

**Swindon Borough Council
Licensing Act 2003 – Licensing Panel**

NOTICE OF HEARING

Date of Hearing: Monday, 10 April 2017

Place of Hearing: Committee Room 2, Civic Offices

Time of Hearing: 1.00 p.m.

Panel Members:

Conservative Councillors

Alan Bishop

Caryl Sydney-Smith

Labour Councillors

Peter Watts

Committee Officer: Shaun Banks (Telephone 01793 463606)

Email: email: sbanks@swindon.gov.uk

Address: Swindon Borough Council, Civic Offices, Euclid Street, Swindon SN1 2JH

AGENDA

- 1. Appointment of Chair**
- 2. Apologies for Absence**
- 3. Declarations of Interest**
Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.
- 4. Consideration of an Objection Notice to a Temporary Event Notice, Simply Fresh, 160 Cricklade Road, Swindon SN2 8AG (Pages 7 - 66)**

Date of Despatch: 05 April 2017

Access Arrangements – The Venue is wheelchair accessible and an infrared receiver hearing system is provided. If you would wish to attend the meeting but have any special requirement to enable you to do so please contact the Committee Clerk above, as soon as possible prior to the date of the meeting.

If you would like to receive any of the pages contained in this agenda in a larger print size please contact the Committee Officer whose name appears on the first page of this agenda.

INFORMATION TO ACCOMPANY NOTICE OF HEARING

Action following receipt of Notice of Hearing:

A party shall give to the Licensing Panel within the period of time provided for in the following provisions of this regulation a notice (in the form attached) stating: -

- Whether he intends to attend or be represented at the hearing.
- Whether he considers a hearing to be unnecessary.
- In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.

The following notice periods apply:

No later than one working day in respect of:

- Cancellation of interim authority notice following police objection, or
- Counter notice following police objection to temporary event notice.

No later than two working days before the first day of hearing:

- Review of premises licence following closure order or review of premises licence following review notice;
- Determination of application for conversion of existing licence;
- Determination of application for conversion of existing club certificate; or
- Determination of application by holder of justices' licence for grant of personal licence.

In any other case, the party shall give the notice no later than five working days before the day or the first day on which the hearing is to be held.

Right of attendance, assistance and representation:

A party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

The hearing will take place in public. However the Licensing Panel may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. For these purposes a party and any person assisting or representing a party may be treated as a member of the public.

The Licensing Panel may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may:

- refuse to permit that person to return, or
- permit him to return only on such conditions as the authority may specify.

Any such person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

Representations and Supporting Information:

At the hearing a party shall be entitled to:

- Give further information as appropriate in response to a point upon which the Licensing Panel has given notice that clarification is required (Note – if clarification is required from any party this will have been indicated in the Notice of Hearing);
- If given permission by the Licensing Panel, question any other party; and
- Address the authority.
- Failure of Parties to attend the Hearing

If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.

If a party who has not so indicated fails to attend or be represented at a hearing the authority may: -

- Where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
- Hold the hearing in the party's absence.
- Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned

Procedure:

A summary of the procedure that will normally be followed at the hearing is attached.

It should be noted that this is a general procedure intended to cover matters that will normally be applicable at all Hearings. However depending on the circumstances of each individual case, it is recognised that other issues may need to be considered as preliminary points at the hearing. These may include (but are not limited to): -

- Whether to proceed in the absence of a party;
- Whether to admit new documents or information submitted at the hearing;
- Whether it is in the public interest to exclude members of the public from the hearing or any part of it;

- Whether any party wished to withdraw representations previously submitted
- Whether to disregard any information given by a party or any person to whom permission to appear at the hearing is given by the authority which is not relevant to:
 - Their application, representations or notice (as applicable) or in the case of another person, the application representations or notice of the party requesting their appearance, and
 - The promotion of the licensing objectives

**Procedure for licensing committee or licensing panel hearings,
where an objection notice has been submitted by the
Police to a temporary event notice**

