 Market Street
Ashby de la Zouch
Leicestershire
LE65 1AH

Telephone number: 01530 412780

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Michael Joseph Maughan
103 Featherbed Lane
Rugby,
Warwickshire
CV21 4LQ

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence Number of Designated Premises Supervisor: RY/CV23/0954-PL

Issuing authority: Rugby Borough Council

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made under the premises licence;
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol must be made or authorised by a person who holds a personal licence.

Mandatory condition coming into force from 28th May 2014:

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Mandatory condition coming into force from 1st October 2014:

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(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—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (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
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (d) 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;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) 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 either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

4. The responsible person must ensure that—
- (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—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Annex 2 – Conditions consistent with the operating schedule

1. The permitted hours stated above for the sale of alcohol do not prohibit:
 - a) During the first twenty minutes after the above hours the consumption of alcohol on the premises;
 - b) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
 - c) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by the persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
 - d) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
 - e) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
 - f) The sale of alcohol to a trader or club for the purposes of the trade or club;
 - g) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
 - h) The taking of alcohol from the premises by a person residing there; or
 - i) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
 - j) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
2. In relation to the morning on which summer time begins, terminal hour references of the permitted hours for the sale of alcohol to either 1.00am or 2.00am shall be substituted with one hour following the hour specified.
3. The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
4. Alcohol may be sold or supplied to persons taking table meals in the Lounge area of the premises usually set apart for the service of such persons and for the consumption by such a person in that part of the premises as an ancillary to his meal during the following times: -

Monday to Saturday, other than Christmas Day, Good Friday or New Year's Eve, 10.00am to 1200 midnight.

On Sundays, other than Christmas Day or New Year's Eve, 12.00 noon to 11.30pm.

On Good Friday, 12.00 noon to 11.30pm

On Christmas Day, 3.00pm to 11.30pm

On New Year's Eve on a Sunday, 12.00 noon to 11.30pm

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of the permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

For other purposes, or in other parts of the premises, the normal permitted hours as set out at page 2 of this licence shall continue to apply.

5. The permitted hours for the sale of alcohol shall end at midnight on Friday and Saturday where music and dancing is not provided after midnight; and on any Friday or Saturday that music and dancing end between midnight and two o'clock (one o'clock in respect of the lounge and first floor) in the morning, the permitted hours for the sale of alcohol shall end when the music and dancing end.
6. Dancing, music or any other entertainment of the like kind which is not a public entertainment but is promoted for private gain (Section 2 of the Private Places of Entertainment (Licensing) Act 1967) may be provided without time restriction.
7. The capacity, including those employed in the premises, shall not exceed:

	Closely seated	Seated at tables	Seated at tables with dancing	Disco	Ballroom Dancing
Ciro's	130	130	130	130	130
First Floor			100		
Lounge			50		

Total capacity not to exceed 280.

The total capacity for Queen's Head Hotel and VIP Rooms not to exceed 740, including members of staff.

8. In the conditions from this point onwards, the following terms or expressions have the meanings hereby assigned to them:

"authorised officer" means an officer of the District Council or Leicestershire Fire Service.

"Chief Constable" means the Chief Constable for the time being of the Leicestershire Constabulary.

"Chief Fire Officer" means the Chief Fire Officer for the time being of the Leicestershire County Council.

"child" means a person under the age of 16.

"Council" means North West Leicestershire District Council.

"entertainment" means a public entertainment and/or indoor sports entertainment.

"film exhibition" means any exhibition of moving pictures which is produced otherwise than by the simultaneous reception and exhibition of programmes included in a programme service (within the meaning of the Broadcasting Act 1990).

"indoor sports entertainment" means any sporting event comprising a contest, exhibition or display of any sport to which the public are invited as spectators.

"licensee" means the person to whom the licence to which these conditions are annexed has been granted or transferred by the Council

“open” in relation to premises means open for public or sports entertainment or theatrical performances and includes the whole of the time persons (other than those employed in the premises) are on the premises.

“performance” means an entertainment, film exhibition or stage play.

“premises” means the premises to which the licence relates.

“public entertainment” means any public dancing, music or other entertainment of the like kind.

“sport” means any game in which physical skill is the predominant factor and any form of physical recreation which is also engaged in for the purposes of completion or display, except dancing.

“stage play” has the same meaning as in the Theatres Act 1968 and includes every tragedy, comedy, farce, opera, burlesque, interlude, melodrama, pantomime or other entertainment of the stage, or any part thereof.

“the 1968 Act” means the Theatres Act 1968.

“the 1982 Act” means the Local Government (Miscellaneous Provisions) Act 1982.

“the 1987 Act” means the Fire Safety and Places and Sport Act 1987.

“the Guide” means the Guide to Fire Precautions in Existing Places of Entertainment and the Like Premises published by HMSO on behalf of the Home Office/Scottish Home and Health Department

9. Approvals, etc - The permission, approval, consent or satisfaction of the Council required for any purpose under these conditions shall if required be in writing and signified under the hand of the Central Support Manager of and any such permission, approval, consent or satisfaction may after reasonable notice according to the circumstances of the case be revoked in the same manner as it was given.
10. Without prejudice to the responsibilities of the licensee under the terms of the licence:
 - a) The licensee or some responsible person appointed by him in writing, not being a person under 18 years of age, shall be in charge of and upon the premises for the whole of the time the premises are open. The person for the time being in charge of the premises shall not engage in any duties which are likely to prevent him from being able to exercise proper supervision over the conduct of the premises.
 - b) Where the premises are managed by a person other than the licensee the licensee shall ensure that such person is familiar with the terms of the licence and these conditions.
 - c) Where the premises are sub-let the licensee shall notify the hirer(s) of the terms of the licence and these conditions in writing.
 - d) The licensee must be aware of certain entertainments or performances which can present additional dangers to the audience - those involving younger audiences from effects of over excitement and irrational behaviour and those comprising elderly people whose mobility may be impaired. In such circumstances he must ensure that there are sufficient numbers of competent and adequately trained staff to cover any emergency.

- e) The licensee or his representative shall be in direct control of any public address system which can override an entertainment or performance and be clearly heard in all parts of the premises.
 - f) Before the public is admitted to any entertainment or performance the licensee or his representative must carry out checks on exits, escape routes and the premises generally.
 - g) During the entertainment or performance the licensee or his representative is responsible for ensuring that where appropriate the safety curtain is lowered and raised.
 - h) The licensee is responsible for ensuring that fire instruction notices, fire fighting equipment, the fire alarm system and electrical and gas installations are adequately provided and maintained and furthermore examined regularly by a competent person to ensure that the equipment is maintained in a safe condition.
 - i) The licensee must ensure that all floor coverings, furniture and furnishings, scenery props, curtains, drapes and hangings meet the appropriate standards (see guidance note B)
11. The availability of access/egress for the disabled should be actively encouraged by licensees as appropriate to their premises. All permanent provisions must comply with the Building Regulations and British Standard 5588: Part 8 and to the satisfaction of the Council or its authorised officers. Where access/egress for disabled persons is provided the licensee must ensure that all his staff are aware of any additional precautions which are deemed necessary.
12. The licensee is responsible for training in respect of fire precautions and evacuation proceedings and must ensure that every member of staff is instructed and trained in the following:
- a) The action to be taken upon discovery of the fire.
 - b) The action to be taken upon hearing the fire alarm.
 - c) Raising the alarm, including the location of the alarm call point and alarm indicator panels.
 - d) The correct method of calling the fire brigade.
 - e) The location and use of fire fighting equipment.
 - f) Knowledge of escape routes, including any stairway not in regular use.
 - g) Knowledge of the method of operation of any special escape door fastenings.
 - h) Appreciation of the importance of fire doors and the need to close all doors at the time of a fire and on hearing the fire alarm.
 - i) The operation of all escape doors not in regular use to ensure that they function satisfactorily.
 - j) Evacuation of the building to an assembly point at a place of safety (to include reassuring the public and escorting them out of the premises).
 - k) Access/egress of disabled persons and any additional precautions which are deemed necessary.
13. It is particularly important that a licensee ensures that where, for operational reasons, staff are transferred to another part of the premises, they are made aware of the means of escape and fire procedures of the work area (including any additional responsibilities) if this differs from their permanent day station.
14. The licensee must keep records of staff training to include the names of the staff attending each practice drill and details of the training and instruction given. The following information must be recorded:

- i) Date of the instruction or exercise.
 - ii) Duration.
 - iii) Name of the person giving the instruction.
 - iv) Name of the person(s) receiving the instruction.
 - v) The nature of the instruction, training or drill.
15. The licensee or a competent person appointed by him must conduct a fire drill at least once a month. They must be attended by at least one third of the staff including any member who has been appointed since the previous practice drill or who has not attended a practice drill within the preceding three months. Where one off performances are given, all staff should be made aware of the duties prior to the event. Also he/she must be aware that where access/egress for disabled persons is provided that all staff are aware of any additional precautions deemed necessary.
 16. The licensee shall ensure that noise emitted from the premises shall not cause a nuisance to nearby occupiers or residents. Any form of amplification shall be controlled by the licensee so as to prevent such a nuisance. The Council, through its authorised officers, may at any time indicating in writing to the licensee, the maximum sound levels permitted to be emitted from the premises and the licensee on receipt of such notification shall forthwith comply with the requirements.
 17. A police officer or any authorised officer may enter the premises at any time when they are open, or there is a reason to believe an entertainment or performance is being, or about to be, given in any place where the licence is in force.
 18. The licensing conditions are covered by appropriate explanations. However, they cannot fully cover all eventualities and where further detail is required regarding the condition or areas not specified in the conditions, then the Guide should be used for reference.
 19. A log book must be maintained on the premises in which all the following records are kept:
 - a) Staff training.
 - b) Fire drills.
 - c) Emergency lighting tests in accordance with the current British Standard (see guidance note A).
 - d) Fire alarm tests in accordance with the current British Standard (see guidance note C).
 - e) Fire fighting equipment annual testing.
 - f) RCD testing.
 20. The Chief Constable or the police officer in charge may reasonably require the entertainment or performance to be suspended or the premises closed at any time for the preservation of the peace and the safety of the performers, contestants or other persons present.
 21. Nothing shall be acted, represented or recited or sung of a profane, licentious, obscene or indecent character.
 21. The premises shall not be used for striptease or entertainment of a like kind or dancing which involves nudity or the sexual stimulation of patrons. This condition does not apply to any entertainment that is an integral part of a licensed performance of a play.

Hypnotism

22. Any exhibition, demonstration or performance (hereafter referred to as a “performance” of hypnotism (as defined in the Hypnotism Act 1952) on any person requires the express written consent of the Council and must comply with any attached conditions. The Council may consent either under the terms of public entertainments licence or under the provisions of the Hypnotism Act 1952.
23. An application for consent under condition 17 shall be in writing and signed by the applicant or his agent and shall normally be made not less than 28 days in advance of the performance concerned. This period may be reduced in the case of a hypnotist who has performed at the same venue within the last 3 years without any problems occurring. The Council will normally respond within 28 days; less where the hypnotist has previously performed at the same venue. The applicant must at the same time forward a copy of the application to the Chief Constable of police; and the Council may also copy it to the Chief Fire Officer if it considers this necessary.
24. The application shall contain the following:
 - a) The name (both real and stage, if different) and address of the person who will give the performance (hereafter referred as the “hypnotist”) along with details of their last three performances (where and when).
 - b) A statement as to whether, and if so giving full details thereof, the hypnotist has been previously refused, or had withdrawn, a consent by any licensing authority or been convicted of an offence under the Hypnotism Act 1952 or of an offence involving the breach of a condition regulating or prohibiting the giving of a performance of hypnotism on any person at a place licensed for public entertainment. (Refusal of consent by another authority does not necessarily indicate that the particular hypnotist is unacceptable and will not in itself prejudice the application).
25. The following conditions shall apply to any consent given:
 - a) No poster, advertisement or programme for the performance which is likely to cause public offence shall be displayed, sold or supplied, by or on behalf of the licensee either at the premises or elsewhere.
 - b) Every poster, advertisement or programme for the performance which is displayed, sold or supplied shall include, clearly and legibly, the following statement:

“Volunteers, who must be aged 18 or over, can refuse at any point to continue taking part in the performance.”
 - c) The performance shall be covered to a minimum public liability insurance cover of £2 million. The hypnotist must provide evidence of this to the Council if requested; and it must be available for inspection at the performance. The hypnotist must sign an agreement indemnifying the Council from any claim which may arise from the activities.
 - d) The means of access between the auditorium and the stage for participants shall be properly lit and free from obstruction.

- e) A continuous white or yellow line shall be provided on the floor of any raised stage at a safe distance from the edge. This line shall run parallel with the edge of the stage for its whole width. The hypnotist shall inform all subjects that they must not cross the line while under hypnosis, unless specifically told to do so as part of the performance.
- f) Before starting the performance the hypnotist shall make a statement to the audience, in a serious manner, identifying those groups of people who should not volunteer to participate in it, explaining what volunteers might be asked to perform, informing the audience of the possible risks from embarrassment or anxiety, and emphasising that subjects may cease to participate at any time they wish. The following is a suggested statement, which might be amended as necessary to suit individual styles as long as the overall message remains the same:

“I shall be looking for volunteers aged over 18 who are willing to be hypnotised and participate in the show. Anyone who comes forward should be prepared to take part in a range of entertaining hypnotic suggestions but can be assured that they will not be asked to do anything which is indecent, offensive or harmful. Volunteers need to be in normal physical and mental health and I must ask that no-one volunteers if they have a history of mental illness, are under the influence of alcohol or other drugs or are pregnant.”
- g) No form of coercion shall be used to persuade members of the audience to participate in the performance. In particular, hypnotists shall not use selection techniques which seek to identify and coerce onto the stage the most suggestible members of the audience without their prior knowledge of what is intended. Any use of such selection techniques (e.g. Asking members of the audience to clasp their hands together and asking those who cannot free them again to come onto the stage) should only be used when the audience is fully aware of what is intended and that participation is entirely voluntary at every stage.
- h) If volunteers are to remain hypnotised during an interval in the performance, one attendant for every 2 volunteers or two attendants, if the hypnotised volunteers number less than 10 and remain together in one room.
- i) The performance shall be so construed as not to be likely to cause offence to any person in the audience or any hypnotised subject.
- j) The performance shall be so conducted as not to be likely to cause harm, anxiety or distress to any person in the audience or any hypnotised subject. In particular, the performance shall not include:
 - i) any suggestion involving the age recession of a subject (i.e. Asking the subject to revert to an earlier age in their life; this does not prohibit the hypnotist from asking subjects to act as if they were a child, etc);
 - ii) any suggestion that the subject has lost something (e.g. a body part) which, if it really occurred, could cause considerable distress;
 - iii) any demonstration in which the subject is suspended between supports (so-called “catalepsy”);
 - iv) the consumption of any harmful or noxious substance; and

- v) any demonstration of the power of hypnosis to block pain (e.g. pushing a needle through the skin)
- vi) The performance shall not include giving hypnotherapy or any other form of treatment.
- vii) All hypnotised subjects shall remain in the presence of the hypnotist and in the room where the performance takes place until all hypnotic suggestions have been removed.
- viii) All hypnotic or post-hypnotic suggestions shall be completely removed from the minds of the subjects and the audience before the performance ends. All hypnotised subjects shall have the suggestions removed both individually and collectively and the hypnotist shall confirm with each of them that they feel well and relaxed (the restriction on post-hypnotic suggestions does not prevent the hypnotist telling subjects that they will feel well and relaxed after the suggestions are removed).
- ix) The hypnotist shall remain available for at least 30 minutes after the show to help deal with any problems which might arise. (Such help might take the form of reassurance in the event of headaches or giddiness but this condition does not imply that the hypnotist is an appropriate person to treat anyone who is otherwise unwell.)
- x) Where a constable, an authorised officer of the Council or an authorised officer of the fire authority has reason to believe that a performance is being, or is about to be, given, he may enter the venue with a view to seeing whether the conditions on which approval for the performance was granted are being complied with.

Control over Activity on Premises

- 26. No known prostitute or person in a state of intoxication shall be permitted to enter or remain on the premises except in the case of premises licensed for the sale of intoxicants to such extent as is permitted under the Licensing Act 1964 or Licensing Act 2003.
- 27. Where the premises are licensed for the sale of intoxicants or have a valid exemption from such licensing, they shall be sold to and consumed by the public only in refreshment rooms provided for the purpose and only when the premises are open. (Note. This condition does not authorise any extension of the permitted hours under the Licensing Acts).
- 28. Where the premises are not licensed for the sale of intoxicants and do not have a valid exemption from such licensing, no intoxicating liquor shall be brought into the premises.
- 29. Unless persons (other than those employed in the premises) are admitted to the premises without payment, no invitation to make any donation for any purpose shall, except with the consent of the Licensing Authority, be made to any person present on the premises when open to the public and no receptacle indicated as available for the placing of donations therein shall be exposed in any part of the premises to which the public has access.

30. No child apparently under the age of five years shall be admitted to the premises unless the child is accompanied by and in the charge of a parent or some other person who appears to have attained the age of sixteen years.
31. No child shall be employed on or about the premises. Provided that this condition shall not apply to any employment to which Sections 37-39 of the Children and Young Persons Act 1963 applies.
32. Arrangements shall be made to ensure that the person in charge of the premises is aware of the number of persons (including those employed in the premises) present on the premises at any one time, and that such information is available to any Authorised Officer, Fire Officer or any Police Officer on request.
33. The licensee must ensure that attendants are aware of the procedure in case of fire and notices relating to the procedure shall be prominently displayed in areas frequently by such staff.
34. The number of attendants on duty to assist persons (other than those employed in the premises) in entering or leaving the premises, shall, in any case, not be less than:
 - i) One for 250 such persons at venues with fixed seating for all or most of the audience
 - ii) One for 100 such persons at venues without seating for all or most of the audience
 - iii) One for 50 persons at venues without seating for all or most of the audience and where the audience is all or mainly comprised of persons under 16 years of age, and
 - iv) if the number of persons present on any upper floor or tier does not exceed 100, there shall be at least one additional attendant on duty on that floor or tier
 - v) if the number of persons present on any upper floor or tier exceeds one hundred there shall be at least two additional attendants on duty on that floor or tier
35. Such attendants shall not engage in any sales duties which involve the use of trays or similar equipment except during such times as the main lights are illuminated in the portion of the premises where persons (other than those employed in the premises) are assembled.
36. All attendants employed on the premises shall be provided with a uniform or distinctive clothing, or a distinctive armband and when on duty shall wear it. In particular, attendants shall not be permitted to wear fancy dress.
37. Persons in wheelchairs shall not be admitted to any entertainment or performance unless always in the care of a responsible person for the purpose of assisting them from the premises in the case of emergency.

The Premises

38. No alterations or additions (whether temporary or permanent) shall be made to the structure, lighting, electrical, heating, ventilating, mechanical or other installations of or

in the premises, or the seating gangways, or other arrangements therein and no structure or apparatus shall be placed or fixed in or over any part of the premises where the public assemble except with the consent of the Licensing Authority and in accordance with any conditions attached to such consent.

39. All parts of the premises and the fittings and apparatus therein, including the lighting, electrical heating, ventilating, mechanical and other installations shall be maintained in good order and condition.
40. All floor coverings shall be secured in such a way as not to ruck up or cause obstruction. Mats over 10mm in thickness shall be sunk to floor level unless they are provided with a wide bevelled edge.
41. Gangways, doorways, corridors, staircases and external passageways satisfactory to the Licensing Authority in number, size and position shall be provided and maintained for the purpose of affording ready and ample means of safe egress from all parts of the premises. In premises such as roller discos or similar entertainments, suitable ramps from the hall to the exterior of the building must be provided.
42. All passages, courts, ramps and stairways to which persons have access, and which lead from the hall to outside the premises, shall at all times when persons are on the premises be kept free from obstructions.
43. Every door in the building for use by persons going from the hall to outside the building shall be so constructed and maintained as:-
 - i) To open outwards, unless the Licensing Authority is satisfied that this is impracticable in the circumstances of the particular case, and
 - ii) To open easily without the need for a key and fully in such manner that the door does not restrict the egress of persons, and
 - iii) A conspicuous notice "FIRE EXIT - DO NOT OBSTRUCT" shall be provided and maintained on the outside of any final exit door which otherwise might be obstructed.
44. All chains, padlocks, or other fastening devices for securing exit doors when the premises are not open, shall be removed by a responsible person before the premises are open and they shall not be replaced while the premises are open.
45. All doors and openings intended for the egress of persons (other than those employed in the premises) shall be provided with an EXIT sign, placed above the door or opening, conforming to the current British Standard Code of Practice.
46. Where it is considered necessary, a directional arrow showing the route of exit shall be incorporated.
47. Doors and openings not intended for the egress of persons (including those employed in the premises) shall have notices placed over or upon them indicating the use of the portion of the premises to which they lead, or bearing the words "PRIVATE" in accordance with the current British Standard Code of Practice.
48. All gangways in the hall, shall, while the premises are open, be kept free from obstruction, provided that persons in wheelchairs may be permitted, with consent of

the Licensing Authority or Chief Fire Officer, to sit in the auditorium in invalid chairs, other than petrol driven wheelchairs.

49. Curtains hung over doorways or across corridors shall not conceal exit notices, shall be parted in the middle and shall be hung so that they can be readily drawn aside, and so as to hang clear of the floor by at least 50mm.
50. Corridors shall not be used for storage purposes or as cloakrooms and no pegs for hanging hats, cloaks or other articles shall be placed in the corridor. Where cloakrooms are provided they shall be so situated that persons using them shall not interfere with the free use of any exit way.
51. The licensee shall throughout the whole time the premises are open to the public ensure that all passageways from exits out of the premises through any car park, passageways or other spaces leading to a public thoroughfare are kept entirely free from obstructions and that cars, bicycles or other vehicles are not parked in unauthorised places or in such a way as to obstruct or otherwise constitute a danger to persons leaving the premises.
52. No fastenings other than automatic "panic" bolts or other approved fittings shall be fitted to exit doors. These bolts shall be fitted and be of such a pattern that horizontal pressure on either bar will open the doors. The cross bars shall not be placed at a greater height than 1,000mm from the ground. Doors so fitted shall have a notice "PUSH BAR TO OPEN" in letters at least 100mm high and in accordance with the current British Standard Code of Practice affixed just above the bar.
53. If chains and padlocks are used to secure exit doors when persons (including those employed in the premises) are not on the premises, a chain board shall be provided in an approved position and before the admission of persons (including those employed in the premises) the chains and padlocks shall be hung upon such boards each in an allotted position.
54. A substantial continuous handrail shall be provided on both sides of every stairway or landing and to a ramp with a slope steeper than 1 in 10, at a height of 900mm above the floor and fixed in such a manner as not to project more than 85mm over the floor and in addition a central handrail shall be provided at the same height above the floor in every such stairway, landing or ramp, which is more than 2,650mm in width. Any handrail on the open staircase shall be properly guarded to prevent accidental falling between the steps and the handrail.
55. In all parts of the building to which persons (including those employed in the premises) are admitted and in all passages, courts, ramps and stairways to which persons (including those employed in the premises) have access and which lead from the auditorium to outside the premises, there shall be provided means of illumination by electricity or gas capable of illuminating those parts clearly (in these recommendations referred to as "general lighting").
56. In all parts of the building to which persons (including those employed in the premises) are admitted and in all passages, courts, ramps and stairways to which persons (including those employed in the premises) have access and which lead from the auditorium to outside the premises, there shall be provided means of illumination by electricity or gas capable of illuminating those parts clearly (in these recommendations referred to as "general lighting").

57. The means by which general lighting is controlled shall be so situated as to be easily and quickly accessible to those members of the staff who may be required to operate them.
58. The electrical installation to be inspected at the times prescribed by the Licensing Authority by a competent electrical engineer.
59. In addition to the general lighting, emergency lighting adequate to enable persons (including those employed in the premises) to see their way out of the premises without assistance from the general lighting shall be provided to the satisfaction of the Chief Fire Officer.
60. The emergency lighting shall be supplied from a source other than that which supplies the general lighting, but this shall not prohibit the use of trickle charged electric batteries supplied with electricity from the same source as the general lighting provided that the batteries are fully charged before persons (other than those employed in the premises) are admitted and that the capacity of the batteries is sufficient to supply at normal voltage the full load of the emergency lighting for not less than one/three hours* as specified in the schedule. All new installations will require to have a three hour emergency lighting system.
61. All new, rewired or substantially altered emergency lighting system shall comply with the current edition of British Standard 5266 or where the standard is superseded, its replacement.
62. Emergency lighting systems are to be tested and serviced in accordance with the provisions of BS5266 or any replacement standard (see guidance note A) as appropriate and the results recorded in the log book.
63. The supply of electricity for spotlights, effects, lamps or other electrical apparatus for the production of lighting or optical effects shall be by way of a circuit or circuits not used for supplying electricity for the general lighting or the emergency lighting.
64. If there is a failure of the general lighting persons (other than those employed in the premises) shall, if the general lighting is not restored within half/one* hour, be instructed to leave at the end of that time.
65. If there is a failure of the emergency lighting, all parts of the premises in which means of illumination are provided, other than the hall, shall immediately be clearly illuminated by the general lighting and if at the end of half an hour/one hour* the emergency lighting is not restored, the hall shall be clearly illuminated by the general lighting and persons (other than those employed in the premises) shall be instructed to leave the premises immediately.

* The periods specified in 60 mean half an hour where the full load capacity duration of the installation as detailed in item 60 is one hour. If that capacity is three hours, vacation is required after one hour.
66. Adequate fire-fighting equipment of a type and in positions to the satisfaction of the Licensing Authority shall be provided, and maintained in proper working order and available for instant use.
67. All fire-fighting equipment shall be checked by the makers or recognised fire engineers **ANNUALLY** to ensure that equipment is maintained in an efficient working order.

68. All scenery, cloths, draperies, gauzes, floral decorations, properties, hangings, curtains (other than heavy wool or velvet), all fabric decorations and plywood or other thin wood shall be rendered flame-retardant either in course of manufacture or by the application of suitable solutions in accordance with the relevant British Standards and shall be so maintained to the satisfaction of the Licensing Authority or Chief Fire Officer (see guidance note B).
69. Temporary decorations shall not be permitted without the prior approval of the licensing authority to whom 14 days written notice must be given.
70. Smoking shall not be permitted in any dressing room or corridors thereto. Notices bearing the words "No Smoking" shall be displayed within the aforementioned areas.
71. No smoking is permitted on stage unless it is necessary or essential in connection with the performance, in which case the following criteria must be adhered to:-
 - i) Suitable ashtrays are provided and filled with sand or water.
 - ii) While smoking is carried out on stage a member of staff is to be available in the wings with a suitable extinguisher.
 - iii) Under all other circumstances approval must be obtained from the licensing authority and 14 days' written notice must be given.
72. In any portion of the premises which is regularly used for a closely seated audience all seats shall be securely fixed to the floor.
73. In any portion of the premises which is occasionally used for a closely seated audience:-
 - i) Chairs provided for a seated audience shall be battened together in lengths of not less than four or more than twelve chairs.
 - ii) There shall be unobstructed seatway, at least 300mm wide, measured between perpendiculars between the back of every seat and the front of any seat immediately behind it.
74. In the circumstances where more than 250 temporary seats are to be used in the auditorium the following arrangements should apply:-
 - i) Chairs or other single seats should be secured together in lengths of not fewer than four seats and not more than twelve so that the seats cannot be separated from each other merely by pushing one or more seats in the row (the only exception being chairs in boxes or other approved enclosures); and
 - ii) Provision should be made for the rows of seating flanking the gangways to be fixed to the floor effectively preventing the individual seats or rows of seats from being dislodged into the gangways or from being toppled over, except that:-

Only end seats of such rows need to be fixed to the floor if all seats in each row are secured together; or

Only the end seats of each length of seating referred to in paragraph (i) above which form such rows need be fixed to the floor.

NOTE:

In premises used only occasionally for closely seated audiences, where the fixing of seating to the floor is impractical or undesirable (e.g. on polished dance floors) the use of floor bars instead of floor screws may be permitted. Such floor bars should be no more than 25mm in height, have a cambered top surface so as to avoid the risk of tripping persons using the seatways, and should extend from the row to be fixed to at least two adjacent rows, but should not extend across any gangways.

- iii) Where seating for more than 100 people is provided, a seating layout must be forwarded to the Council for approval at least 14 days before the event. A scale plan of the arrangements for seats, gangways and exits should be readily available for inspection at the premises.
- 75. Where temporary seating for less than 250 is proposed arrangements as detailed in (i) will be applicable and additional requirements as necessary in the circumstances of the case will be notified following an inspection. In order for approval and notification of works as necessary, 14 days notice must be given to the Council.
- 76. When a closely seated audience is present, no person shall be permitted to stand in any side gangway or in any gangway which intersects the seating or in front of exits or in front of entrances to toilets and no person in excess of the number calculated as follows shall be permitted to stand in rear gangways:-
 - i) One row of persons is permitted to stand against the barrier providing the width of the gangway exceeds 1400mm and the calculating the number of persons who may stand in the row a width of 800mm shall be allowed for each person.
 - ii) Provided that the Licensing Authority or Chief Fire Officer may from time to time prohibit any standing whatsoever or vary the number of persons permitted to stand, by notice in writing to the licensee.
- 77. The space available for standing shall be indicated on the floor by broad white lines.
- 78. All rope barriers across gangways shall be fitted with automatic catches or slip connections and shall be so fixed as not to trail on the floor when parted.
- 79. The edges of steps and stairways shall be made conspicuous and all gangways, exit ways and the treads of steps and stairways shall have non-slip surfaces.
- 80. The electrical installation of the premises shall be adequately maintained and used in a safe manner, properly fitted with fuses of the correct size for the circuits concerned.
- 81. Any alterations, extensions or amendments to the electrical installation shall be carried out and maintained in accordance with the requirements of the current edition of the Institute of Electrical Engineers Regulations or if superseded, its replacement.
- 82. The licensee shall ensure that all electrical socket outlets used for the purpose below are protected at all times by one or more integral residual current devices (circuit breakers) having an adequate load current rating and rated residual operating current not exceeding 30 milliamps.

83. All electrical socket outlets in which spotlights or other stage lighting equipment are connected (except for socket outlets which are controlled by a properly installed stage lighting installation).
84. All socket outlets for use either with:-
 - i) Temporary or portable electrical equipment or in the vicinity of any stage area; or
 - ii) Any other electrical equipment used by live performance or the public.
85. The licensee shall ensure that the device(s) referred to in this condition are tested on a weekly basis and the facts of the test recorded in a log book. Defective devices shall be rectified immediately by a qualified engineer before any equipment is connected to the circuit(s) affected. The use of a non-integrated (temporary) device shall only be permitted in emergency situations, such as to secure the continuation of an entertainment which is in progress. Such non-integrated protection shall not be used on more than one consecutive occasion, unless specifically authorised by the Licensing Authority.
86. A notice showing details of how to call the Fire Service shall be prominently displayed in a convenient and conspicuous position.
87. A notice in the following terms shall be prominently displayed:-

IN CASE OF FIRE CALL THE FIRE SERVICE

The nearest telephone is situated

.....

Lift receiver and dial 999: when answered say "FIRE"

When connected to the Fire Service say:

"FIRE AT"

88. If any fire occurs on the premises, or if any report or alarm of fire is made or given, the Fire Service shall be called immediately.
89. No rubbish or wastepaper or other combustible material shall be deposited or allowed to accumulate on any stage, in any stage basement, fly gallery, scene dock, changing room, or other rooms, except with the prior written approval of the Licensing Authority or Chief Fire Officer. All parts of the premises, including yards and adjacent land under the control of the licensee shall be kept clean and tidy at all times.
90. Refuse shall be removed from the premises and deposited in suitable receptacles situated away from the building, at the conclusion of each function.
91. All ceilings in those parts of the premises to which persons (other than those employed in the premises) are admitted shall be inspected at least once in every five years by a building surveyor or structural engineer appointed by or on behalf of the licensee and a certificate concerning the condition of the ceilings shall after each inspection be sent by the licensee to the Council on a form supplied for the purpose.

92. Whilst any scaffolding is in position or before any substantial re-decoration is completed in any part of the premises to which persons (other than those employed in the premises) are admitted, the licensee shall have the ceiling of that part of the premises inspected to the extent that the ceiling is accessible notwithstanding that it may have been inspected within the last preceding five years.
93. The licensee shall give 14 days' previous notice to the Council and the Chief Fire Officer of any intention to erect scaffolding in the premises and of the time at which any inspection of the ceiling of the premises is to take place.
94. Suitable and sufficient sanitary accommodation shall be provided for both sexes separately approached, adequately screened and suitably signed, to the Council's satisfaction. The table appended as Annex A provides guidance as to acceptable standards.
95. Such accommodation shall be kept in good order and repair, properly cleansed and ventilated and adequately lit.
96. Washhand basins shall be provided with hot and cold running water (or water at a controlled temperature), soap and suitable means of drying.
97. Effective provision shall be made and maintained for the supply of fresh air in the premises, and any equipment, ducts etc kept clean and in proper working order.
98. Detailed instructions as to the working of an mechanical or automatic ventilation system shall be exhibited in a suitable position.
99. Electrical fire alarm systems, where appropriate, are to be installed and maintained in accordance with British Standard 5839 or, if superseded, its replacement.
100. Fire Alarm - The licensee to complete weekly and monthly tests as prescribed in guidance note C and the results of the tests are to be recorded in the log book.
101. The annual tests, as required by the Licensing Authority and specified in guidance note C, must be completed by a competent person.

Special Risks

102. No real flame, candle or other naked light shall be used on any stage and/or functional area, provided that real flame, may, with the consent of the Licensing Authority or Chief Fire Officer be used where it is essential to the action as distinct from the atmosphere of a particular entertainment and if electrical substitutes cannot be used.
103. 21 days' previous notice in writing of intention to use real flame shall be given to the Licensing Authority and Chief Fire Officer indicating the manner in which the real flame is to be used.
104. Portable heating appliances whether of the LPG or paraffin type shall be extinguished and removed from any part of the premises where the public are admitted before the admission of any persons (other than those employed on the premises).
105. LPG used for heating, cooking or lighting shall be of a fixed type installation with cylinders stored outside the building and the gas piped into the premises through securely fixed metal piping, or armoured flexible piping.

106. No temporary or occasional use of LPG shall normally be allowed unless 28 days' notice has been given to the Licensing Authority and consent has been given in writing for its use. The licensee shall comply with any conditions, which may be imposed upon the grant of such consent.
107. In addition, the following must be complied with:
- i) Propane gas (normally in red cylinders) is prohibited for indoor use and is unacceptable for temporary installations.
 - iv) All cylinders must be at or about ground level.
 - iii) All cylinders must be kept in the vertical position and firmly secured at all times except during changing or removal.
 - iv) No trailing pipes, especially across floors are permitted and cylinders must be either contained within the appliance they serve, or immediately adjacent to it.
 - v) Only approved appliances conforming to the British Standards Specification shall be used. Their position must have due regard to combustible material, especially wooden structures, curtains and drapes.
 - vi) The use of LPG, its storage and changing of cylinders or bottles, shall be carried out in accordance with all relevant Codes of Practice and the manufacturer's or supplier's recommendations. Any cylinders not in use whether full or empty shall be kept outside the building.
 - vi) Adequate ventilation shall be provided and maintained to all rooms where LPG is stored or used.
 - vii) LPG cylinders or appliances shall not be used in any part of the premises to which the public has access, and in particular shall not be stored, kept or used in passageways, corridors or near exits required for escape.
108. All flammable substances including paraffin, petroleum spirit and liquefied petroleum gases (LPG) used for heating, cooking, lighting or any other purpose shall be stored and used in accordance with the requirements of the Dangerous Substances and Explosive Atmospheres Regulations 2001 and the associated Approved Codes of Practice.
109. No pyrotechnic, firearm, explosive or highly flammable substance shall be brought on the premises, or smoke or vapour generators used without the consent of the Licensing Authority to enable any necessary inspection to be carried out. The licensee shall comply with any conditions which may be imposed upon the grant of such consent.
110. Where it is intended to use in any entertainment or performance lasers, strobe lights, gaseous material, aerosols or any animal the licensee shall obtain the consent of the Council. 14 days written notice shall be given to the Licensing Authority and consent obtained. The licensee shall comply with any conditions which may be imposed upon the grant of such consent.
111. When consent is granted to use strobes the licensee should provide a warning in the foyer and programme to this effect.

112. Any laser system shall be installed maintained and operated in accordance with Manufacturer's Instructions and Guidance Note PM19 issued by the Health and Safety Executive and British Standard 4803 Part 3.

ANNEX A

INDOOR PUBLIC ENTERTAINMENT

PROVISION OF SANITARY ACCOMMODATION

1. PREMISES WITH SIGNIFICANT DRINKING, EG. PUBS AND RESTAURANTS

No. of each sex	MALE WC	Urinal	FEMALE WC
100	1	4	2
200	2	8	4
300	3	12	5
400	4	16	6
500	5	20	7
600	5	24	8
700	6	28	9
800	6	32	10
900	6	36	11
1000	7	40	12

2. PREMISES WITH NO SIGNIFICANT DRINKING

No. of each sex	MALE WC	Urinal		FEMALE WC
		Other	Theatre	
100	1	2	4	1
200	1	4	8	2
300	2	5	12	3
400	2	7	16	3
500	2	8	20	3
600	3	10	24	4
700	3	12	28	4
800	3	14	32	4
900	3	15	36	4
1000	3	17	40	5

Washhand basins to be provided on 1 per WC or range or urinal for both standards.