- 1) The general facts will be put to the hearing by an officer of the Licensing Authority.**
- 2) The Police will present their objection to the temporary event notice(s). They may clarify and support (but not add to) their written objection.**
- 3) Members of the Licensing Committee (or Panel) may ask questions arising from the Police presentation. The person who has served the temporary event notice(s) may at this stage ask the Police to give a brief clarification of any point that they have made.**
- 4) The applicant and / or their solicitor or representative will be invited to make representations to counter the objection notice submitted by the Police and to respond to points made by the Police in their submission. No unreasonable limits will be placed on the right of the applicant to make their case.**
- 5) Members of the Licensing Committee (or Panel) may ask questions arising from the submission made by the person who has applied for the temporary event notice(s).**
- 6) The Police will be allowed to ask the person who applied for the temporary event notice to give a brief clarification of any point they have made and they will be permitted to ask questions of person who has submitted the temporary event notice(s). They shall not be permitted to restate or develop their original representations and must limit their comments to issues that arise directly from comments made by the person who has submitted the temporary event notice(s) or their representative.**
- 7) Members of the Committee or Panel hearing the application will then discuss the objection notice in private, accompanied only by non-partisan officers who are there in a support role.**
- 8) Should any person present act in a disruptive manner the Chair will first warn him or her about their conduct and then, if the Chair considers it appropriate, may require the person concerned to leave the meeting forthwith. Where a party to the hearing insists on wasting the time of the hearing by needlessly repeating points that have been well aired, their actions may be judged to be disruptive and they may be asked to leave.**

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Licensing Act 2003 – Temporary Event Notice – Consideration of an Objection Notice

Licensing Panel

Date: 10 April 2017

| | |
|--------------------|------------------------------------|
| Author: | Kathryn Ashton – Licensing Manager |
| Wards: | Gorse Hill & Pinehurst |
| Locality Affected: | North Central |
| Parishes Affected: | None |

1. Purpose and Reasons

- 1.1 To consider objection notices given by Wiltshire Police, in respect of three (3) Temporary Event Notices, (hereinafter generally referred to as 'TEN'), received by the Licensing Authority and submitted by 'premises user' Mr Rasaiya Ragunathan for three events to be held at the premises known as Simply Fresh, 160 Cricklade Road, Swindon, SN2 8AG

2. Recommendations

The Committee is recommended to:

- 2.1 In the light of the objection, to determine whether to allow the temporary event notices or to issue counter notices.

- 2.2 The Licensing Authority may take the following steps:

After having regard to the representations, if Members consider it appropriate for the promotion of the four licensing objectives – namely the Prevention of Crime & Disorder, the Prevention of Public Nuisance, Ensuring Public Safety, and the Protection of Children from Harm – they may:

- a. Give the premises user counter notices to prevent the temporary events from taking place; or,
 - b. Give the premises user notices viz. 'Conditions on a Temporary Event Notice and a Statement of Conditions', imposing one or more conditions from a premises licence that exists in respect of the same premises for which the temporary event notice is given; or,
 - c. In such cases where it decides not to give a counter notice, it must give the premises user, the Chief Officer of Police and Environmental Health, (EH), notice of the decision; and,
- 2.3 In any case where a counter notice or a notice viz. 'Conditions on a Temporary Event Notice Statement of Conditions', is issued, the Licensing Authority must:
- a. Give the premises user the counter notice and a notice stating the reasons for its decision; and,

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- b. Give the party making the objection a copy of both these notices.

3. Summary of the Temporary Event Notice and EH Objections

- 3.1 Three TENs were received by the Licensing Authority on 28th March 2017. The TENs were submitted by Mr Rasiaya Ragunathan for three events to be held at the shop premises at 160 Cricklade Road, Swindon, SN2 8AG and relates to the licensable activity of the supply of alcohol.

TEN 1 Thursday 13th April – Tuesday 18th April 2017. Sale of alcohol daily from 08:00hrs to 23:00hrs.

TEN 2 Thursday 20th April – Tuesday 25th April 2017. Sale of alcohol daily from 08:00hrs to 23:00hrs.

TEN 3 Thursday 27th April – Tuesday 2nd May 2017. Sale of alcohol daily from 08:00hrs to 23:00hrs.

- 3.2 A copy of the TEN is attached as *Appendix A*.

- 3.3 Police Constable Michael Diffin, Police Licensing Officer of Wiltshire Police submitted three representations in respect of the temporary event notices within the required three working days of receipt and this was received by an e-mail sent to the Licensing Authority on Thursday 30th March 2017. The representation was made by Police Constable Michael Diffin as, in his opinion the Licensing Objective in respect of the Prevention of Crime & Disorder would be undermined should the temporary events take place.

- 3.4 A copy of the Police objection is attached as *Appendix B*.