GUIDANCE NOTE A EMERGENCY LIGHTING

1. Servicing

1.1 Testing and Maintenance

Only the relevant parts of the following tests are to be completed in respect of the premises installation. Clarification and instruction, if required should be obtained from the installing, inspecting engineer.

1.1.1 Supervision

Regular servicing is essential. The occupier/owner of the premises should appoint a competent person to supervise the system. This person should be given sufficient authority to ensure the carrying out of any work necessary to maintain the system in correct operation.

1.2 Batteries

In all cases the manufacturer's instructions should be followed. It is particularly important that where applicable:-

- (a) The tops of batteries and their terminals are kept clean and unobstructed and that battery cases are periodically checked for leaks;
- (b) The electrolyte is at all times kept at the correct level as recommended by the manufacturer;
- (c) Any replacement battery should be compatible with the battery charger;
- (d) Any replacement cell should be compatible with the battery;
- (e) Any replacement battery charger should be compatible with the battery.

1.3 Generators

The manufacturer's instructions as given in the associated instruction manual or other literature should always be followed. It should be noted, however, that the failure of engines to start up readily often arises from poor maintenance or defects in the starting battery or in electromechanical apparatus, e.g. relays incorporated in the starting system.

Dust and damp, singly or in combination, can have an adverse effect on electromechanical apparatus and it is therefore important that a system of regular cleaning and, where necessary, adjustment is carried out.

Some parts of the starting system may be sited where they are subject to vibration and great care should therefore be taken in such instances to ensure that all connections are mechanically and electrically sound.

It is essential that air intakes and exhausts are unobstructed.

1.4 Routine Inspections and Tests

1.4.1 General

Because of the possibility of a failure of the normal lighting supply occurring shortly after a period of testing of the emergency lighting system or during the subsequent recharge period, all tests should wherever possible be undertaken at time of minimum risk.

Alternatively suitable temporary arrangements should be made until the batteries have been recharged.

Inspections and tests should be carried out at the following intervals as recommended in 1.4.2 to 1.4.6.

(a) Daily

- (b) Monthly
- (c) Six-monthly
- (d) Three-yearly
- (e) Subsequent annual test

1.4.2 **Daily**

An inspection should be made every day to ascertain that:-

- (a) Any fault recorded in the log book has been given urgent attention and the action noted;
- (b) Every lamp in a maintained system is lit;
- (c) The main control or indicating panel of each central battery system or engine driven generator plant indicates normal operation;
- (d) Any fault found is recorded in the log book and the action taken noted.

1.4.3 **Monthly**

An inspection should be made at monthly intervals in accordance with a systematic schedule. A model schedule is illustrated in Appendix C.

Tests should be carried out as follows:-

- (a) Each self-contained luminaire and internally illuminated exit sign should be energised from its battery by simulation of a failure of the supply to the normal lighting for a period sufficient only to ensure that each lamp is illuminated.

The period of simulated failure should not exceed one quarter of the rated duration of the luminaire or sign. During this period all luminaires and/or signs should be examined visually to ensure that they are functioning correctly.

At the end of this test period the supply to the normal lighting should be restored and any indicator lamp or device checked to ensure that it is showing that the normal supply has been restored.

- (b) Each central battery system should be energised from its battery by simulation of a failure of the supply to the normal lighting for a period sufficient only to ensure that each lamp is illuminated.

The period of simulated failure should not exceed one quarter of the rated duration of the battery.

During this period all luminaires and/or signs should be examined visually to ensure that they are functioning correctly.

If it is not possible to examine visually all luminaires and/or signs in this period, further tests should be made after the battery has been fully recharged.

At the end of each test period the supply to the normal lighting should be restored and any indicator lamp or device checked to ensure that it is showing that the normal supply has been restored. The charging arrangements should be checked for proper functioning.

- (c) Each engine-driven generating plant should be started up by a simulation of a failure of the supply to the normal lighting and allowed to energise the emergency lighting system for a continuous period of at least 1 h.

During this time all luminaires and/or signs should be examined visually to ensure that they are functioning correctly.

At the end of the test period the system should be restored to normal operation and the charging arrangements for the engine-starting battery checked for proper functioning. The fuel tanks should be left filled and the oil and coolant levels topped up as necessary.

Frequent starting of the plant followed by a few minutes on load is not recommended.

- (d) The engine of each engine-driven generating plant with back-up batteries should be prevented from starting.

The emergency lighting system should then be energised solely from the back-up better by simulation of a failure of the supply to the normal lighting for a period sufficient only to ensure that the change-over from normal supply to battery is functioning properly. After this check the starting system of the engine should be returned to normal operation and the engine allowed to start up in the normal way to energise the emergency lighting system for a continuous period of at least 1 hour. During these periods all luminaires and/or signs should be examined visually to ensure that they are functioning correctly.

At the end of the test period the system should be restored to normal operation and the charging arrangements for the back-up and the engine starting batteries checked for proper functioning. The fuel tanks should be left filled and the oil and coolant levels topped up as necessary.

1.4.4 Six-monthly

The monthly inspection (see 1.4.3) should be carried out and the following tests made:-

- (a) Each 3 h self-contained luminaire and internally illuminated sign should be energised from its battery for a continuous period of 1 h, by simulation of a failure of the supply to the normal lighting. If the luminaire is rated as having a duration of 1 h, then the period of simulated failure should be 15 min.

During this period all luminaires and/or signs should be examined visually to ensure that they are functioning correctly.

At the end of this test period the supply to the normal lighting should be restored and any indicator lamp or device checked to ensure that it is showing that the normal supply has been restored.

- (b) Each 3 h central battery system should be energised from its battery for a continuous period of 1 h by simulation of a failure of the supply to the normal lighting. If the

system is rated as having a duration of 1 h then the period of simulated failure should be 15 min.

During this period all luminaires and/or signs should be examined visually to ensure that they are functioning correctly.

At the end of the test period the supply to the normal lighting should be restored and any indicator lamp or device checked to ensure that it is showing that normal supply has been restored. The charging arrangements should be checked for proper functioning.

- (c) Each engine-driven plant should be tested in accordance with the monthly schedule detailed in 1.4.3(c).
- (d) The engine of each engine-driven generating plant with back-up battery should be prevented from starting. The emergency lighting system should then be energised solely from the back-up battery for a continuous period of 1 h by simulation of failure of the supply to the normal lighting.

The starting system of the engine should then be restored to normal operation and the engine allowed to start up in the normal way to energise the emergency lighting system for a further continuous period of 1 h.

During these periods all luminaires and/or signs should be examined visually to ensure that they are functioning correctly. At the end of the test period the system should be restored to normal operation and the charging arrangements for the back-up and engine-starting batteries checked for proper functioning. Any indicator lamp or device should then be checked to ensure that it is showing that the normal arrangements have been restored.

The fuel tanks should be left filled and the oil and the coolant levels topped up as necessary.

1.4.5 Three-yearly

The monthly inspection (see 1.4.3) should be carried out and the following additional tests made:-

- (a) Each emergency lighting installation should be tested and inspected to ascertain compliance with this code (see Appendix C).
- (b) Each self-contained luminaire and/or internally illuminated sign should be tested for its full duration.

At the end of the test period the supply to the normal lighting should be restored and any indicator lamp or device checked to ensure that it is showing that normal supply has been restored.

- (c) Each central battery system should be tested for its full duration.

At the end of the test period the supply to the normal lighting should be restored and any indicator lamp or device checked to ensure that it is showing that normal supply has been restored. The charging arrangements should be checked for proper functioning.

- (d) Each generator back-up battery, where fitted, should be tested for its full duration.

At the end of the test period the system should be restored to normal operation and the charging arrangements for the back-up and the engine-starting batteries checked for proper functioning. Any indicator lamp or device should then be checked to ensure that it is showing that normal arrangements have been restored.

The fuel tanks should be left filled and the oil and coolant levels topped up as necessary.

1.4.6 Subsequent Annual Test

For self-contained luminaires with sealed batteries, after the first yearly test the three yearly test should be carried out annually.

GUIDANCE NOTE B FIRE RETARDANT MATERIALS

1. Advice on Furniture and Furnishings, and Synthetic Materials

Furniture and furnishings which are easily ignited or demonstrate rapid spread of flame characteristics present a particular fire hazard and their presence should be a factor in determining the acceptability of escape routes and in particular of protected routes.

2. Upholstered Furniture

- (a) It is recommended that upholstered furniture should only contain those filling materials specified in the Furniture and Furnishings (Fire) (Safety) Regulations 1988; and that invisible parts of permanent covers comply with the provisions of the Furniture and Furnishings (Fire) (Safety) (Amendment) Regulations 1989. The furniture should satisfy as a minimum standard Ignition Source 0 (cigarette test) of British Standard 5852: Part 1 and Ignition Source 5 (timber crib test) of British Standard 5852: part 2. However, it should be noted that British Standard 5852 does not test the resistance to ignition of the underside of the seating. In addition, where the cover material, or any barrier fabric, has been treated chemically to impart a degree of flame retardance, it should be subjected to the water soak test, as advocated in the Furniture and Furnishings (Fire) (Safety) Regulations 1988. The new standards should be applied when refurbishment and replacement takes place.
- (b) Application for consent for upholstered furniture should, where required, be made to the Licensing Authority in writing and should be accompanied by full details of the materials to be used and a certificate from an approved testing establishment. The Licensing Authority may, after consideration of specific circumstances of use, vary the level of ignition source which seating is required to meet.
- (c) All fixed and movable seating should be maintained free from tears, rips, etc, which would result in the filling being exposed.

3. Curtains, Drapes and Other Textile Hangings

- (a) All curtains or drapes hung in places of entertainment should be of durably flame-retarded fabric or inherently flame-retarded fabric and should conform with British Standard 5867: Part 2 fabric type B. Curtains or drapes should not conceal notices and should be hung so as not to trail on the floor.
- (b) Attention is drawn to the Department of Environment test outlined in the "Department of the Environment Fire Retardant Specification No.7, Ignition Standards for Curtains". Fabrics should be tested using Ignition Source 5 (timber crib test) of British Standard 5852: Part 2. Licensees may wish to consider the use of this test which subjects curtains, hangings and drapes to a more searching indication of a material's performance in a fire situation. The appropriate procedure in British Standard 5651 should be completed prior to this test in respect of those fabrics which have been chemically treated.

4. Temporary decorations should not be used unless approved.

- 5. Application for consent for all decorations, curtains and hangings should, where required, be made to the Licensing Authority in writing and should be accompanied by full details, including samples (not less than 1000mm x 500mm) of the material

proposed to be used and, in the case of temporary decorations, a statement as to the period for which it is desired to retain the decorations.

6. Artificial and Dried Foliage

- (a) It is not possible to assess dried or artificial foliage in terms of flame retarded fabrics using formal laboratory test methods. It is, however, recommended that these and similar items be subjected to ignition tests using small flaming sources comparable to those used for testing drapes and curtaining, as follows:-

A suitable small flaming ignition source, the match equivalent butane flame Ignition Source 1 specified in British Standard 5852: Part 1, should be applied to the treated leaves, flowers, etc of the sample for 20 seconds. Ignition is acceptable during the application of the igniting flame but, on its removal, flaming, whilst continuing locally, should not spread beyond the area first ignited.

- (b) As it has been found difficult to totally inhibit the production of flaming molten droplets or debris from the solid plastics parts of artificial foliage such as stems, the licensing authority should consider factors such as:-

- (i) The location;
- (ii) The ease of access by the public; and
- (iii) The overall amounts of artificial foliage present.

- 7(a) All artificial and dried foliage used for decorative purposes in public areas should be flame retardant treated. As flame retardant treatments can be adversely affected by contact with moisture (as this can cause recrystallisation on surfaces), periodic retreatment may be required to maintain the effectiveness of the flame retardant treatment and/or to maintain an acceptable appearance. The Licensing Authority should therefore consider a policy of reappraisal of such treated items.

- (b) Dried flowers and grasses should not be sprayed with hair lacquer or other like substance, as such treatment will only enhance the ease of ignition and rate of fire spread.

GUIDANCE NOTE C

FIRE ALARM TESTING AND MAINTENANCE

1. ROUTINE TESTING

1.1 Commentary

Although modern fire alarm systems may incorporate a high degree of monitoring, so that faults are indicated automatically, it is still necessary for the responsible person nominated by the user to ensure that fault indications at the panel are identified for appropriate action. It is also vital for a regular test to be carried out to ensure that there has not been any major failure of the entire system, or a significant part of the system.

Routine testing of the system also provides an opportunity for occupants of the building to become, and remain, familiar with the fire alarm signal(s) that the system produces. In systems with staged alarms that incorporate an “Alert” and an “Evacuate” signal, both signals need to be operated on the occasion of each test to ensure that occupants are aware of the existence of both signals and their different meaning.

1.1.1 Recommendations for weekly testing by the user

When testing the fire detection system, there may be a need to isolate ancillary outputs.

The following recommendations apply:

- (a) Every week, a manual call point should be operated during normal working hours. It should be confirmed that the control equipment is capable of processing a fire alarm signal and providing an output to fire alarm sounders, and to ensure that the fire alarm signal is correctly received at any alarm-receiving centre to which fire alarm signals are transmitted. It is not necessary to confirm that all fire alarm sounder circuits operate correctly at the time of this test.

NOTE 1: It is essential that any alarm receiving centre is contacted immediately before, and immediately after, the weekly test to ensure that unwanted alarms are avoided and that fire alarm signals are correctly received at the alarm receiving centre.

NOTE 2: The user needs to take account of the manufacturer's recommendations, particularly when battery powered devices are being tested, e.g. within radio-linked fire alarm systems.

- (b) The weekly test should be carried out at approximately the same time each week; instructions to occupants should then be that they should report any instance of poor audibility of the fire alarm signal. In systems with staged alarms incorporating an “Alert” and an “Evacuate” signal, the two signals should be operated, where practicable, sequentially in the order they would occur at the time of a fire (i.e. “Alert” and then “Evacuate”).
- (c) In premises in which some employees only work during hours other than that at which the fire alarm system is normally tested, an additional test(s) should

be carried out at least once a month to ensure familiarity of these employees with the fire alarm signal(s).

- (d) A different manual call point should be used at the time of every weekly test, so that all manual call points in the building are tested in rotation over a prolonged period. There is no maximum limit for this period (e.g. in a system with 150 manual call points, the user will test each manual call point every 150 weeks). The result of the weekly test and the identify of the manual call point used should be recorded in the system log book.
- (e) The duration for which any fire alarm signal is given (other than solely at control and indicating equipment) at the time of the weekly test by the user should not normally exceed one minute, so that, in the event of a fire at the time of the weekly test, occupants will be warned by the prolonged operation of the fire alarm devices.
- (f) Voice alarm systems should be tested weekly in accordance with the recommendations of BS 5839-8.

1.1.2 Recommendations for monthly attention by the user

The following recommendations apply:

- (a) If an automatically started emergency generator is used as part of the standby power supply it should be started up once each month by simulation of failure of the normal power supply and operated on-load for at least one hour. The test should be carried out in accordance with the instructions of the generator manufacturer, including instructions on the load that should be operated. At the end of the test, the fuel tanks should be left filled, and the oil and coolant levels should be checked and topped up as necessary.
- (b) If vented batteries are used as a standby power supply, a visual inspection of the batteries and their connections should be made to ensure that they are in good condition. Action should be taken to rectify any defect, including low electrolyte level.

NOTE: Care should be taken to ensure that any person undertaking these tasks is competent to do so safely and has the relevant technical knowledge and training.

1.2 Inspection and Servicing

1.2.1 Commentary

It is essential that the system is subject to periodic inspection and servicing so that unrevealed faults are identified, preventive measures can be taken to ensure the continued reliability of the system, false alarm problems are identified and suitably addressed, and that the user is made aware of any changes to the building that affect the protection afforded by the system.

Periodic inspection and servicing needs to be carried out by a competent person with specialist knowledge of fire detection and alarm systems, including knowledge of the causes of false alarms, sufficient information regarding the system, and adequate access to spares.

This will normally be an outside fire alarm servicing organisation; care needs to be taken to ensure that, if, for example, in-house employees are used for this task, they have equivalent competence to the technicians of a typical fire alarm servicing organisation. Competence of a fire alarm servicing organisation can be assured by the use of organisations that are third-party certificated, by a UKAS-certificated certification body, to carry out inspection and servicing of fire alarm systems.

1.2.2 Recommendation for quarterly inspection of vented batteries

All vented batteries and their connections should be examined by a person competent in battery installation and maintenance technology. Electrolyte levels should be checked and topped up as necessary.

NOTE In many large premises and sites, in-house maintenance personnel may be competent to carry out this task.

1.2.3 Recommendations for periodic inspection and test of the system

Some fire detection and fire alarm systems and components claim to include features that permit functions to be automatically monitored, and faults or warnings to be annunciated, or otherwise made available to authorised persons. In cases where this is proven, the recommendations for routine testing under this subclause and in 1.2.4 may be modified to omit testing which is proven to be unnecessary by the equipment manufacturer, provided it can be proven that the automatic monitoring achieves the same objective as the appropriate test recommended in this subclause and/or 1.2.4. In the case of detectors (all types), tests should ensure that products of combustion are capable of passing unhindered from the protected area to the sensing chamber/elements of the detector and not simply test the ability of the detector to sample/verify the status of the atmosphere already in the sensing chamber.

The recommendations in this clause should be carried out by a competent person. The period between successive inspection and servicing visits should be based upon a risk assessment, taking into account the type of system installed, the environment in which it operates and other factors that may affect the long term operation of the system. The recommended period between successive inspection and servicing visits should not exceed six months. If this recommendation is not implemented, it should be considered that the system is no longer compliant with this part of BS 5839.