4. Operating History

- 4.1 The premises currently operates as a convenience store and currently has no licence to supply alcohol following the dissolution of the limited company Simply Fresh Retail Limited in July 2016 that held the Premises Licence at 160 Cricklade Road, Swindon, SN2 8AG

5. Relevant Considerations

- 5.1 A Temporary Event Notice can be given by an individual known as a 'premises user' and authorises the user to conduct one or more licensable activities at the premises for no more than 168 hours (seven days). TENs are designed to authorise relatively small-scale ad hoc events for up to 499 persons.
- 5.2 Temporary Event Notices permit licensable activities to take place subject to the following rules, having recently been changed by the Police Reform and Social Responsibility Act 2011:

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- a. the number of times a premises user may give a TEN (50 times in a calendar year for a personal licence holder and five times in a calendar year for other people);
 - b. the number of times a TEN may be given for any particular premises (15 times in a calendar year);
 - c. the maximum duration of an event authorised by a TEN is 168 hours (seven days);
 - d. the maximum total duration of the events authorised by TENs in relation to individual premises (21 days in a calendar year);
 - e. the maximum number of people attending at any one time (fewer than 500); and
 - f. the minimum period between events authorised under separate TENs in relation to the same premises (not including withdrawn TENs) by the same premises user (24 hours).
- 5.3 TENs can be used to extend the hours licensable activities take place, to add licensable activities not currently catered for, or to hold licensable activities at premises not currently licensed.
- 5.4 The 'premises user' must give the TEN to the relevant Licensing Authority and also send a copy to (1) the Chief Officer of Police and (2) to the local authority exercising Environmental Health functions ("EHA"). Upon receipt of a TEN, the Licensing Authority is required to issue an acknowledgement of the TEN.
- 5.5 The purpose of the notification requirement is to enable the Licensing Authority to check that the limitations set down in the Act, as set out in 5.2 of the report, are being observed and to intervene if they are not.
- 5.6 If the Police, or a Local Authority exercising Environmental Health functions, are satisfied that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they may object to a TEN to the Licensing Authority, explaining the reason(s) why.
- 5.7 However, at any time before a hearing is held, the Chief Officer of Police or the local authority exercising Environmental Health functions may, with the agreement of the premises user, modify the TEN to address the concerns. Once the TEN has been modified, the Police or the local authority exercising Environmental Health functions must send a copy of the modified TEN to the Licensing Authority.

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- 5.8 In the alternative, where an objection is made requesting that conditions from an existing premises licence or club premises certificate in respect of the same premises for which the TEN has been made; and the premises user agrees to impose those conditions; and if all parties agree that a hearing is unnecessary; the Licensing Authority may issue a notice (Conditions on a Temporary Event Notice) and a statement of conditions without a formal hearing before the Licensing Authority's Sub-Committee.
- 5.9 If there are no objections by the Police or the local authority exercising Environmental Health functions, or a TEN has been modified, or a notice, viz. 'Conditions on a Temporary Event Notice and a Statement of Conditions', has been served, the Licensing Authority has no power under the Act to stop permitted temporary events taking place once they have started. However, a Local Authority may have powers under other legislation, for example, to deal with statutory noise nuisance.
- 5.10 The Chief Officer of Police has the power to seek court orders to close premises for up to 24 hours in a geographical area that is experiencing, or likely to experience, disorder. Police also have the power to close down instantly, for up to 24 hours, premises in respect of which a TEN has effect, that are:
- Disorderly;
 - Likely to become disorderly; or,
 - Are causing disturbance by excessive noise from the premises.

Such orders may only be made where it is necessary in the interests of public safety in cases of disorder or to prevent nuisance in the case of noise coming from the premises.

6. Policy and Statutory Considerations

- 6.1 In making their decision, the Licensing Panel must have regard to the following:
- The promotion of the Licensing Objectives;
 - The Licensing Act 2003;
 - The Statutory Guidance issued by the Secretary of State in accordance with Section 182 of the Act;
 - The representations, including supporting information, presented by all the parties; and
 - Swindon Borough Council's Statement of Licensing Policy.

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- 6.2 Any TEN will be considered on its individual merits. Equally, any person permitted by the Act to make relevant representations to the committee will have those representations considered on their individual merit.
- 6.3 The Act does not permit the Licensing Authority to attach any additional terms, limitation or restriction on the carrying on of licensable activities at such events under the authority of a TEN other than those that may already exist on an existing premises licence or club premises certificate in respect of the same premises for which the temporary event notice has been submitted. Premises users are not required to be on the premises for the entire duration of the event, but they will remain liable to prosecution for certain offences that may be committed at the premises during the temporary event if the event is not adequately managed or supervised including the laws governing sales of alcohol to persons under 18 years.

Swindon Borough Council's Statement of Licensing Policy.

- 6.4 The Sub-Committee is reminded to have regard to the Policy in general when making their decision.

Guidance Published by the Government under Section 182 of the Act

- 6.5 Section 7.11 of the Guidance states: "Although ten clear working days is the minimum possible notice that may be given, licensing authorities should publicise their preferences in terms of advance notice and encourage premises users to provide the earliest possible notice of events planned by them. Licensing authorities should also consider publicising a preferred maximum time in advance of an event by when TENs should ideally be given to them."
- 6.6 Section 7.6 of the Guidance states: "The police or EHA ("relevant persons" for the purposes of TENs) may intervene to prevent such an event taking place by sending an objection to the licensing authority, which the licensing authority must consider on the basis of the statutory licensing objectives and decide whether the event should go ahead. A relevant person may also intervene by agreeing a modification of the proposed arrangements directly with the TENs user. If a relevant person sends an objection, this may result in the licensing authority imposing conditions on a TEN but only where the venue at which the event is to be held has an existing premises licence or club premises certificate. When giving a TEN, the premises user should consider the promotion of the four licensing objectives. The licensing authority may only otherwise intervene if the statutory permitted limits on TENs would be exceeded."
- 6.7 Section 7.35 of the Guidance states: "Such cases might arise because of concerns about the scale, location, timing of the event or concerns about public nuisance. However, in most cases, where (for example) alcohol is supplied away

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from licensed premises at a temporary bar under the control of a personal licence holder (for example, at weddings with a cash bar or small social or sporting events), this should not usually give rise to the use of these powers.”

- 6.8 Section 7.28 of the Guidance states: “If the Licensing Authority receives an objection notice from the Police that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection (unless all parties agree that this is unnecessary). The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the Licensing Authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the ‘premises user’, which includes a statement of conditions (a “notice (statement of conditions)”), and provide a copy to each relevant party. Alternatively, it can decide that the event would undermine the licensing objectives and should not take place. In this case, the Licensing Authority must give a counter notice.”
- 6.9 Section 7.36 of the Guidance states: “The Police may contact the ‘premises user’ to discuss their objections and try to come to an agreement, which will allow the proposed licensable activities to proceed. The TEN can be modified. The other relevant person has to agree for the modification to be made”

The Licensing Act 2003 Regulations

- 6.10 The Sub-Committee should have regard to the Hearings Regulations published by the Government under the Licensing Act 2003.

Human Rights Act 1998

- 6.11 Human Rights Act provides that: “Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No-one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.”

The term “possession” includes a Licence as well as a home and the things it contains.

- 6.12 The Act further provides:

“(1) it is unlawful for a public authority to act in a way which is incompatible with a Convention right.

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(2) Subsection (1) does not apply to an act if:

- (a) as the result of one or more provisions of primary legislation, the authority could not have acted differently; or
- (b) in the case of one or more provisions of, or made under, primary legislation which cannot be read or given effect in a way which is compatible with the Convention rights, the authority was acting so as to give effect to or enforce those provisions.”

6.13 However, it is recognised that the Council’s Statement of Licensing Policy and Statutory Guidance cannot anticipate every possible scenario or set of circumstances that may arise. Therefore, subject to both the Policy and Guidance having been properly and carefully considered, Licensing Authorities may depart from them if they have a justifiable reason to do so. If doing so, Licensing Authorities will need to give full reasons for their actions.

7. Legal Considerations

7.1 In order to comply with the statutory provisions contained within Section 104(2) of the Act, the Chief Officer of Police or a local authority exercising Environmental Health functions must be satisfied that allowing the premises to be used in accordance with the TEN would undermine one or more of the licensing objectives and the objection notice must state the reasons why he is so satisfied. This notice must be given to the relevant Licensing Authority and the premises user no later than three working days after the Chief Officer of Police or the local authority exercising Environmental Health functions is given a copy of the TEN.

7.2 Whilst the Police or the local authority exercising Environmental Health functions may suggest additional measures that the ‘premises user’ may implement to uphold the licensing objectives, these requirements cannot be attached as terms or conditions of the TEN and are, therefore, merely aspirational and unenforceable at law. The Act only allows modification of the TEN so far as it relates to matters contained within the prescribed notice (i.e. licensable activities, proposed dates and timings) or for the inclusion of one or more conditions that already exist on an existing premises licence or club premises certificate in respect of the same premises for which the TEN is submitted.