The following recommendations are applicable:

- (a) The system log book should be examined. It should be ensured that any faults recorded have received appropriate attention.
- (b) A visual inspection should be made to check whether structural or occupancy changes have affected the compliance of the system with the recommendations of this standard for the siting of manual call points, automatic fire detectors and fire alarm devices. Particular care should be taken to verify whether:
 - (1) all manual call points remain unobstructed and conspicuous;
 - (2) any new exits have been created without the provision of an adjacent manual call point;

- (3) any new or relocated partitions have been erected within 500 mm horizontally of any automatic fire detector;
 - (4) any storage encroaches within 300 mm of ceilings, such as to obviate compliance;
 - (5) a clear space of 500 mm is maintained below each automatic fire detector, and that the ability of the detector to receive the stimulus that it has been designed to detect has not been impeded by other means;
 - (6) any changes to the use or occupancy of an area makes the existing types of automatic fire detector unsuitable for detection of fire or prone to unwanted alarms;
 - (7) any building alterations or extensions require additional fire detection and alarm equipment to be installed.
- (c) The records of false alarms should be checked. The rate of false alarms during the previous 12 months should be recorded. Action taken in respect of false alarms recorded should comply with the recommendations.
 - (d) The standby battery should be disconnected and full load alarm should be simulated.
 - (e) Batteries and their connections should be examined and momentarily load tested with the mains disconnected (other than those within devices such as manual call points, detectors and fire alarm sounders of a radio-linked system), to ensure that they are in good serviceable condition and not likely to fail before the next service visit. Vented batteries should be examined to ensure that the specific gravity of each cell is correct.
 - (f) The fire alarm functions of the control and indicating equipment should be checked by the operation of at least one detector or manual call point on each circuit. An entry should be made in the log book indicating which initiating devices have been used for these tests.
 - (g) The operation of the fire alarm devices should be checked.
 - (h) All controls and visual indicators at control and indicating equipment should be checked for correct operation.
 - (i) The operation of any facility for automatic transmission of alarm signals to an alarm receiving centre should be checked. Where more than one form of alarm signal can be transmitted (e.g. fire and fault signals), the correct transmission of each signal should be confirmed.
 - (j) All ancillary functions of the control and indicating equipment should be tested.
 - (k) All fault indicators and their circuits should be checked, where practicable, by simulation of fault conditions.
 - (l) All printers should be tested to ensure that they operate correctly and that characters are legible. It should be ensured that all printer consumables are

sufficient in quantity or condition to ensure that the printer can be expected to operate until the time of the next service visit.

- (m) Radio systems of all types should be serviced in accordance with the recommendations of the manufacturer.
- (n) All further checks and tests recommended by the manufacturer of the control and indicating equipment and other components of the system should be carried out.
- (o) On completion of the work, any outstanding defects should be reported to the responsible person, the system log book should be completed and a servicing certificate should be issued.

1.2.4 Recommendations for inspection and test of the system over a 12 month period

In addition to the work recommended in 1.2.3 it is recommended that the following work be carried out every year.

NOTE 1: The work described may be carried out over the course of two or more service visits during each twelve month period.

- (a) The switch mechanism of every manual call point should be tested, either by removal of a frangible element, insertion of a test key or operation of the device as it would be operated in the event of fire.
- (b) All automatic fire detectors should be examined, as far as practicable, to ensure that they have not been damaged, painted, or otherwise adversely affected. Thereafter, every detector should be functionally tested. The tests used need prove only that the detectors are connected to the system, are operational and are capable of responding to the phenomena they are designed to detect.
- (c) Every heat detector should be functionally tested by means of a suitable heat source, unless operation of the detector in this manner would then necessitate replacement of part of all of the sensing element (e.g. as in fusible link point detectors or non-integrating line detectors). Special test arrangements will be required for fusible link heat detectors. The heat source should not have the potential to ignite a fire; live flame should not be used, and special equipment might be necessary in explosive atmospheres.
- (d) Point smoke detectors should be functionally tested by a method that confirms that smoke can enter the detector chamber and produce a fire alarm signal (e.g. by use of apparatus that generates simulated smoke or suitable aerosols around the detector). It should be ensured that the material used does not cause damage to, or affect the subsequent performance of, the detector; the manufacturer's guidance on suitable materials should be followed.
- (e) Optical beam smoke detectors should be functionally tested by introducing signal attenuation between the transmitter and receiver, either by use of an optical filter, smoke or simulated smoke.
- (f) Aspiring fire detection systems should be functionally tested by a method that confirms that smoke can enter the detector chamber and produce a fire alarm signal. It should be ensured that the material used does not cause damage to

or affect the subsequent performance of the detectors; the manufacturer's guidance on suitable materials should be followed.

Furthermore, appropriate testing should be performed to verify that smoke is able to enter each sampling point (or collection of sampling points that are recommended by the manufacturer to cover the same area as a point smoke detector).

This can be achieved by introducing smoke into each sampling point in turn and verifying a response at the detector. However, where access is restricted or other site conditions prevent this, other verification techniques should be employed such as:

- verifying transport time from furthest hole or a dedicated test point and comparing with previously recorded results to identify deviations;
- confirming that the flow monitoring is capable of detecting loss of a single sampling point (or collection of sampling points that are deemed to be acceptable for the risks involved);
- inspection of flow readings and comparing with previously recorded results to identify deviations which would indicate a loss of detection performance;
- measurement of the pressure at each sampling point and comparing with previously recorded results to identify deviations which would indicate a loss of detection performance.

The technique used is dependent on the particular features of the ASD technology, the risk and details of the specific application. Such techniques may also be supported by visual inspection of sampling points where this is possible but it is essential to verify that adequate detection performance is maintained. Details of the techniques used should be recorded and agreed with all parties.

NOTE 2: For further guidance see the BFPSA Code of Practice for Category 1 Aspirating Detection Systems.

- (g) Carbon monoxide fire detectors should be functionally tested by a method that confirms that carbon monoxide can enter the detector chamber and produce a fire alarm signal (e.g. by use of apparatus that generates carbon monoxide or a gas that has a similar effect on the electro-chemical cell as carbon monoxide).

WARNING: Carbon monoxide is a highly toxic gas, and suitable precautions should be taken in its use.

NOTE 3: It should be ensured that any test gas used does not cause damage to, or affect the subsequent performance of, the detector; the manufacturer's guidance on suitable test gases should be followed.

- (h) Flame detectors should be functionally tested by a method that confirms that the detector will respond to a suitable frequency of radiation and produce a fire alarm signal. The guidance of the manufacturer on testing of the detectors should be followed.

- (i) In fire detection systems that enable analogue values to be determined at the control and indicating equipment, it should be confirmed that each analogue value is within the range specified by the manufacturer.
- (j) Multi-sensor detectors should be operated by a method that confirms that products of combustion in the vicinity of the detector can reach the sensors and that a fire signal can be produced as appropriate. The guidance of the manufacturer on the manner in which the detector can be functionally tested effectively should be followed.
- (k) All fire alarm devices should be checked for correct operation. It should be confirmed that visual fire alarm devices are not obstructed from view and that their lenses are clean.
- (l) All unmonitored, permanently illuminated filament lamp indicators at control and indicating equipment should be replaced.
- (m) Radio signal strengths in radio-linked systems should be checked for adequacy.
- (n) A visual inspection should be made to confirm that all readily accessible cable fixings are secure and undamaged.
- (o) The cause and effect programme should be confirmed as being correct.
- (p) The standby power supply capacity should be checked to establish it remains suitable for continued service.
- (q) All further annual checks and tests recommended by the manufacturer of the control and indicating equipment and other components of the system should be carried out.

On completion of the work, any outstanding defects should be reported to the responsible person and a record of the inspection and test should be made on the servicing certificate.

NOTE 4: Since stimulus of the sensing element through introduction of the phenomena or surrogate phenomena which the above detectors are designed to detect forms part of the test, use of a test button or a test magnet (for example) or compliance with 1.2.4 (1) does not satisfy the recommendations given.

2. NON-ROUTINE ATTENTION

2.1 Commentary

The arrangements in Clause 1 are intended to maintain the system in operation under normal circumstances. However, from time to time, the fire alarm system is likely to require non-routine attention, including special maintenance. Non-routine maintenance includes:

- a special inspection of an existing fire alarm system when a new servicing organisation takes over servicing the system;
- repair of faults or damage;

- modification to take account of extensions, alterations, changes in occupancy or false alarms;
- action to address an unacceptable rate of false alarms;
- inspection and test of the system following a fire.

2.1.1 Recommendations for special inspection on appointment of a new servicing organisation

The following recommendations apply:

- (a) When a servicing organisation takes over servicing arrangements for an existing system, a special inspection should be carried out, and existing records, where available, should be studied, to obtain sufficient information to be documented for effective future servicing of the system.
- (b) Major areas of non-compliance with this standard should be documented and identified to the responsible person appointed by the user. The classification of a non-compliance as major is subjective, but the following non-compliances should be regarded as major:

NOTE 1: It is not implied that non-compliances need to be rectified; this is a matter for the user to determine, based on the advice of the servicing organisation, the enforcing authorities, the insurer and any third-party advisers engaged by the user, as appropriate.

- (1) an inadequate number of call points to comply with the recommendations;
- (2) inadequate provision of fire detection to comply with the recommendations of this standard for the Category of system that the system was designed to meet;
- (3) sound pressure levels that fail to comply with the recommendations;
- (4) standby power supplies that fail to comply with the recommendations. The absence of any standby power supply should be highlighted to the responsible person, as systems that incorporate no standby power supply breach the Health and Safety (Safety Signs and Signals Regulations 1996 [1];
- (5) cabling with fire resistance that fails to comply with the recommendations;
- (6) monitoring of circuits that fail to comply with the recommendations;
- (7) standards of electrical safety such that the recommendations are not satisfied;
- (8) exposure to, or experience of, false alarms, such as to preclude compliance with Section 3;

- (9) changes in the use, layout and construction of the protected premises that may impact on the effectiveness of the system.
- (c) If no log book suitable for enabling compliance with the recommendations exists, a suitable log book should be provided by the servicing organisation.

2.1.2 Recommendations for arrangements for repair of faults or damage

The following recommendations apply:

- (a) Where maintenance is carried out by a third party, such as a fire alarm maintenance organisation, there should be an agreement for emergency call out to deal with any fault or damage that occurs to the system. The agreement for emergency call out to deal with any fault or damage that occurs to the system. The agreement should be such that, on a 24 hour basis, a technician of the maintenance organisation can normally attend the premises within eight hours of a call from the user.

NOTE: It is accepted that this might not be possible in very remote areas and certain off shore islands, in which case this should be regarded as a variation from the recommendations of this part of BS 5839 in respect of maintenance arrangements. This variation should be recorded in the system log book.

- (b) The name and telephone number of any third party responsible for maintenance of the system should be prominently displayed at the main control and indicating equipment, and the records and documentation as identified should be kept updated.
- (c) The user should record all faults or damage in the system log book, and should arrange for repair to be carried out as soon as possible.

2.2 Modifications to the system

2.2.1 Commentary

Modifications to the system can arise for a number of reasons. Examples include:

- extension of the system to protect areas of the building previously unprotected or newly constructed;
- change of detector type as a result of changes in occupancy or the occurrence of false alarms;
- re-siting of, or increase in the number of, detectors and/or fire alarm devices to take account of changes in the layout of the building;
- reconfiguration of the system (in hardware, software or both) to change the cause and effect logic in order to facilitate filtering of false alarms.

Since modification of a system effectively involves an element of re-design, responsibility for modification of a system needs to rest with a person who has a sufficient degree of design competence.

Even simple modification can give rise to the need for significant re-testing of the system. This is particularly true of software-controlled systems. For example, a

software change to facilitate a different cause and effect for a single automatic fire detector can result in the introduction of software errors that affect the operation of entirely non-related parts of the system.

It is possible in some systems, for modification of the system configuration to be carried out remotely, via a modem. Great care needs to be taken, regardless of whether modifications are undertaken on site or remotely, to ensure that;

- the system continues to comply in full with this part of BS 5839, or that existing non-compliances are not made more non-compliant; if new variations are introduced, it needs to be ensured that a new certificate, reflecting the variations, is issued;
- suitable tests are carried out at the protected premises to confirm that, after modification, the system operates as intended and that errors have not resulted in changes to other parts of the system;
- “as fitted” drawings and other records are updated as appropriate;
- details of the modification are documented and provided to the responsible person.

Although the modifications may often be carried out remotely by the maintenance organisation, it will be appropriate for a competent person from the maintenance organisation to visit the premises before the modification is carried out, to confirm the validity of the modification and consider its effect on compliance with this part of BS 5839. It might be necessary to visit the premises to undertake certain tests immediately after the modification has been carried out.

2.2.2 Recommendations applicable to all modification work

The following recommendations apply to all modification work, regardless of whether it is carried out on site or remotely.

- (a) Responsibility for modification of a fire alarm system should rest, ultimately, with a person who is competent in at least the basic principles of fire alarm system design and is conversant with this part of BS 5839.

NOTE: This person may, for example, be the original designer, or may be a competent representative of the user or maintenance organisation.

- (b) Before modifying a fire alarm system, care should be taken to ensure that the proposed modifications do not detrimentally affect the compliance of the system with fire safety legislation; where doubt exists, there should be consultation with the relevant enforcement authority.
- (c) The responsible person should be aware of, and agree, in writing, any modifications proposed for the system. Where appropriate, modifications should also be subject to the agreement of the enforcing authorities and/or insurers.
- (d) All components, circuits, system operations and site-specific software functions known to be affected by the modifications should be tested for correct operation following the modifications.

- (e) In addition to the tests recommended the following tests should be carried out to ensure that there is no adverse effect on the overall system:
- (1) if one or more devices have been added to or removed from a circuit, at least one other device on the same circuit should be tested;
 - (2) if the control equipment has been modified, at least one device on every circuit should be tested;
 - (3) if any additional load has been placed on the system, tests should be carried out to prove that the rating of the power supply unit and the capacity of the standby batteries remain adequate;
 - (4) if software has been modified, further random testing of other parts of the system should be carried out to ensure that seemingly unrelated parts of the system have not been adversely affected.

NOTE 2: The nature and extend of these test cannot be specified in this standard; this will depend on the nature and extent of the software changes and should be defined by the organisation responsible for the software changes.

- (f) On completion of the modifications, all “as fitted” drawings and other relevant system records should be updated as appropriate and made available with the system documentation.
- (g) On commissioning of the work and completion of the tests, a modification certificate should be issued, confirming that the work has been carried out in accordance with the recommendations of this part of BS 5839, or identifying any variations. A model modification certificate is set out in Annex G. Where responsibility for the compliance, or otherwise, of the modified system with the recommendations of Section 2 of this standard rests with any person other than the organisation carrying out the modification. That person should sign the appropriate section of the modification certificate and ensure it is made available with the system documentation.

2.2.3 Recommendations applicable to modifications carried out remotely

In addition to the recommendations the following recommendations apply.

- (a) Any person carrying out modifications remotely should have access to current “as fitted” drawings of the system and to the current system configuration, indicating full details of cause and effect logic, available with the system documentation.
- (b) Any person carrying out modifications remotely should be conversant with this part of BS 5839.

2.2.4 Recommendations for action to address an unacceptable rate of false alarms

The following recommendations apply.

- (a) Any investigation into an unacceptable rate of false alarms, and any subsequent modifications to the system, should take into account the guidance contained in Section 3 of this standard. Where causes of false

alarms cannot be determined, each of the recognised causes discussed should be formally considered.

- (b) Following such modifications, the system should either continue to comply with this part of BS 5839, or should not be more non-compliant than prior to the modifications unless agreed with all interested parties.
- (c) Any relevant documentation should be made available with the system documentation.

2.2.5 Recommendations for inspection and test of the system following any fire

The following recommendations should be carried out as soon as possible after any fire.

- (a) Every manual call point, automatic fire detector and fire alarm device that might have been affected by the fire should be inspected and tested in accordance with 1.2.4.
- (b) A visual examination and suitable tests should be carried out on any other part of the system that lies within the fire area and other areas affected by corrosive smoke from the fire and that might have been damaged by the fire (e.g. power supplies, control equipment and cable). Where there is evidence of damage, suitable action should be taken.
- (c) Circuits external to the control and indicating equipment that could have been affected by the fire should be tested for correct operation.
- (d) On completion of the work, any defects found should be recorded in the system log book, and the responsible person appointed by the user should be notified accordingly.

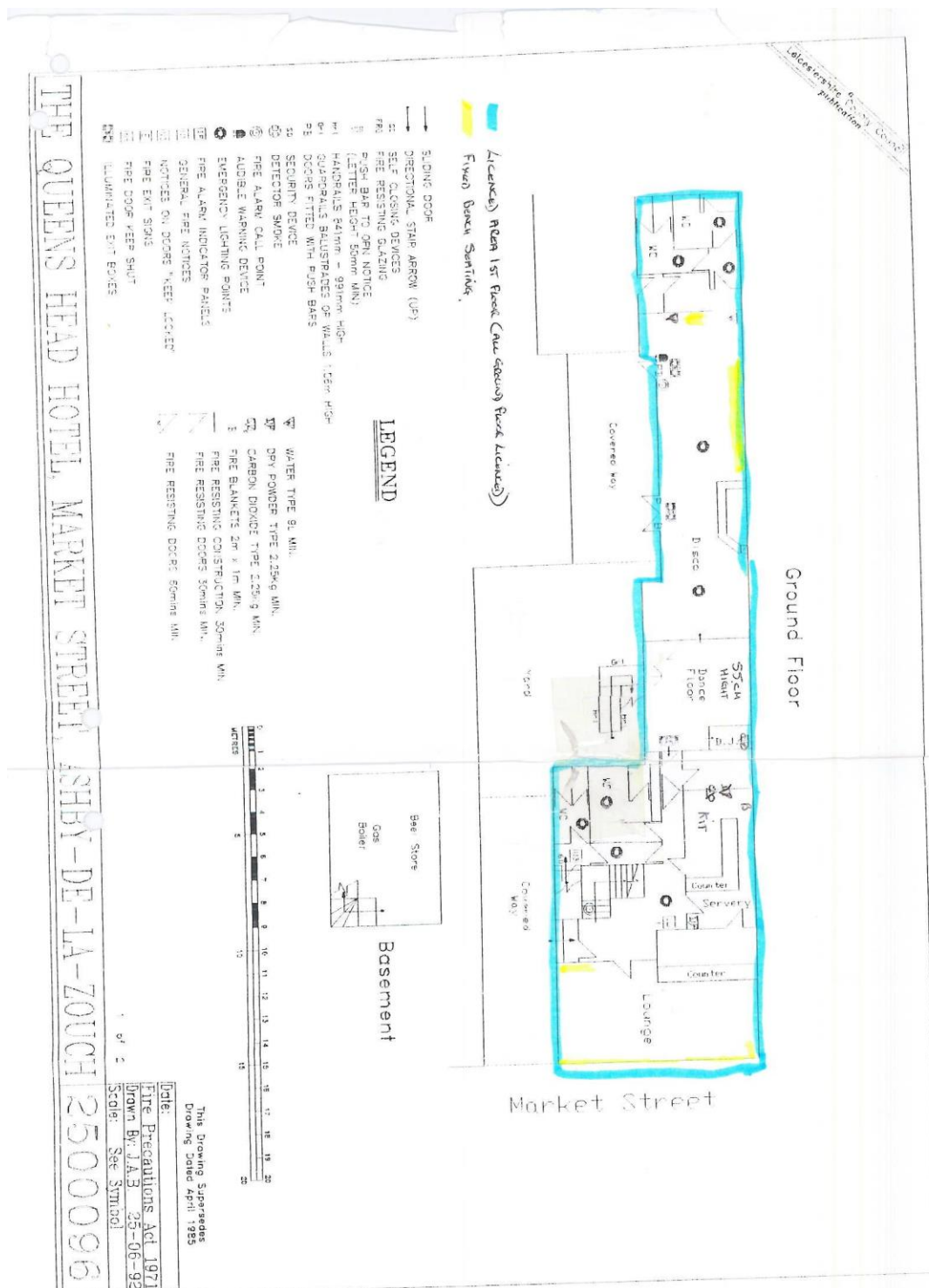
2.2.6 Recommendation for inspection and test of the system following long periods of disconnection