8. Appeal Rights

8.1 Rights of appeal are available both to the premises user who gave the TEN and to the Police or local authority exercising Environmental Health functions. The ‘premises user’ can appeal where the Licensing Authority has given a counter notice and the Police can appeal where their objection has not been upheld and no counter notice has been given.

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- 8.2 The Guidance states at 12.10: “It is important that a Licensing Authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal. It is particularly important that reasons should also address the extent to which the decision has been made with regard to the Licensing Authority’s statement of policy and this Guidance. Reasons should be promulgated to all the parties of any process which might give rise to an appeal under the terms of the 2003 Act.”

9. Alternative Options

- 9.1 When considering an Objection Notice there is no option to defer a decision or to defer the hearing itself to a later date.

10. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 10.1 There are no direct financial implications arising from the report. Failure to reach a reasonable conclusion, based on the facts, could lead to breach of the licensing objectives or to unwarranted damage to the business in question. Either scenario could raise issues of compensation. In the case of an appeal, the Council could become liable for costs. The Council provides training for Members who sit on the Licensing Committee, as one of the measures to mitigate financial risk.

Legal and Human Rights Implications

- 10.2 A declaration has been made by the Secretary of State, that the Licensing Act is compliant with the Human Rights Act.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 10.3 This report and decisions are made within the context of the Licensing Act 2003.

Links to One Swindon, Strategic Objectives, Plans and Policies

- 10.4 This report and decisions are made within the context of the Licensing Act 2003.

Diversity Impact Assessment

- 10.5 This report and decisions are made within the context of the Licensing Act 2003.

Risk Management

- 10.6 The Council provides training for Members who sit on the Licensing Committee, as one of the measures to mitigate financial and legal risk.

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11. Consultees

- 11.1 The Board Director Finance, Revenues, Benefits and Property (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

12. Background Papers

- 12.1 Swindon Borough Council's Licensing Statement
- 12.2 Licensing Act 2003 and Subsequent Regulations

13. Appendices

- 13.1 Appendix A – Copy of Temporary Event Notice
- 13.2 Appendix B – Police Representation

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Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

| | | | |
|---|--|----------|-----------|
| 1. The personal details of premises user (Please read note 1) | | | |
| 1. Your name | | | |
| Title | Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) | | |
| Surname | RAGUNATHAN | | |
| Forenames | RASAIYA | | |
| 2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary) | | | |
| Title | Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) | | |
| Surname | | | |
| Forenames | | | |
| 3. Your date of birth | Day 29 | Month 09 | Year 1971 |
| 4. Your place of birth | VAVUNIYA - SRI LANKA | | |
| 5. National Insurance Number | SL 859 781 B | | |
| 6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below) | | | |
| 2 DUNSFORD CLOSE | | | |
| Post town | SWINDON | Postcode | SN1 4PN |
| 7. Other contact details | | | |
| Telephone numbers | 01793 616 160 | | |
| Daytime | 01793 438 758 | | |
| Evening (optional) H | 07880 831 569 | | |
| Mobile (optional) | | | |
| Fax number (optional) | | | |
| E-Mail address (if available) | | | |
| 8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you) | | | |
| 160 CRICKLADE ROAD | | | |
| Post town | SWINDON | Postcode | SN2 8AG |
| 9. Alternative contact details (if applicable) | | | |
| Telephone numbers: | | | |
| Daytime | | | |
| Evening (optional) | | | |
| Mobile (optional) | | | |
| Fax number (optional) | | | |
| E-Mail address (if available) | | | |

| 2. The premises | |
|--|--|
| Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2) | |
| 160 CRICKLADE ROAD SWINDON SN2 8AG. | |
| Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below <i>NONE.</i> | |
| Premises licence number | |
| Club premises certificate number | |
| If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3) | |
| SHOP AREA ONLY | |
| Please describe the nature of the premises below. (Please read note 4) | |
| CONVENIENCE STORE. | |
| Please describe the nature of the event below. (Please read note 5) | |
| TO SELL ALCOHOL WHILST PREMISES LICENCE IS APPLIED FOR. | |

| 3. The licensable activities | | |
|---|-------------------------------------|-------------------------------------|
| Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6) | | |
| The sale by retail of alcohol | <input checked="" type="checkbox"/> | |
| The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club | <input type="checkbox"/> | |
| The provision of regulated entertainment | <input type="checkbox"/> | |
| The provision of late night refreshment | <input type="checkbox"/> | |
| Are you giving a late temporary event notice? (Please read note 7) | <input type="checkbox"/> | |
| Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8) | | |
| THURSDAY 27 th APRIL - TUESDAY 2 nd MAY 2017 incl | | |
| Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9) | | |
| 144 HOURS Daily sale of alcohol 08:00hrs - 23:00hrs. | | |
| Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10) | | |
| If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11) | On the premises only | <input type="checkbox"/> |
| | Off the premises only | <input checked="" type="checkbox"/> |
| | Both | <input type="checkbox"/> |

| |
|--|
| Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 12) <div style="text-align: center; font-size: 2em;">N/A.</div> |
|--|

| 4. Personal licence holders (Please read note 13) | | |
|---|-------------------------|---|
| Do you currently hold a valid personal licence? (Please tick) | | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| If "Yes" please provide the details of your personal licence below. | | |
| Issuing licensing authority | SWINDON BOROUGH COUNCIL | |
| Licence number | 881110234 PERSON | |
| Date of issue | 07/07/2011 | |
| Date of expiry | | |
| Any further relevant details | | |

| 5. Previous temporary event notices you have given (Please read note 14 and tick the boxes that apply to you) | | |
|--|---|--|
| Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year | 2 | |
| Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

| 6. Associates and business colleagues (Please read note 15 and tick the boxes that apply to you) | | |
|--|---|--|
| Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year. | | |
| Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year. | 1 | |
| Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

| 7. Checklist (Please read note 16) | |
|--|-------------------------------------|
| I have: (Please tick the appropriate boxes) | |
| Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated | <input checked="" type="checkbox"/> |
| Sent a copy of this notice to the chief officer of police for the area in which the premises are situated | <input type="checkbox"/> |
| Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated | <input type="checkbox"/> |
| If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority | <input type="checkbox"/> |
| If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police | <input type="checkbox"/> |
| If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions | <input type="checkbox"/> |
| Made or enclosed payment of the fee for the application | <input checked="" type="checkbox"/> |
| Signed the declaration in Section 9 below | <input checked="" type="checkbox"/> |

L.A. serve

L.A. serve

N/A

N/A

N/A

| 8. Condition (Please read note 17) |
|---|
| It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user. |

| 9. Declarations (Please read note 18) | |
|--|-----------------------|
| The information contained in this form is correct to the best of my knowledge and belief. I understand that it is an offence: | |
| (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and | |
| (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both. | |
| Signature | <i>R. Raghunathan</i> |
| Date | 28.03.2017. |
| Name of Person signing | RASAIYA RAGUNATHAN. |

INFORMATION IN SUPPORT OF APPLICATION.

We will carry out Challenge 25 Policy - Posters on display

- ID - we will accept the following for age verification, photo driving licence, passport, EU photo identity cards.
- we will not sell to those appearing drunk
- We use an automatic till system that requests age verification on sale of alcohol. If not confirmed no sale is recorded. Record can be printed off.

We also use a refusals book.

For completion by the licensing authority

| | |
|---|--------------------------------------|
| 10. Acknowledgement (Please read note 19) | |
| I acknowledge receipt of this temporary event notice. | |
| Signature | On behalf of the licensing authority |
| Date | |
| Name of Officer signing | |

NOTES

General

In these notes, a person who gives a temporary event notice is called a “premises user”.

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (12 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 15 below sets out the definition of an “associate”.

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice is prominently displayed at the premises; or
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine not exceeding level 1 on the standard scale, currently £200); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed "premises user".

Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

Note 2

For the purposes of the Licensing Act 2003, "premises" means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- the sale by retail of alcohol;

the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
the provision of regulated entertainment; and
the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance; and
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 7

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 8

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Note 9

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 10

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 includes not only the audience, spectators or consumers but also, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 11

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 12

Relevant entertainment is defined in the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act") as *any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means)*. Relevant entertainment therefore includes, but is not limited to, lap dancing and pole dancing.

The 1982 Act requires premises which provide relevant entertainment to be licensed under that Act for this purpose. Premises at which there have not been more than eleven occasions on which such entertainment has been provided within a period of 12 months, no such occasion has lasted for more than 24 hours and there has been a period of at least one month between each such occasion are exempt from the requirement to obtain a licence under the 1982 Act. Such premises are likely instead to require an authorisation under the Licensing Act 2003 to be used for such activities as these are a licensable activity (the provision of regulated entertainment – see note 6 above). A temporary event notice may be given for this purpose.