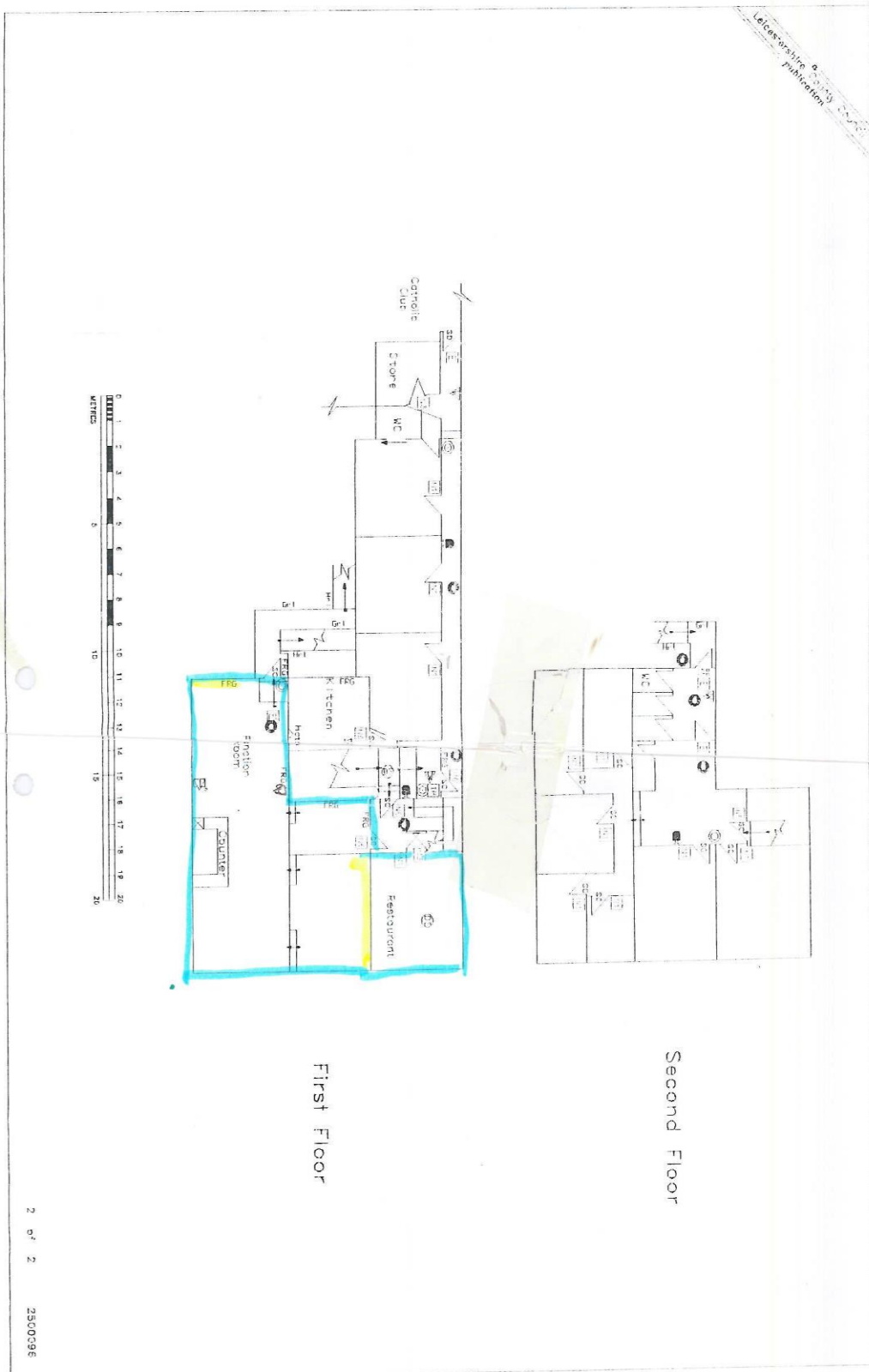
The recommendations for inspection and test of the system over a 12 month period (see 1.2.4) should be undertaken.

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

1. Noise emanating from the premises as measured at the nearest residential property shall be no more than 5dBA greater than the existing background level.
2. Suitable sound attenuation measures shall be maintained in accordance with the premises licence holders noise risk assessments and in consultation with the District Council's Environmental Health Department.
3. Appropriate sound limiting equipment and sound proofing throughout the Queens Head as recommended and agreed by the Environmental Health Department of North West Leicestershire District Council.
4. During regulated entertainment, regular noise patrols shall be conducted by staff to ensure permitted noise levels are not exceeded.
5. A noise limiter shall be installed in conjunction with the district Councils Environmental Health Department.
6. The Premises Licence holder shall comply with the Dispersal Policy for the premises (see document attached) as agreed by Members at the Licensing Sub-Committee hearing held on 27th February 2012.

Annex 4 – Plans





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Ashby Social Club / Ciro's Nightclub

79 Market Street, Ashby de la Zouch, Leicestershire, LE65 1AH

Dispersal Procedure for Ashby Social Club (incorporating Ciro's Nightclub)

Introduction

It is acknowledged by Lisette Bell-Simmonds (the proprietor) that there may be a conflict between the legitimate right of Ashby Social Club to provide alcohol and other licensable activities and the equally legitimate right of neighbours to enjoy their homes and businesses without disturbance.

Ashby Social Club also acknowledges that popular venues are potential sources of nuisance, anti-social behaviour and crime which may create concerns for the immediate neighbourhood, its residents and the relevant Authorities.

Definition

The Dispersal Procedure is not to be confused with The Evacuation Procedure, any design standard, any other operational policies or any agreed/enforced rules or guidelines.

The Dispersal Procedure (around the terminal hour) is dedicated to make the maximum contribution by exercising pro-active measures, towards and at the end of trading, to move customers from the venue and its immediate area in such a way as to cause minimum disturbance or nuisance to neighbours, both residential and business, and to make the minimum impact upon the neighbourhood in relation to potential nuisance, anti-social behaviour and crime.

The relevance of the time of closure is recognised as meriting this special attention and concern.

This procedure document is specific to Ashby Social Club and Ciro's Nightclub and its locality.

The Dispersal Procedure has been formulated by the Management of the venue in conjunction with the Police, senior Licensing Representatives and security of the venue and is incorporated as a condition of the premises licence in accordance with the decision of the Licensing Authority of 27 February 2012.

The Dispersal Procedure is subject to review and will address problems and concerns as they are identified in order to establish a permanent reduction or elimination of issues relating to crime and disorder and public nuisance.

Neighbours Charter

Residential neighbours in the local area will be given a copy of the venue's 'Neighbour Charter'.

This charter explains the existence and aims of the Dispersal Procedure and gives clear communication lines so any neighbour can draw attention to a matter which causes concern (these may relate to customers departing or any other issue).

A committee which comprises representatives of the venue and residential neighbours, along with other persons as appropriate, may be established to create good and close relations if considered necessary

Dispersal Procedure Document

1. Relevance of Licensing Conditions:

The Management shall ensure that the conditions of the Premises Licence, around the terminal hour, are strictly adhered to. The **Dispersal Procedure** will encourage the dispersal of patrons gradually, both during the last part of trading and following the end of the bar service.

During and staff re-allocated to collecting glasses or other customer service in the cloakroom to assist customer departure. A series of measures will be implemented to assist dispersal throughout this period and the 'drinking-up' time.

2. End of Evening Operational Policies:

Management of the venue shall use reduction of volume levels, types of music played and variation of lighting levels to encourage the gradual dispersal of patrons during the last part of trading and during the drinking-up period.

Announcements shall be used to both encourage a gradual dispersal and to remind customers of consideration for neighbours.

3. Cloakroom:

The cloakroom is situated in order to assist the swift return of coats. Management and operation of the cloakroom plays an important part in the dispersal process. (Staffing and control systems shall be increased in the period prior to bar closure).

4. Notices at Exit:

In line with the Ashby Social Club/Ciro's policies, highly visible notices shall be placed in the foyer requesting exiting customers to leave quietly and to respect neighbours and their property.

5. Door Supervisors:

shall encourage customers to drink-up and progress to the exit within the venue throughout the latter part of the drinking-up time;

shall draw the attention of exiting customers to the notices in the foyer and ask them to be considerate;

shall ensure the removal of all bottles and glasses from any customer who attempts to leave the venue carrying one. A table and bottle skip will be positioned just inside the venue by the door to the foyer to collect glasses/bottles;

shall actively encourage customers not to assemble outside the venue;

shall direct customers to the nearest taxi ranks or other transportation away from the area;

shall wear high visibility jackets from 9pm on the door on all trading nights.

6. Food

Food is available at discounted rates from the venue until the last guest exits Ashby Social Club/Ciro's, either in the form of the late night snack menu or hot dogs and large burgers. This is provided to relieve the pressure on fast food outlets on the street and allow people to head straight to the taxi ranks.

7. Marshalls:

Ashby Social Club/Ciro's shall contribute to the funding of the Town Centre Taxi Marshal Service should this become relevant.

8. Rubbish Control

The area patrolled shall be from Ciro's to the right of the Chip Shop and to the left of the Co-op.

The venue shall send out a 'Rubbish Patrol' following closure. The Rubbish Patrol shall be responsible for picking up bottles and food wrappings in the designated area. (These are likely to be from sources other than our venue – but will be collected and disposed of).

On rare occasions this patrol may be faced with the result of anti-social behaviour such as vomiting and urination. This will be cleared by use with a mop and bucket containing a disinfectant solution.

9. Staff:

Consideration will be given to procedure for staff departures.

10. Training:

Training at all levels shall be conducted to ensure understanding and implementation of the venue specific Dispersal Procedure.

Contact Numbers:

General Manager Ciro's	Lena Horbovtsova	01530 412780
Operations Manager Ciro's	Lee Firetto	07791 546106
Operations Director	Lisette Bell-Simmonds	07973 451304
Head Office	Customer Relations	01530 560622

Office: Queen's Head Hotel: 79 Market Street, Ashby de la Zouch, Leicestershire, LE65 1AH

APPENDIX 2

Leisure Centre

Pool

Library

The Haven

Car Park

123.9m

NORTH STREET

127.3m

Club

Theatre

Nursery

Surgery

Court 19

Mill Lane

Trencham Close

Bank

Market Hall

Bakery Ct

Town Hall

Mews

Castle Flats

Ho

Castle

Offices

Tennis Courts

Twinnings

Rowena

Ashtrees

Court

Union Passage

122.8m

126.3m

125.9m

122.9m

130.8m

130.1m

LOWER CHURCH STREET

63

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Application to vary a premises licence 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 ASHLEY JOHN EDWARD RAYNER
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

NWL 20233

Part 1 – Premises Details

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

QUEEN'S HEAD HOTEL AND CRO'S
79 MARKET STREET

Post town

ASHBY-DE-LA-ZOUCH

Postcode

LE65 1AH

Telephone number at premises (if any)

01530 412780

Non-domestic rateable value of premises

£

Part 2 – Applicant details

Daytime contact telephone number	01530 412780		
E-mail address (optional)	AJE.RAYNER@GOOGLEMAIL.COM		
Current postal address if different from premises address			
Post town		Postcode	

Part 3 – Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐ No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☒ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

- TO EXTEND THE 'SALE BY RETAIL OF ALCOHOL' TO 4.30 AM.
- TO EXTEND THE 'PROVISION OF REGULATED ENTERTAINMENT' UNTIL 5AM.
- TO EXTEND THE 'PROVISION OF LATE NIGHT REFRESHMENT' UNTIL 5AM.
- TO EXTEND THE BUSINESS OPENING HOURS UNTIL 5AM

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:

N/A

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

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

☐☐☐☐☒☒☒☒

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

☒

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

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>	
					Outdoors	<input type="checkbox"/>	
Day	Start	Finish	Both				<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)				
Tue							
Wed			State any seasonal variations for performing plays (please read guidance note 5)				
Thur							
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 6)				
Sat							
Sun							

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>	
					Outdoors	<input type="checkbox"/>	
Day	Start	Finish	Both				<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)				
Tue							
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)				
Thur							
Fri			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 6)				
Sat							
Sun							

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon	9:00	5:00	
Tue	9:00	5:00	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed	9:00	5:00	
Thur	9:00	5:00	
Fri	9:00	5:00	<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 6)
Sat	9:00	5:00	
Sun	9:00	5:00	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		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 4)			
Mon						
Tue						
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)			
Thur						
Fri						
Sat			<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 6)			
Sun						

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)		
Mon	9:00	5:00			
Tue	9:00	5:00			
Wed	9:00	5:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	9:00	5:00			
Fri	9:00	5:00			
Sat	9:00	5:00	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 6)		
Sun	9:00	5:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)		
Mon	9:00	5:00			
Tue	9:00	5:00			
Wed	9:00	5:00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	9:00	5:00			
Fri	9:00	5:00			
Sat	9:00	5:00	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 6)		
Sun	9:00	5:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)		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 4)			
Mon	9:00	5:00				
Tue	9:00	5:00				
Wed	9:00	5:00				
Thur	9:00	5:00	State any seasonal variations for the performance of dance (please read guidance note 5)			
Fri	9:00	5:00	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 (please read guidance note 6)			
Sat	9:00	5:00				
Sun	9:00	5:00				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing			
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input checked="" type="checkbox"/>
Mon	9:00	5:00			Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Tue	9:00	5:00	Please give further details here (please read guidance note 4)			
Wed	9:00	5:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)			
Thur	9:00	5:00				
Fri	9:00	5:00				
Sat	9:00	5:00	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 (please read guidance note 6)			
Sun	9:00	5:00				

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)		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 4)			
Mon	23:00	5:00				
Tue	23:00	5:00				
Wed	23:00	5:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)			
Thur	23:00	5:00				
Fri	23:00	5:00	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 6)			
Sat	23:00	5:00				
Sun	23:00	5:00				

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption <u>- please tick</u> (please read guidance note 8)		On the premises	<input type="checkbox"/>
					Off the premises	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)			
Mon	9:00	4:30				
Tue	9:00	4:30				
Wed	9:00	4:30				
Thur	9:00	4:30	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 6)			
Fri	9:00	4:30				
Sat	9:00	4:30				
Sun	9:00	4:30				

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9). <div style="font-size: 2em; margin-top: 20px;">N/A</div>

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	9:00	5:00	
Tue	9:00	5:00	
Wed	9:00	5:00	
Thur	9:00	5:00	
Fri	9:00	5:00	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 6)
Sat	9:00	5:00	
Sun	9:00	5:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

PLEASE SEE OVERLEAF A LIST OF CONDITIONS
 WE REQUEST ARE REMOVED DUE TO BEING
 OUT OF DATE, UNENFORCEABLE OR SUPERSEDED
 BY CURRENT LEGISLATION

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

☒
☐

Annex 2: Conditions consistent with the operating schedule:

Item 1

Items 3-6

Items 8-11

Item 15

Items 18 – 31

Items 33 – 56

Items 67 -86

Items 92-112

Annex A: Provision of Sanitary Accommodation

All items in this section

Guidance Note A: Emergency Lighting

All items in this section

Guidance Note B: Fire Retardant Materials

All items in this section

Guidance Note C: Fire Alarm Testing and Maintenance

All items in this section

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

N/A

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

b) The prevention of crime and disorder

- CCTV SYSTEM INSTALLED & WORKING
- SECURITY STAFF & DUTY MANAGER TO USE 'WALKIE TALKIE' SYSTEM TO COMMUNICATE, AS WELL AS USING TOWN RADIO

c) Public safety

- FIRE RISK ASSESSMENT COMPLETED ANNUALLY
- ELECTRICAL PAT TESTING COMPLETED ANNUALLY
- FIRE DRILL, FIRE ALARM CALL POINT TESTING & EMERGENCY LIGHTING TESTING COMPLETED MONTHLY

d) The prevention of public nuisance

- SIGNAGE TO BE DISPLAYED AT MAIN EXIT ENCOURAGING CUSTOMERS TO SHOW CONSIDERATION FOR RESIDENTS WHEN LEAVING THE PREMISES
- DISPOSAL PROCEDURE FIRST ISSUED IN 2012, TO BE UPDATED ANNUALLY

e) The protection of children from harm

- CHALLENGE 25 SCHEME IN USE & LOGS KEPT DETAILING CHALLENGES MADE & THE OUTCOME

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
I have not made or enclosed payment of the fee because this application has been made
in relation to the introduction of the late night levy. ☒
- I have sent copies of this application and the plan to responsible authorities and others
where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will
be rejected. ☒

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

Part 5 – Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	27/2/16
Capacity	DIRECTOR

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). 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 14)

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)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or 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 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example 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.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.



APPENDIX 4

Leicestershire Police

Licensing Act 2003 – Representation in respect of Premises Licence Major Variation Application

Details of person or body making representation	
Your Name:	PC Jonathan Webb
Your Address:	Force Licensing Department, Mansfield House, 74 Belgrave Gate, Leicester LE1 3GG

Details of premises representation is about	
Name of Premises:	Queens Head Hotel & Ciro's
Address of premises:	79 Market St Ashby De La Zouch LE65 1AH
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/>
Public Safety	<input type="checkbox"/>
Prevention of public nuisance	<input checked="" type="checkbox"/>
Protection of children from harm	<input type="checkbox"/>

Please summarise your concerns about this application:
<p>I write in my capacity as a licensing officer for Leicestershire Police on the authority delegated to me by the Chief Constable.</p> <p>My representation relates to the Licensing Objectives of Prevention Of Crime & Disorder & Prevention of Public Nuisance.</p> <p>North West Leicestershire District Council has adopted a Special Policy in relation to applications for new licences and material variations in this Cumulative Impact Area. The effect of this policy is set out in the Council's current policy.</p>

Page 22 of that policy under Special Policy – Cumulative Impact – Ashby de la Zouch Town Centre states:

*“The effect of the Ashby de le Zouch Town Centre special policy is the creation of a rebuttable presumption that applications for new premises licences or club premises certificates, or **variations**, will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. This special policy applies to all applications from all types of premises operating between 20:00 and 06:00.”*

The applicant has made no mention in their application of the “local licensing policy” in relation to the “Cumulative Impact Zone”.