Note 13

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 14

As stated under Note 13, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 10 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1st January to 31st December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year. However, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an "associate".

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user. Note 15 below sets out the definition of an “associate”.

Note 15

An “associate” of the proposed premises user is:

- (a) the spouse or civil partner of that person;
- (b) a child, parent, grandchild, grandparent, brother or sister of that person;
- (c) an agent or employee of that person; or
- (d) the spouse or civil partner of a person within (b) or (c).

For these purposes, a person living with another as that person’s husband or wife is to be treated as that person’s spouse.

Note 16

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the further police force and local authority exercising environmental health functions.

Note 17

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 18

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement.) To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

Note 19

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of its receipt of the notice.

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations amend the Licensing Act 2003 (Permitted Temporary Activities) (Notices) Regulations 2005 (“the 2005 Regulations”). Their purpose is to prescribe the form of a temporary event notice to replace the notice prescribed in the 2005 Regulations. The form of temporary event notice now requires the premises user to provide information about the intended use of premises for the provision of relevant entertainment (within the meaning of paragraph 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982).

An impact assessment has not been produced for this instrument as no impact on businesses, charities, voluntary bodies or the public sector is foreseen.

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Hi Kathryn

Please accept this e mail as a representation from Wiltshire Police to object to the TEN application between the dates 13/04 – 18/04/2017 under the prevention of crime and disorder objective of the Licensing Act.

The evidence to support this application is that the location was found to be operating without a premise licence for a number of months without the knowledge of Police or Licensing authority.

In addition Licensing checks have been completed at the location and the owner was found to be employing persons illegally within the UK and there were continual breaches of the conditions that were on the licence.

Wiltshire Police also believe that the applicant has links to the owner and that the alcohol still in the store belongs to him and that he will still be operating the premise.

Thanks

**Michael DIFFIN MBE
Police Constable 1630
Police Licensing Officer
Swindon Hub
Town Centre Hub
Civic Offices
Euclid Street
Swindon
SN1 2JH**

michael.diffin@wiltshire.pnn.police.uk

**Landline - 01380 861630
Mobile - 07471029445**

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One Stop Shop**Receipt****Transaction Date:** 28/03/2017
16:47:43**Operator ID:** 112**Machine:** OSS05***Account Details***

| CAN | Reference | Payment of | Transaction Amt | VAT Amt | Rate |
|--|------------------|----------------------------------|------------------------|----------------|-------------|
| 04236 | F9276JC004J1448Y | GL - Ledger And Officer Deposits | £114.00 | £0.00 | 0% |
| temp event notice, 2 Densford Close, SN1 4PA | | | | | |

Payment Details

| MOP | Payment Ref | Payment Amt |
|--|--------------------|--------------------------------|
| 02 - Cash Payments | | £114.00 |
| Please keep this copy for your records | | Total Amt Paid: £114.00 |

Swindon Borough Council, Wat Tyler House, Beckhampton Street, Swindon, SN1 2JH

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

| | | | |
|---|--|----------|-----------|
| 1. The personal details of premises user (Please read note 1) | | | |
| 1. Your name | | | |
| Title | Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) | | |
| Surname | RAGUNATHAN | | |
| Forenames | RASAIVA. | | |
| 2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary) | | | |
| Title | Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) | | |
| Surname | | | |
| Forenames | | | |
| 3. Your date of birth | Day 29 | Month 09 | Year 1971 |
| 4. Your place of birth | VAVUNIYA-SRILANKA. | | |
| 5. National Insurance Number | SL 859 721 B. | | |
| 6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below) | | | |
| 2 DUNSFORD CLOSE | | | |
| Post town | SWINDON | Postcode | SN1 4PN. |
| 7. Other contact details | | | |
| Telephone numbers | | | |
| Daytime | 01793 616 160 | | |
| Evening (optional) H | 01793 432 758 | | |
| Mobile (optional) | 07880 231 569 | | |
| Fax number (optional) | | | |
| E-Mail address (if available) | | | |
| 8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you) | | | |
| 160 CRICKLADE ROAD | | | |
| Post town | SWINDON | Postcode | SN2 8AG. |
| 9. Alternative contact details (if applicable) | | | |
| Telephone numbers: | | | |
| Daytime | | | |
| Evening (optional) | | | |
| Mobile (optional) | | | |
| Fax number (optional) | | | |
| E-Mail address (if available) | | | |