It must be assumed that the cumulative impact policy has therefore not been fully consulted prior to submission.

This application relates to a public house which already has a licence to sell alcohol from 0900hrs each day with a number of variable hours for the cessation of licensable activities over the week.

The applicant is looking to vary the present licence substantially including the availability of licensable activity every day from 0900hrs until 0500hrs.

Were this licence to be granted it would greatly impact on the licensing objectives relevant to the cumulative impact area.

By applying for a variation it has given the applicant the opportunity to enhance their licence with conditions which indicate to the sub committee their desire to promote the licensing objectives and react to the cumulative impact policy.

The steps put forward on the application in its present form, in the opinion of Leicestershire Police, fail to do this.

CCTV is a proven tool to not only prevent crime and disorder and assist the police in detecting crime but also provides a safe environment for those attending the premises. The applicant has stated they will install a cctv system and that it will be working. It does not indicate when it would be working, whether the system is adequate for the premises or whether they would work with the police or responsible authorities in providing cctv images.

Each of these would promote the four licensing objectives especially of crime & disorder and public nuisance.

The premises having a licence to operate 7 days a week until 0500hrs has the potential to increase the footfall and thereby the potential to increase crime & disorder and public nuisance.

Customers leaving the premises will have had an extra 2 hours to consume alcohol which may increase the possibility of them becoming victims of crime or even perpetrators.

The applicant has not identified what steps they would take to ensure these much longer operating hours would not impact on the cumulative impact area.

In its present form Leicestershire Police request that the application is refused.

The purpose of this representation is therefore to engage the discretion of the Licensing Authority in considering the Councils own policy in relation to this application

.
PC1790 Jonathan Webb
24th March 2016

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NORTH WEST LEICESTERSHIRE LICENSING AUTHORITY
Licensing Act 2003
REPLY FROM RESPONSIBLE AUTHORITY- NO REPRESENTATION

Responsible Authority: Environmental Protection

Your Name	Mary Rose Fitzgerald
Job Title	Environmental Health Officer
Postal Address	Council Offices Coalville Leicestershire LE67 3FJ
Consultation Reference	16/01018/EPLICE
Consultation Type	Env. Protection Licence Consultation
Email Address	maryrose.fitzgerald@nwleicestershire.gov.uk
Contact telephone number	
Name and Address of the premises you are making a representation about	Queens Head Hotel 79 Market Street Ashby De La Zouch Leicestershire LE65 1AH
Proposal	Variation of premise license Extend the sale by retail of alcohol to 0430 Extend the provision of regulated entertainment until 0500 Extend the provision of late night refreshment until 0500 to extend the business opening hours until 0500 See attached email

On the grounds of preventing public nuisance,

I have been in discussions with the applicant and the premises management regarding the control of noise from the premises. Following this the applicant has provided an additional document regarding noise control from the premises.

I object to this application on the grounds of public nuisance relating to noise from the premises.

I would be satisfied with this applications and remove my objection on the following grounds:

1. The existing noise conditions are transferred to this application
2. The document submitted to me and entitled Noise and Customer Dispersal as supplied to the Licensing Authority– March 2016 is added to the licence by way of the following condition:

Prior to the approval of this application the applicant must prepare and submit a Noise and Customer Dispersal Plan for approval by the Licensing Authority. Once approved this document will form the operational parameters under which the premises will be operated and managed. The plan must address the following:

- Noise Pollution
- Dispersal Process
- Add more if necessary

The above plan must be reviewed annually (date to be agreed with Licensing Authority) and the Licence holder shall notify the Licensing Authority of the review commencing. If any amendments are made, such changes shall require the approval of the licensing Authority in consultation with any appropriate responsible authorities.

Signed: *Mary Rose Fitzgerald* Date: 29.03.2016

Please return this form along with any additional sheets to:

North West Leicestershire Licensing Authority,
Council Offices,
Coalville,
Leicestershire,
LE67 3FJ,

or email licensing@nwleicestershire.gov.uk.

This form must be returned within the Statutory Period. For more details please check with the Licensing Office on 01530 454529, 454838 or 454844.

Ciros Nightclub and VIP Rooms

79 Market Street, Ashby-de-la-Zouch, Leicestershire, LE65 1AH

Noise & Dispersal Management Policy

It is acknowledged by Ashley Rayner (proprietor) and the club management that there may be a conflict between the legitimate right of Ciros Nightclub/VIP rooms to provide sale by retail of alcohol and other licensable activities and the equally legitimate right of neighbours to enjoy their homes and businesses without disturbance.

To efficiently manage the impact of both noise pollution and the customer dispersal we have created this document of commitments made by the club management. This document will be updated once annually as a minimum, with copies sent to North West Leicestershire District Council and North West Leicestershire Police if any amendments are made following annual review.

We are committed to pro-active measures before, during and after trading to ensure the operation of the premises has a minimum impact on local residents and businesses.

Noise Pollution

We take a pro-active approach to noise management. This includes:

Decibel Readings

We take a pro-active approach to noise management. As part of this, we record noise levels in decibels at identified locations prior to trading to get an ambient noise level, then to ensure we are operating within the conditions of our premises licence we perform follow-up during trading in the same locations. These noise levels are recorded and monitored, with logs to be kept for 3 months. The specified locations have been chosen, two at the front of the premises and two at the rear, as follows:

- Outside the Co-Operative Shop at 73 Market Street
- Outside the Chip Shop at 83 Market Street
- Outside Ashby Day Nursery on North Street
- Outside Dr Jin Acupuncture on North Street

If at any time we are exceeding decibel levels detailed on our premises licence action will be taken immediately to reduce volume.

Use of Premises

Our aim is to use the rooms on the first floor of the venue as little as possible, with a preference for using the rooms located on the ground floor. This will assist with managing sound levels.

Studio79, on the first floor of the VIP Rooms with fire exit doors leading out onto a smoking shelter. This room is solely used for private hire purposes and on a standard week is no longer used, thus eliminating the issue where noise pollution emanating from the smoking shelter fire exit doors being open could affect local residents. On the occasion this room is privately hired the smoking shelter fire exit doors will remain closed after midnight.

The Loft, on the first floor of The Queen's Head Hotel premises is to be closed from 1.30am at the latest. We operate a policy where at midnight customers are stamped for free entry to the nightclub located on the ground floor, thereby encouraging customers to proceed downstairs from midnight onwards. Where it is appropriate due to level of trade action will be taken to close this room earlier than 1.30am.

Other Controls

The Loft Bar, on the first floor of The Queen's Head Hotel premises facing out onto Market Street has a 'limiter' placed on its equipment, this is password protected with only club management being able to adjust the settings and ensures decibel readings stay within accepted limits.

Dispersal Process

In addition to managing noise pollution during the operating hours, we take extra care to ensure we take a pro-active approach to ensuring the dispersal of customers at the end of trading is as seamless as possible with minimum impact on the local community. This includes:

Door Supervisors

We use a reputable external security company to provide SIA licenced Door Supervisors. In addition to this, Ashley Rayner (Proprietor) and Michael Maughan/Kerry Johnson (Club Management) are also SIA licenced as Door Supervisors, ensuring extra support is available to our Door Supervisors if necessary to carry out their duties.

During the period around the bar closing and the premises closing, Door Supervisors and Club Management will take extra care to:

- Ensure customers are encouraged to finish their drinks and vacate the premises quietly
- Direct customers to the nearest public transport
- Ask customers not to congregate at the front of the premises
- Ensure customers dispose of any drinks they have before exiting the premises

Cloakroom

During the period of the bar closing leading up to the premises closing staffing levels will be increased in the cloakroom to ensure customers can get their belongings as quickly as possible and vacate the premises.

Music & Lighting Levels

During the period of the bar closing leading up to the premises closing music levels and lighting will be changed to indicate to customers that the operating hours are coming to an end.

Customer Communication

Signage is displayed at the exit asking customers to leave quietly.

Announcements are to be made via microphone reminding customers of the same.

Lollipops are given out by staff as customers are leaving the premises, encouraging them to leave the premises quietly.

Litter Patrol

After the premises have closed members of staff will be deployed to patrol the area at the front of the premises, from the Co-Operative Shop on 73 Market Street to the Chip Shop on 83 Market Street, removing any litter or debris we believe to have been caused by our customers. In the event of discovering any vomit or urination this will also be cleared up using the appropriate equipment.

Summary

We believe the above measures and controls will enable us to effectively manage noise and customer dispersal, and that this should be a living document that is updated as appropriate. All team members are to be trained in this policy upon the commencement of their employment, with a refresher every 12 months or if any updates are made (whichever occurs first).

In the event of the licence extension being granted communication will be sent to all residents living in the immediate vicinity of the premises, with a summary version of our commitments listed above and a single point of contact for customers with any immediate or future concerns.

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**Licensing Act 2003
Premises Licence Variation Application – Queens Head
Hotel/Ciros, Market Street, Ashby De La Zouch,
Leicestershire, LE65 1AH**

**Notification to Local Authority of agreement regarding
Representations**

To: Licensing Authority Office (NWLDC)

Date: 01.04.2016

Dear Sir/Madam

I write in my capacity as the applicant in relation to the above matter.

Discussions have taken place with the Environmental Protection Team in relation to the promotion of the public nuisance licensing objective.

I would like to add the following conditions to my application:

3. The existing noise conditions are transferred to this application
4. The document submitted to me and entitled Noise and Customer Dispersal as supplied to the Licensing Authority– March 2016 is added to the licence by way of the following condition:

Prior to the approval of this application the applicant must prepare and submit a Noise and Customer Dispersal Plan for approval by the Licensing Authority. Once approved this document will form the operational parameters under which the premises will be operated and managed. The plan must address the following:

- Noise Pollution
- Dispersal Process
- Add more if necessary

The above plan must be reviewed annually (date to be agreed with Licensing Authority) and the Licence holder shall notify the Licensing Authority of the review commencing. If any amendments are made, such changes shall require the approval of the licensing Authority in consultation with any appropriate responsible authorities.

Please accept this notice as formal request to amend my application/operating schedule in accordance with the above and note that I agree to these conditions being attached to the premises licence. Furthermore, I confirm that I do not consider a hearing to be necessary.

Signed.....Name in block ASHLEY RAYNER

Date.....4/4/16

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NORTH WEST LEICESTERSHIRE LICENSING AUTHORITY
Licensing Act 2003
REPLY FROM RESPONSIBLE AUTHORITY- NO REPRESENTATION

Responsible Authority: Environmental Protection

Your Name	Mary Rose Fitzgerald
Job Title	Environmental Health Officer
Postal Address	Council Offices Coalville Leicestershire LE67 3FJ
Consultation Reference	16/01018/EPLICE
Consultation Type	Env. Protection Licence Consultation
Email Address	maryrose.fitzgerald@nwleicestershire.gov.uk
Contact telephone number	
Name and Address of the premises you are making a representation about	Queens Head Hotel 79 Market Street Ashby De La Zouch Leicestershire LE65 1AH
Proposal	Variation of premise license Extend the sale by retail of alcohol to 0430 Extend the provision of regulated entertainment until 0500 Extend the provision of late night refreshment until 0500 to extend the business opening hours until 0500 See attached email

The applicants have signed an agreement to include the conditions I proposed as part of my previous response.

In light of this I wish to remove my objection to this application.

Signed: *Mary Rose Fitzgerald* Date: 04.04.2016

Please return this form along with any additional sheets to:
 North West Leicestershire Licensing Authority,
 Council Offices,
 Coalville,
 Leicestershire,
 LE67 3FJ,

or email licensing@nwleicestershire.gov.uk.

This form must be returned within the Statutory Period. For more details please check with the Licensing Office on 01530 454529, 454838 or 454844.

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL
LICENSING ACT 2003**

REPRESENTATION FORM

Your name/organisation name/name of body you represent	Ashby de la Zouch Town Council
Organisation name/name of body you represent (if appropriate)	
Your Postal address	Legion House, South Street, Ashby de la Zouch, Leicestershire, LE65 1BQ
Name of the premises you are making a representation about	Queens Head and Ciro's
Address of the premises you are making a representation about	Market Street, Ashby de la Zouch

What are you making a representation about?
Please indicate which part of the licence/certificate application you are making a representation about (i.e. Terminal hours, and music and dancing on Friday and Saturday night)
Supply of alcohol Monday to Sunday 09:00 to 04:30hrs. Provision of LNR Monday to Sunday 23:00 to 05:00 hrs. Provision of regulated entertainment Monday to Sunday 09:00 to 05:00 hrs.

Your representation must relate to one of the four Licensing Objectives

Licensing Objective	<i>Please provide full details of your concerns regarding the application and include any evidence you may have in support of it. Please use separate sheets if necessary</i>
To prevent crime and disorder	
Public safety	
To prevent public nuisance	Concerns for the residents who live on Market Street and North Street, as people will be remaining in the town centre until later. Noise from the venue's entertainment will continue until 5am, as opposed to 2:30am, this is considered unacceptable for neighbouring residents. Within the 2013 Licensing Survey conducted by Ashby de la Zouch Town Council 39% of respondents felt the change in opening hours from 3am to 2:30am was beneficial to the town. As this had led to less noise and disruption.
To protect children from harm	

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account.	
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Signed: Karen Edwards
Capacity: Deputy Town Clerk

Date: 22nd March 2016

NOT FOR PUBLICATION

Your e-mail address	karenedwards@ashbytowncouncil.org.uk
Your contact telephone number	01530 416961

SUPPORTING NOTES

If you do make a representation you will be invited to attend a meeting of the Licensing sub Committee and any subsequent appeal proceeding. If you do not attend, the Committee will consider any representations that you have made.

This form must be returned within the Statutory Period, which is 28 days from the date the notice was displayed on the premises or the date specified in the Public Notice in the newspaper. Please contact the Licensing Section on 01530 454556 if you are in doubt about the date.

They can only relate to the four licensing objectives.

Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will be published in the report available to the Licensing Sub-Committee, which will be publicly available. Names and addresses will only be withheld from the Sub-Committee report at your request. Email addresses and contact telephone numbers will not be publicly available.

Please return this form when completed along with any additional sheets to:

Legal and Support Services
Licensing
North West Leicestershire District Council
Council Offices
Coalville
Leicestershire
LE67 3FJ

email to licensing@nwleicestershire.gov.uk

Tel: 01530 454545
Fax: 01530 454574

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LICENSING SUB COMMITTEE – THURSDAY 21 APRIL 2016

Title of report	APPLICATION FOR VARIATION OF A PREMISES LICENCE
Contacts	<p>Portfolio Holder Councillor Alison Smith MBE 01530 835668 alison.smith@nwleicestershire.gov.uk</p> <p>Environmental Health Team Manager 01530 454610 lee.mansfield@nwleicestershire.gov.uk</p> <p>Licensing Enforcement Officer 01530 454596 andy.cooper@nwleicestershire.gov.uk</p>
Purpose of report	To determine an application for variation of a premises licence in respect of premises: VIP Rooms, North Street, Ashby De La Zouch, Leicestershire, LE65 1HS . This report outlines the application and summarises the representations received. It also highlights the licensing objectives, the relevant parts of Government guidance and the pertinent sections of the Licensing Authority's Licensing Policy.
Council Priorities	<p>Business and Jobs</p> <p>Home and Communities</p>
Implications:	
Financial/Staff	Implications arising from an appeal made to the Magistrates Court by anyone aggrieved by the decision of the Sub-Committee.
Link to relevant Corporate Action Team	N/A
Risk Management	The risk of incurring costs arising from an appeal against the decision of the Committee. In any event and in order to mitigate these risks, the Committee should give clear reasons for its decisions and any such reasons would need to be substantiated in Court.
Equalities Impact Screening	Equality impact screening already undertaken, issues identified actioned.

Human Rights	Article 1 of Protocol 1 of the European Convention of Human Rights provides that everyone is entitled to the peaceful enjoyment of his possessions, except in the public interest and subject to the conditions provided for by law.
Transformational Government	Not applicable.
Consultees	Leicestershire Constabulary, Leicestershire Fire and Rescue Service, Trading Standards, Health and Safety, Environmental Protection, Licensing Authority, Planning, Health Authority and members of the public/local businesses by way of notice at the premises, on the Council's website and at the Council Offices, Coalville.
Background papers	Guidance issued under Section 182 of the Licensing Act 2003 Statement of Licensing Policy – Issue 6
Recommendations	THAT THE SUB-COMMITTEE DETERMINE THE APPLICATION.

1. Background

- 1.1 The premises currently operate as a nightclub and hotel under the authorisation of a premises licence. The premises licence authorises the sale by retail of alcohol, regulated entertainment and late night refreshment subject to conditions. A copy of the premises licence and conditions is attached as **Appendix 1**.
- 1.2 A map showing the location of the premises is attached as **Appendix 2**.
- 1.3 An application for the variation of premises licence was received from Mr Ashley John Edward Rayner on 1 March 2016. A copy of the application is attached as **Appendix 3**.
- 1.4 The variation of the premises licence is detailed as follows:

Live music, recorded music performance of dance and anything of a similar description to live music, recorded music and performance of dance, indoor sporting events:

Current permissions	Requested variation
Monday and Tuesday - 09:00hrs until 12 midnight Wednesday to Sunday - 09:00hrs until 02:30hrs the following morning New Years Eve from the end of permitted hours to the start of permitted hours on New Years Day Christmas Eve, Boxing Day, the Sunday before a Bank Holiday and Bank Holiday	Monday to Sunday - 09.00hrs until 05.00hrs the following morning.

<p>Mondays - 09:00hrs until 02:30hrs the following Morning.</p> <p>Good Friday - 09:00hrs until 03:00hrs the following Morning</p> <p>An additional hour to the standard finish time on the day when British summertime commences.</p>	
--	--

Late night refreshments:

Current Permissions	Requested Variation
<p>Monday to Wednesday - 23:00hrs until 12 midnight</p> <p>Thursday - 23:00hrs until 02:30hrs the following morning</p> <p>Friday and Saturday - 23:00hrs until 03:30hrs the following morning</p> <p>Sunday - 23:00hrs until 02:30hrs the following morning</p> <p>New Years Eve from the end of permitted hours to the start of permitted hours on New Years Day</p> <p>Good Friday, Bank Holiday Sundays and Boxing Day - 23:00hrs until 03:00hrs the following Morning.</p> <p>An additional hour to the standard finish time on the day when British summertime commences.</p>	<p>Monday to Sunday - 09.00hrs until 05.00hrs the following morning.</p>

Supply of Alcohol

Current Permissions	Requested Variation
<p>Monday and Tuesday - 09:00hrs until 12 midnight</p> <p>Wednesday to Sunday - 09:00hrs until 02:00hrs the following morning</p> <p>New Years Eve from the end of permitted hours to the start of permitted hours on New Years Day</p> <p>Christmas Eve, Boxing Day, the Sunday before a Bank Holiday and Bank Holiday Mondays -09:00hrs until 02:00hrs the following Morning.</p>	<p>Monday to Sunday - 09.00hrs until 04.30hrs the following morning.</p>

<p>Good Friday - 09:00hrs until 03:00hrs the following Morning</p> <p>An additional hour to the standard finish time on the day when British summertime commences.</p>	
--	--

Hours the premises are open to the public

Current Permissions	Requested Variation
<p>Monday and Tuesday - 09:00hrs until 12 midnight</p> <p>Wednesday to Sunday - 09:00hrs until 02:30hrs the following morning.</p> <p>New Years Eve from the end of permitted hours to the start of permitted hours on New Years Day</p> <p>Christmas Eve, Boxing Day, the Sunday before a Bank Holiday and Bank Holiday Mondays -09:00hrs until 02:30hrs the following Morning.</p> <p>Good Friday - 09:00hrs until 03:00hrs the following Morning</p> <p>An additional hour to the standard finish time on the day when British summertime commences.</p>	<p>Monday to Sunday - 09.00hrs until 05.00hrs the following morning.</p>

- 1.5 The applicant has specified the following steps that they intend to take in order to promote the four licensing objectives.

The prevention of crime and disorder:

- A CCTV system shall be installed and in working condition
- Security Staff and duty manager to use “walkie talkie” system to communicate as well as using the Town retail radio.

Public Safety:

- Fire risk assessments to be completed annually.
- Electrical PAT testing completed annually.
- Fire drill, fire alarm call point testing and emergency lighting testing completed monthly.

The prevention of public nuisance:

- Signage to be displayed at main exit encouraging customers to show consideration for residents when leaving the premises.
- Dispersal procedure first issued in 2012 to be updated annually.

The protection of children from harm

- Challenge 25 scheme in use and logs kept detailing challenges made and the outcome.

2. Representations

- 2.1 In respect of an application to vary, the applicant is responsible for advertising the application by way of a notice in specified form at the premises for not less than 28 consecutive days and in a local newspaper. The applicant placed notice in the Leicester Mercury on 15 March 2016 and officers are satisfied that the correct notices have been displayed at the premises. Details of the application were also posted onto the Council website on 1 March 2016.
- 2.2 As the application was received electronically, the Licensing Authority is required to serve a copy of the application to each of the responsible authorities, namely, the Police, Fire and Health Authority, Trading Standards Department and the District Council's Health and Safety, Environmental Protection and Planning Teams. Officers served the application on all parties as required via email on 1 March 2016.
- 2.3 A representation has been received from Leicestershire Constabulary on the grounds of crime and disorder, and public nuisance. A copy of the representation is attached as **Appendix 4**.
- 2.4 A representation has also been received from the District Council's Environmental Protection Team on the grounds of prevention of public nuisance. A copy of the representation is attached as **Appendix 5**.
- 2.5 Following further discussions between the Environmental Protection Team and the applicant, the applicant has submitted a noise and management dispersal policy as part of their application. As a result of this policy, the Environmental Protection Team has agreed to this policy and has withdrawn their representation. A copy of the noise and dispersal policy is attached as **Appendix 6**. A copy of the written agreement is attached as **Appendix 7** and the representation withdrawal from the Environmental Protection Team is attached as **Appendix 8**.
- 2.6 Interested parties in the vicinity of the premises are able to make representations within 28 days of display of the notice of application to the Licensing Authority. One representation has been received from Ashby Town Council based on the prevention of public nuisance. A copy of the representation is attached as **Appendix 9**.

3. Cumulative Impact

- 3.1 The special policy was initially adopted by the Licensing Authority in November 2005 and has been regularly reviewed. The special policy in respect of Ashby de la Zouch town

centre has been retained following reviews of the policy in 2008, 2011 and 2014.

- 3.2 The effect of the Ashby de la Zouch Town Centre special policy is the creation of a rebuttable presumption that applications for new premises licences or club premises certificates or variations will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. This special policy applies to applications from all types of premises operating between 20:00 and 06:00
- 3.3 The Licensing Authority recognises that this policy cannot be absolute and will consider each application properly on its merits and those that are unlikely to contribute to the cumulative impact problems will be granted.

4. Statutory Guidance

- 4.1 In making its decision, the Sub-Committee is obliged to have regard to Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. All Licensing Committee members have been provided with a full copy of the guidance document. Officers consider that paragraphs 2.1 to 2.20, 3.10,3.11 to 3.18,8.33 to 8.41 8.66 to 8.72 8.75, 9.1,9.3,9.4 to 9.19, 9.30 to 9.43, 10.1 to 10.10,10.13 to 10.15,13.44, 15.1 to 15.4, 15.10, 15.26 to 15.33 and 15.54, may have a bearing upon the application.

5. Statement of Licensing Policy

- 5.1 The Sub-Committee is also obliged to have regard to its own Statement of Licensing Policy. Officers consider that paragraphs 1.2, 2.1 to 2.5, 3.0, 4.1 to 4.4, 6.1 to 6.4, 10, 11,13,19,19.1, 21, 22, and 26, may have a bearing upon the application.

6. Observations

- 6.1 The Committee is obliged to determine this application with a view to promoting the licensing objectives, which are:
- the prevention of crime and disorder;
 - the prevention of public nuisance;
 - public safety;
 - the protection of children from harm.
- 6.2 The Committee may take such of the following steps, if any, as it considers necessary for the promotion of the licensing objectives:
- a) Grant the application as requested.
 - b) Modify the conditions of the licence, by altering or omitting or adding to them.
 - c) Reject the whole or part of the application.
- 6.3 There is a right of appeal to the Magistrates Court against the decision of the Sub-Committee by the applicant and persons who made relevant representations.

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

Premises licence number

NWL20192

Part 1 – Premises details

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

VIP Rooms, North Street, Ashby de la Zouch

Post town

Leicestershire

Post code

LE65 1HS

Telephone number

01530 415606

Where the licence is time limited the dates

Not applicable

DATED: 14th October 2015

Clare Storer
Licensing Enforcement Officer

Licensable activities authorised by the licence

1. Indoor Sporting events
2. Live Music (indoors)
3. Recorded Music (indoors)
4. Performance of Dance (indoors)
5. Anything of a similar description to 2, 3 or 4 (indoors)
6. Late Night Refreshment – Indoors and Outdoors
7. Sale of alcohol by retail for consumption on and off the premises

The time the licence authorises the carrying out of licensable activities**Indoor sporting events, Live Music, Recorded Music, Performance of dance, Anything of a similar description to that falling within 2, 3 or 4 (see above), (indoors)**

Monday and Tuesday	09:00hrs until 12 midnight
Wednesday to Sunday	09:00hrs until 02:30hrs the following morning

New Years Eve from the end of permitted hours to the start of permitted hours on New Years Day

Christmas Eve, Boxing Day, the Sunday before a Bank Holiday and Bank Holiday Mondays	09:00hrs until 02:30hrs the following Morning.
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Good Friday	09:00hrs until 03:00hrs the following Morning
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An additional hour to the standard finish time on the day when British summertime commences.

Late Night Refreshment – Indoors and Outdoors

Monday to Wednesday	23:00hrs until 12 midnight
Thursday	23:00hrs until 02:30hrs the following morning
Friday and Saturday	23:00hrs until 03:30hrs the following morning
Sunday	23:00hrs until 02:30hrs the following morning

New Years Eve from the end of permitted hours to the start of permitted hours on New Years Day

Good Friday, Bank Holiday Sundays and Boxing Day	23:00hrs until 03:00hrs the following Morning.
---	--

An additional hour to the standard finish time on the day when British summertime commences.

Sale by retail of alcohol for consumption on and off the premises:

Monday and Tuesday	09:00hrs until 12 midnight
Wednesday to Sunday	09:00hrs until 02:00hrs the following morning

New Years Eve from the end of permitted hours to the start of permitted hours on New Years Day

Christmas Eve, Boxing Day,
the Sunday before a Bank Holiday

and Bank Holiday Mondays	09:00hrs until 02:00hrs the following Morning.
Good Friday	09:00hrs until 03:00hrs the following Morning
An additional hour to the standard finish time on the day when British summertime commences.	

The opening hours of the premises

Monday and Tuesday	09:00hrs until 12 midnight
Wednesday to Sunday	09:00hrs until 02:30hrs the following morning.
New Years Eve from the end of permitted hours to the start of permitted hours on New Years Day	
Christmas Eve, Boxing Day, the Sunday before a Bank Holiday and Bank Holiday Mondays	09:00hrs until 02:30hrs the following Morning.
Good Friday	09:00hrs until 03:00hrs the following Morning
An additional hour to the standard finish time on the day when British summertime commences.	

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

The sale by retail of alcohol for consumption on and off the premises

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Ashley John Edward Rayner
VIP Rooms
North Street
Ashby de la Zouch
Leicestershire
LE65 1HS

Tel: 01530 415606

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Michael Joseph Maughan
103 Featherbed Lane
Rugby
Warwickshire
CV21 4LQ

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence number of Designated Premises Supervisor: RY/CV23/0954-PL

Issuing Authority: Rugby Borough Council

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made under the premises licence;
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol must be made or authorised by a person who holds a personal licence.

Mandatory condition coming into force from 28th May 2014:

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Mandatory condition coming into force from 1st October 2014:

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(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—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(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

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(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 in a manner which carries a significant risk of undermining a licensing objective;

(d) 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;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) 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 either—

(a) a holographic mark, or

(b) an ultraviolet feature.

4. The responsible person must ensure that—
- (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—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Annex 2 – Conditions consistent with the operating schedule

1. Prominent, clear notices shall be displayed requesting customers to respect the needs of local residents and leave the premises and the area quietly.
2. The licensee shall introduce a policy requiring the production of “proof of age” for any sale that takes place where there is any suspicion that the customer is under 18. Such proof may include a pass conforming to the PASS accreditation system, photo driving licence, student cards and passports.
3. The licensee will not introduce or carry on any irresponsible sales promotion or discounting of prices of alcoholic beverages.
4. CCTV shall be installed and maintained at the premises in accordance with the information commissioners CCTV code of practice.

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

1. No bottles or glasses shall be removed from the premises and permitted onto Market Street, North Street, or any other public place.
2. The Premises Licence holder shall comply with the Dispersal Policy for the premises (see document attached) as agreed by Members at the Licensing Sub-Committee hearing held on 27th February 2012.
3. The Dispersal Policy shall be made available to interested parties within 7 days upon written request. The Dispersal Policy may be amended from time to time by agreement with the Police Authority.
4. The total capacity of the premises shall not exceed 450, comprising 200 for the main VIP room, 100 for the Boudoir Bar, and 150 for Studio 79 located upstairs.

The total capacity for Queen's Head Hotel and VIP Rooms not to exceed 740, including members of staff.
5. Noise emanating from the premises as measured at the nearest residential property shall be no more than 5dBA greater than the existing background level.
6. During regulated entertainment, all doors and windows shall remain closed except for access, egress and in the case of emergencies.
7. Suitable sound attenuation measures shall be maintained in accordance with the premises licence holders noise risk assessments and in consultation with the District Council's Environmental Health Department.
8. Appropriate sound limiting equipment and sound proofing throughout the VIP Room's as recommended and agreed by the Environmental Health Department of North West Leicestershire District Council.
9. During regulated entertainment, regular noise patrols shall be conducted by staff to ensure permitted noise levels are not exceeded.
10. A noise limiter shall be installed in conjunction with the District Council's Environmental Health Department.
11. Customers using the Boudoir Bar and / or Studio 79 shall enter and exit the premises solely from Market Street except in emergencies.
12. The first floor outside terraced area shall be cleared of patrons at midnight.

[illegible]

Ashby Social Club / Ciro's Nightclub

79 Market Street, Ashby de la Zouch, Leicestershire, LE65 1AH

Dispersal Procedure for Ashby Social Club (incorporating Ciro's Nightclub)

Introduction

It is acknowledged by Lisette Bell-Simmonds (the proprietor) that there may be a conflict between the legitimate right of Ashby Social Club to provide alcohol and other licensable activities and the equally legitimate right of neighbours to enjoy their homes and businesses without disturbance.

Ashby Social Club also acknowledges that popular venues are potential sources of nuisance, anti-social behaviour and crime which may create concerns for the immediate neighbourhood, its residents and the relevant Authorities.

Definition

The Dispersal Procedure is not to be confused with The Evacuation Procedure, any design standard, any other operational policies or any agreed/enforced rules or guidelines.

The Dispersal Procedure (around the terminal hour) is dedicated to make the maximum contribution by exercising pro-active measures, towards and at the end of trading, to move customers from the venue and its immediate area in such a way as to cause minimum disturbance or nuisance to neighbours, both residential and business, and to make the minimum impact upon the neighbourhood in relation to potential nuisance, anti-social behaviour and crime.

The relevance of the time of closure is recognised as meriting this special attention and concern.

This procedure document is specific to Ashby Social Club and Ciro's Nightclub and its locality.

The Dispersal Procedure has been formulated by the Management of the venue in conjunction with the Police, senior Licensing Representatives and security of the venue and is incorporated as a condition of the premises licence in accordance with the decision of the Licensing Authority of 27 February 2012.

The Dispersal Procedure is subject to review and will address problems and concerns as they are identified in order to establish a permanent reduction or elimination of issues relating to crime and disorder and public nuisance.

Neighbours Charter

Residential neighbours in the local area will be given a copy of the venue's 'Neighbour Charter'.

This charter explains the existence and aims of the Dispersal Procedure and gives clear communication lines so any neighbour can draw attention to a matter which causes concern (these may relate to customers departing or any other issue).

A committee which comprises representatives of the venue and residential neighbours, along with other persons as appropriate, may be established to create good and close relations if considered necessary

Dispersal Procedure Document

1. Relevance of Licensing Conditions:

The Management shall ensure that the conditions of the Premises Licence, around the terminal hour, are strictly adhered to. The **Dispersal Procedure** will encourage the dispersal of patrons gradually, both during the last part of trading and following the end of the bar service.

During and staff re-allocated to collecting glasses or other customer service in the cloakroom to assist customer departure. A series of measures will be implemented to assist dispersal throughout this period and the 'drinking-up' time.

2. End of Evening Operational Policies:

Management of the venue shall use reduction of volume levels, types of music played and variation of lighting levels to encourage the gradual dispersal of patrons during the last part of trading and during the drinking-up period.

Announcements shall be used to both encourage a gradual dispersal and to remind customers of consideration for neighbours.

3. Cloakroom:

The cloakroom is situated in order to assist the swift return of coats. Management and operation of the cloakroom plays an important part in the dispersal process. (Staffing and control systems shall be increased in the period prior to bar closure).

4. Notices at Exit:

In line with the Ashby Social Club/Ciro's policies, highly visible notices shall be placed in the foyer requesting exiting customers to leave quietly and to respect neighbours and their property.

5. Door Supervisors:

shall encourage customers to drink-up and progress to the exit within the venue throughout the latter part of the drinking-up time;

shall draw the attention of exiting customers to the notices in the foyer and ask them to be considerate;

shall ensure the removal of all bottles and glasses from any customer who attempts to leave the venue carrying one. A table and bottle skip will be positioned just inside the venue by the door to the foyer to collect glasses/bottles;

shall actively encourage customers not to assemble outside the venue;

shall direct customers to the nearest taxi ranks or other transportation away from the area;

shall wear high visibility jackets from 9pm on the door on all trading nights.

6. Food

Food is available at discounted rates from the venue until the last guest exits Ashby Social Club/Ciro's, either in the form of the late night snack menu or hot dogs and large burgers. This is provided to relieve the pressure on fast food outlets on the street and allow people to head straight to the taxi ranks.

7. Marshalls:

Ashby Social Club/Ciro's shall contribute to the funding of the Town Centre Taxi Marshal Service should this become relevant.

8. Rubbish Control

The area patrolled shall be from Ciro's to the right of the Chip Shop and to the left of the Co-op.

The venue shall send out a 'Rubbish Patrol' following closure. The Rubbish Patrol shall be responsible for picking up bottles and food wrappings in the designated area. (These are likely to be from sources other than our venue – but will be collected and disposed of).

On rare occasions this patrol may be faced with the result of anti-social behaviour such as vomiting and urination. This will be cleared by use with a mop and bucket containing a disinfectant solution.

9. Staff:

Consideration will be given to procedure for staff departures.

10. Training:

Training at all levels shall be conducted to ensure understanding and implementation of the venue specific Dispersal Procedure.

Contact Numbers:

General Manager Ciro's	Lena Horbovtsova	01530 412780
Operations Manager Ciro's	Lee Firetto	07791 546106
Operations Director	Lisette Bell-Simmonds	07973 451304
Head Office	Customer Relations	01530 560622

Office: Queen's Head Hotel: 79 Market Street, Ashby de la Zouch, Leicestershire, LE65 1AH

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Application to vary a premises licence 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 ASHLEY JOHN EDWARD RAYNER

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

NWL20192

Part 1 – Premises Details

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

VIP ROOMS
NORTH STREET

Post town

ASHBY-DE-LA-ZOUCH

Postcode

LE65 1HS

Telephone number at premises (if any)

01530 42780

Non-domestic rateable value of premises

£

Part 2 – Applicant details

Daytime contact telephone number	01530 412780		
E-mail address (optional)	AJE.BAYNOR@GMAIL.COM		
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐ No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☒ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

- TO EXTEND THE 'SALES & RETAIL OF ALCOHOL' TO 4.30AM
- TO EXTEND THE 'PROVISION OF REGULATED ENTERTAINMENT' UNTIL 5AM
- TO EXTEND THE 'PROVISION OF LATE NIGHT REFRESHMENT' TO 5AM
- TO EXTEND THE BUSINESS OPENING HOURS UNTIL 5AM.

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:

N/A

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

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

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

☒

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

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
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 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			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 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon	9:00	5:00	
Tue	9:00	5:00	State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed	9:00	5:00	
Thur	9:00	5:00	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 6)
Fri	9:00	5:00	
Sat	9:00	5:00	
Sun	9:00	5:00	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)		
Mon	9:00	5:00			
Tue	9:00	5:00			
Wed	9:00	5:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	9:00	5:00			
Fri	9:00	5:00			
Sat	9:00	5:00	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 6)		
Sun	9:00	5:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)		
Mon	9:00	5:00			
Tue	9:00	5:00			
Wed	9:00	5:00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	9:00	5:00			
Fri	9:00	5:00			
Sat	9:00	5:00	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 6)		
Sun	9:00	5:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)		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 4)			
Mon	9:00	5:00				
Tue	9:00	5:00				
Wed	9:00	5:00	State any seasonal variations for the performance of dance (please read guidance note 5)			
Thur	9:00	5:00				
Fri	9:00	5:00	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 (please read guidance note 6)			
Sat	9:00	5:00				
Sun	9:00	5:00				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing			
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input checked="" type="checkbox"/>
Mon	9:00	5:00			Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Tue	9:00	5:00	Please give further details here (please read guidance note 4)			
Wed	9:00	5:00				
Thur	9:00	5:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)			
Fri	9:00	5:00				
Sat	9:00	5:00	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 (please read guidance note 6)			
Sun	9:00	5:00				

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	23:00	5:00	Please give further details here (please read guidance note 4)		
Tue	23:00	5:00			
Wed	23:00	5:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	5:00			
Fri	23:00	5:00	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 6)		
Sat	23:00	5:00			
Sun	23:00	5:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)		On the premises	<input type="checkbox"/>
					Off the premises	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)			
Mon	9:00	4:30				
Tue	9:00	4:30				
Wed	9:00	4:30				
Thur	9:00	4:30	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 6)			
Fri	9:00	4:30				
Sat	9:00	4:30				
Sun	9:00	4:30				

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9). N/A
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	9:00	5:00	<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 6)</p>
Tue	9:00	5:00	
Wed	9:00	5:00	
Thur	9:00	5:00	
Fri	9:00	5:00	
Sat	9:00	5:00	
Sun	9:00	5:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

N/A

- Please tick as appropriate
- I have enclosed the premises licence ☒
 - I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

b) The prevention of crime and disorder

- CCTV SYSTEM INSTALLED & WORKING
- SECURITY STAFF & DUTY MANAGER TO USE 'WALKIE TALKIE' SYSTEM TO COMMUNICATE, AS WELL AS USING TOWN RADIO

c) Public safety

- FIRE RISK ASSESSMENT COMPLETED ANNUALLY
- ELECTRICAL PAT TESTING COMPLETED ANNUALLY
- FIRE DRILL, FIRE ALARM CALL POINT TESTING & EMERGENCY LIGHTING TESTING COMPLETED MONTHLY

d) The prevention of public nuisance

- SIGARETTE TO BE DISPOSED AT MAIN EXIT ENCOURAGING CUSTOMERS TO SHOW CONSIDERATION FOR RESIDENTS WHEN LEAVING THE PREMISES
- DISPOSAL PROCEDURE, FIRST ISSUED IN 2012, TO BE UPDATED ANNUALLY

e) The protection of children from harm

- 'CHALLENGE 25' SCHEME IN PLACE & LOGS KEPT DETAILING CHALLENGES MADE & THE OUTCOME.

Checklist:

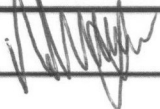
Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
I have not made or enclosed payment of the fee because this application has been made
in relation to the introduction of the late night levy. ☒
- I have sent copies of this application and the plan to responsible authorities and others
where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will
be rejected. ☒

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

Part 5 – Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	27/2/16
Capacity	DIRECTOR

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). 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 14)

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)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or 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 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example 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.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

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APPENDIX 4

Leicestershire Police

**Licensing Act 2003 –
Representation in respect of Premises Licence Major Variation
Application**

Details of person or body making representation	
Your Name:	PC Jonathan Webb
Your Address:	Force Licensing Department, Mansfield House, 74 Belgrave Gate, Leicester LE1 3GG

Details of premises representation is about	
Name of Premises:	VIP Rooms
Address of premises:	North Street Ashby de la Zouch LE65 1HS
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/>
Public Safety	<input type="checkbox"/>
Prevention of public nuisance	<input checked="" type="checkbox"/>
Protection of children from harm	<input type="checkbox"/>

Please summarise your concerns about this application:
<p>I write in my capacity as a licensing officer for Leicestershire Police on the authority delegated to me by the Chief Constable.</p> <p>My representation relates to the Licensing Objectives of Prevention Of Crime & Disorder & Prevention of Public Nuisance.</p> <p>North West Leicestershire District Council has adopted a Special Policy in relation to applications for new licences and material variations in this Cumulative Impact Area. The effect of this policy is set out in the Council's current policy.</p>

Page 22 of that policy under Special Policy – Cumulative Impact – Ashby de la Zouch Town Centre states:

*“The effect of the Ashby de le Zouch Town Centre special policy is the creation of a rebuttable presumption that applications for new premises licences or club premises certificates, or **variations**, will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. This special policy applies to all applications from all types of premises operating between 20:00 and 06:00.”*

The applicant has made no mention in their application of the “local licensing policy” in relation to the “Cumulative Impact Zone”.

It must be assumed that the cumulative impact policy has therefore not been fully consulted prior to submission.

This application relates to a public house which already has a licence to sell alcohol from 0900hrs each day with a number of variable hours for the cessation of licensable activities over the week.

The applicant is looking to vary the present licence substantially including the availability of licensable activity every day from 0900hrs until 0500hrs.

Were this licence to be granted it would greatly impact on the licensing objectives relevant to the cumulative impact area.

By applying for a variation it has given the applicant the opportunity to enhance their licence with conditions which indicate to the sub committee their desire to promote the licensing objectives and react to the cumulative impact policy.

The steps put forward on the application in its present form, in the opinion of Leicestershire Police, fail to do this.

CCTV is a proven tool to not only prevent crime and disorder and assist the police in detecting crime but also provides a safe environment for those attending the premises. The applicant has stated they will install a cctv system and that it will be working. It does not indicate when it would be working, whether the system is adequate for the premises or whether they would work with the police or responsible authorities in providing cctv images.

Each of these would promote the four licensing objectives especially of crime & disorder and public nuisance.

The premises having a licence to operate 7 days a week until 0500hrs has the potential to increase the footfall and thereby the potential to increase crime & disorder and public nuisance.

Customers leaving the premises will have had an extra 2 hours to consume alcohol which may increase the possibility of them becoming victims of crime or even perpetrators.

The applicant has not identified what steps they would take to ensure these much longer operating hours would not impact on the cumulative impact area.

In its present form Leicestershire Police request that the application is refused.

The purpose of this representation is therefore to engage the discretion of the Licensing Authority in considering the Councils own policy in relation to this application

.
PC1790 Jonathan Webb
24th March 2016

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NORTH WEST LEICESTERSHIRE LICENSING AUTHORITY
Licensing Act 2003
REPLY FROM RESPONSIBLE AUTHORITY- NO REPRESENTATION

Responsible Authority: Environmental Protection

Your Name	Mary Rose Fitzgerald
Job Title	Environmental Health Officer
Postal Address	Council Offices Coalville Leicestershire LE67 3FJ
Consultation Reference	16/01019/EPLICE
Consultation Type	Env. Protection Licence Consultation
Email Address	maryrose.fitzgerald@nwleicestershire.gov.uk
Contact telephone number	
Name and Address of the premises you are making a representation about	VIP Rooms North Street Ashby De La Zouch Leicestershire LE65 1HS
Proposal	Variation of premise licence Extend the sale by retail of alcohol to 0430 To extend the provision of regulated entertainment until 0500 To extend the provision of late night refreshment to 0500 To extend the business opening hours till 0500

On the grounds of preventing public nuisance,

I have been in discussions with the applicant and the premises management regarding the control of noise from the premises. Following this the applicant has provided an additional document regarding noise control from the premises.

I object to this application on the grounds of public nuisance relating to noise from the premises.

I would be satisfied with this applications and remove my objection on the following grounds:

1. The existing noise conditions are transferred to this application
2. The document submitted to me and entitled Noise and Customer Dispersal as supplied to the Licensing Authority– March 2016 is added to the licence by way of the following condition:

Prior to the approval of this application the applicant must prepare and submit a Noise and Customer Dispersal Plan for approval by the Licensing Authority. Once approved this document will form the operational parameters under which the premises will be operated and managed. The plan must address the following:

- Noise Pollution
- Dispersal Process
- Add more if necessary

The above plan must be reviewed annually (date to be agreed with Licensing Authority) and the Licence holder shall notify the Licensing Authority of the review commencing. If any amendments are made, such changes shall require the approval of the licensing Authority in consultation with any appropriate responsible authorities.

Signed: *Mary Rose Fitzgerald* Date: 29.03.2016

Please return this form along with any additional sheets to:

North West Leicestershire Licensing Authority,
Council Offices,
Coalville,
Leicestershire,
LE67 3FJ,

or email licensing@nwleicestershire.gov.uk.

This form must be returned within the Statutory Period. For more details please check with the Licensing Office on 01530 454529, 454838 or 454844.

Ciros Nightclub and VIP Rooms

79 Market Street, Ashby-de-la-Zouch, Leicestershire, LE65 1AH

Noise & Dispersal Management Policy

It is acknowledged by Ashley Rayner (proprietor) and the club management that there may be a conflict between the legitimate right of Ciros Nightclub/VIP rooms to provide sale by retail of alcohol and other licensable activities and the equally legitimate right of neighbours to enjoy their homes and businesses without disturbance.

To efficiently manage the impact of both noise pollution and the customer dispersal we have created this document of commitments made by the club management. This document will be updated once annually as a minimum, with copies sent to North West Leicestershire District Council and North West Leicestershire Police if any amendments are made following annual review.

We are committed to pro-active measures before, during and after trading to ensure the operation of the premises has a minimum impact on local residents and businesses.

Noise Pollution

We take a pro-active approach to noise management. This includes:

Decibel Readings

We take a pro-active approach to noise management. As part of this, we record noise levels in decibels at identified locations prior to trading to get an ambient noise level, then to ensure we are operating within the conditions of our premises licence we perform follow-up during trading in the same locations. These noise levels are recorded and monitored, with logs to be kept for 3 months. The specified locations have been chosen, two at the front of the premises and two at the rear, as follows:

- Outside the Co-Operative Shop at 73 Market Street
- Outside the Chip Shop at 83 Market Street
- Outside Ashby Day Nursery on North Street
- Outside Dr Jin Acupuncture on North Street

If at any time we are exceeding decibel levels detailed on our premises licence action will be taken immediately to reduce volume.

Use of Premises

Our aim is to use the rooms on the first floor of the venue as little as possible, with a preference for using the rooms located on the ground floor. This will assist with managing sound levels.

Studio79, on the first floor of the VIP Rooms with fire exit doors leading out onto a smoking shelter. This room is solely used for private hire purposes and on a standard week is no longer used, thus eliminating the issue where noise pollution emanating from the smoking shelter fire exit doors being open could affect local residents. On the occasion this room is privately hired the smoking shelter fire exit doors will remain closed after midnight.

The Loft, on the first floor of The Queen's Head Hotel premises is to be closed from 1.30am at the latest. We operate a policy where at midnight customers are stamped for free entry to the nightclub located on the ground floor, thereby encouraging customers to proceed downstairs from midnight onwards. Where it is appropriate due to level of trade action will be taken to close this room earlier than 1.30am.

Other Controls

The Loft Bar, on the first floor of The Queen's Head Hotel premises facing out onto Market Street has a 'limiter' placed on its equipment, this is password protected with only club management being able to adjust the settings and ensures decibel readings stay within accepted limits.

Dispersal Process

In addition to managing noise pollution during the operating hours, we take extra care to ensure we take a pro-active approach to ensuring the dispersal of customers at the end of trading is as seamless as possible with minimum impact on the local community. This includes:

Door Supervisors

We use a reputable external security company to provide SIA licenced Door Supervisors. In addition to this, Ashley Rayner (Proprietor) and Michael Maughan/Kerry Johnson (Club Management) are also SIA licenced as Door Supervisors, ensuring extra support is available to our Door Supervisors if necessary to carry out their duties.

During the period around the bar closing and the premises closing, Door Supervisors and Club Management will take extra care to:

- Ensure customers are encouraged to finish their drinks and vacate the premises quietly
- Direct customers to the nearest public transport
- Ask customers not to congregate at the front of the premises
- Ensure customers dispose of any drinks they have before exiting the premises

Cloakroom

During the period of the bar closing leading up to the premises closing staffing levels will be increased in the cloakroom to ensure customers can get their belongings as quickly as possible and vacate the premises.

Music & Lighting Levels

During the period of the bar closing leading up to the premises closing music levels and lighting will be changed to indicate to customers that the operating hours are coming to an end.

Customer Communication

Signage is displayed at the exit asking customers to leave quietly.

Announcements are to be made via microphone reminding customers of the same.

Lollipops are given out by staff as customers are leaving the premises, encouraging them to leave the premises quietly.

Litter Patrol

After the premises have closed members of staff will be deployed to patrol the area at the front of the premises, from the Co-Operative Shop on 73 Market Street to the Chip Shop on 83 Market Street, removing any litter or debris we believe to have been caused by our customers. In the event of discovering any vomit or urination this will also be cleared up using the appropriate equipment.

Summary

We believe the above measures and controls will enable us to effectively manage noise and customer dispersal, and that this should be a living document that is updated as appropriate. All team members are to be trained in this policy upon the commencement of their employment, with a refresher every 12 months or if any updates are made (whichever occurs first).

In the event of the licence extension being granted communication will be sent to all residents living in the immediate vicinity of the premises, with a summary version of our commitments listed above and a single point of contact for customers with any immediate or future concerns.

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Licensing Act 2003
Premises Licence Variation Application – VIP Rooms, North
Street Ashby De La Zouch, Leicestershire, LE65 1HS

Notification to Local Authority of agreement regarding
Representations

To: Licensing Authority Office (NWLDC)

Date: 01.04.2016

Dear Sir/Madam

I write in my capacity as the applicant in relation to the above matter.

Discussions have taken place with the Environmental Protection Team in relation to the promotion of the public nuisance licensing objective.

I would like to add the following conditions to my application:

1. The existing noise conditions are transferred to this application
2. The document submitted to me and entitled Noise and Customer Dispersal as supplied to the Licensing Authority– March 2016 is added to the licence by way of the following condition:

Prior to the approval of this application the applicant must prepare and submit a Noise and Customer Dispersal Plan for approval by the Licensing Authority. Once approved this document will form the operational parameters under which the premises will be operated and managed. The plan must address the following:

- Noise Pollution
- Dispersal Process
- Add more if necessary

The above plan must be reviewed annually (date to be agreed with Licensing Authority) and the Licence holder shall notify the Licensing Authority of the review commencing. If any amendments are made, such changes shall require the approval of the licensing Authority in consultation with any appropriate responsible authorities.

Please accept this notice as formal request to amend my application/operating schedule in accordance with the above and note that I agree to these conditions being attached to the premises licence. Furthermore, I confirm that I do not consider a hearing to be necessary.

Signed..........Name in block ASHLEY RAYNER.....

Date 4/4/16.....

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NORTH WEST LEICESTERSHIRE LICENSING AUTHORITY
Licensing Act 2003
REPLY FROM RESPONSIBLE AUTHORITY- NO REPRESENTATION

Responsible Authority: Environmental Protection

Your Name	Mary Rose Fitzgerald
Job Title	Environmental Health Officer
Postal Address	Council Offices Coalville Leicestershire LE67 3FJ
Consultation Reference	16/01019/EPLICE
Consultation Type	Env. Protection Licence Consultation
Email Address	maryrose.fitzgerald@nwleicestershire.gov.uk
Contact telephone number	
Name and Address of the premises you are making a representation about	VIP Rooms North Street Ashby De La Zouch Leicestershire LE65 1HS
Proposal	Variation of premise licence Extend the sale by retail of alcohol to 0430 To extend the provision of regulated entertainment until 0500 To extend the provision of late night refreshment to 0500 To extend the business opening hours till 0500

The applicants have signed an agreement to include the conditions I proposed as part of my previous response.

In light of this I wish to remove my objection to this application.

Signed: *Mary Rose Fitzgerald* Date: 04.04.2016

Please return this form along with any additional sheets to:

North West Leicestershire Licensing Authority,
Council Offices,
Coalville,
Leicestershire,
LE67 3FJ,

or email licensing@nwleicestershire.gov.uk.

This form must be returned within the Statutory Period. For more details please check with the Licensing Office on 01530 454529, 454838 or 454844.

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL
LICENSING ACT 2003**

REPRESENTATION FORM

Your name/organisation name/name of body you represent	Ashby de la Zouch Town Council
Organisation name/name of body you represent (if appropriate)	
Your Postal address	Legion House, South Street, Ashby de la Zouch, Leicestershire, LE65 1BQ
Name of the premises you are making a representation about	VIP Rooms
Address of the premises you are making a representation about	North Street, Ashby de la Zouch

What are you making a representation about?
Please indicate which part of the licence/certificate application you are making a representation about (i.e. Terminal hours, and music and dancing on Friday and Saturday night)
Supply of alcohol Monday to Sunday 09:00 to 04:30hrs. Provision of LNR Monday to Sunday 23:00 to 05:00 hrs. Provision of regulated entertainment Monday to Sunday 09:00 to 05:00 hrs.

Your representation must relate to one of the four Licensing Objectives

Licensing Objective	<i>Please provide full details of your concerns regarding the application and include any evidence you may have in support of it. Please use separate sheets if necessary</i>
To prevent crime and disorder	
Public safety	
To prevent public nuisance	Concerns for the residents who live on North Street, as people will be remaining in the town centre until later. Noise from the venue's entertainment will continue until 5am, as opposed to 2:30am, this is considered unacceptable for neighbouring residents. Within the 2013 Licensing Survey conducted by Ashby de la Zouch Town Council 39% of respondents felt the change in opening hours from 3am to 2:30am was beneficial to the town. As this had led to less noise and disruption.
To protect children from harm	

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account.	
---	--

Signed: Karen Edwards
Capacity: Deputy Town Clerk

Date: 22nd March 2016

NOT FOR PUBLICATION

Your e-mail address	karenedwards@ashbytowncouncil.org.uk
Your contact telephone number	01530 416961

SUPPORTING NOTES

If you do make a representation you will be invited to attend a meeting of the Licensing sub Committee and any subsequent appeal proceeding. If you do not attend, the Committee will consider any representations that you have made.

This form must be returned within the Statutory Period, which is 28 days from the date the notice was displayed on the premises or the date specified in the Public Notice in the newspaper. Please contact the Licensing Section on 01530 454556 if you are in doubt about the date.

They can only relate to the four licensing objectives.

Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will be published in the report available to the Licensing Sub-Committee, which will be publicly available. Names and addresses will only be withheld from the Sub-Committee report at your request. Email addresses and contact telephone numbers will not be publicly available.

Please return this form when completed along with any additional sheets to:

Legal and Support Services
Licensing
North West Leicestershire District Council
Council Offices
Coalville
Leicestershire
LE67 3FJ

email to licensing@nwleicestershire.gov.uk

Tel: 01530 454545
Fax: 01530 454574