| | |
|--|--|
| 2. The premises | |
| Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2) | |
| 160 CRICKLADE ROAD. SWINDON SN2 8AG. | |
| Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below. <i>Ab</i> | |
| Premises licence number | |
| Club premises certificate number | |
| If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3) | |
| NO RESTRICTION - SHOP AREA ONLY. | |
| Please describe the nature of the premises below. (Please read note 4) | |
| CONVENIENCE STORE | |
| Please describe the nature of the event below. (Please read note 5) | |
| TO SELL ALCOHOL WHILST PREMISES LICENCE IS APPLIED FOR. | |

| 3. The licensable activities | | |
|---|-------------------------------------|-------------------------------------|
| Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6) | | |
| The sale by retail of alcohol | <input checked="" type="checkbox"/> | |
| The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club | <input type="checkbox"/> | |
| The provision of regulated entertainment | <input type="checkbox"/> | |
| The provision of late night refreshment | <input type="checkbox"/> | |
| Are you giving a late temporary event notice? (Please read note 7) | <input type="checkbox"/> | |
| Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8) | | |
| THURSDAY 13 th APRIL to TUESDAY 18 th APRIL 2017, incl. | | |
| Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9) | | |
| 144 HOURS. 08:00 HRS — 23:00 HRS. - sale of alcohol daily. | | |
| Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10) | | 15 |
| If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11) | On the premises only | <input type="checkbox"/> |
| | Off the premises only | <input checked="" type="checkbox"/> |
| | Both | <input type="checkbox"/> |

| |
|--|
| Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 12) N/A |
|--|

| 4. Personal licence holders (Please read note 13) | |
|---|---|
| Do you currently hold a valid personal licence? (Please tick) | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| If "Yes" please provide the details of your personal licence below. | |
| Issuing licensing authority | SWINDON BOROUGH COUNCIL |
| Licence number | 88 111 0234 PERSON |
| Date of issue | 07/07/2011 |
| Date of expiry | — |
| Any further relevant details | |

| 5. Previous temporary event notices you have given (Please read note 14 and tick the boxes that apply to you) | |
|--|---|
| Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year | |
| Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |


| 6. Associates and business colleagues (Please read note 15 and tick the boxes that apply to you) | |
|--|--|
| Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year. | |
| Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year. | / |
| Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? | Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> |

| 7. Checklist (Please read note 16) | |
|--|-------------------------------------|
| I have: (Please tick the appropriate boxes) | |
| Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated | <input checked="" type="checkbox"/> |
| Sent a copy of this notice to the chief officer of police for the area in which the premises are situated | <input type="checkbox"/> |
| Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated | <input type="checkbox"/> |
| If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority | <input type="checkbox"/> n/a. |
| If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police | <input type="checkbox"/> n/a. |
| If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions | <input type="checkbox"/> n/a. |
| Made or enclosed payment of the fee for the application | <input checked="" type="checkbox"/> |
| Signed the declaration in Section 9 below | <input checked="" type="checkbox"/> |

L A sends

LA sends

| 8. Condition (Please read note 17) |
|---|
| It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user. |

| 9. Declarations (Please read note 18) | |
|---|---|
| <p>The information contained in this form is correct to the best of my knowledge and belief. I understand that it is an offence:</p> <p>(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and</p> <p>(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.</p> | |
| Signature |  |
| Date | 28/03/17 |
| Name of Person signing | RASAIYA RAGUNATHAN |

INFORMATION IN SUPPORT OF APPLICATION :-

- WE WILL CARRY OUT CHALLENGE 25 POLICY - poster displayed
- 10. We will accept photo driving licence, passport, EU photo identity cards.
- we will not sell to those appearing drunk.
- automatic till system requests agecheck. if no verification we can record no sale on the till. Record can be printed off. We also use a refusals book.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user. Note 15 below sets out the definition of an “associate”.

Note 15

An “associate” of the proposed premises user is:

- (a) the spouse or civil partner of that person;
- (b) a child, parent, grandchild, grandparent, brother or sister of that person;
- (c) an agent or employee of that person; or
- (d) the spouse or civil partner of a person within (b) or (c).

For these purposes, a person living with another as that person’s husband or wife is to be treated as that person’s spouse.

Note 16

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the further police force and local authority exercising environmental health functions.

Note 17

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 18

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement.) To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

Note 19

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of its receipt of the notice.

Note 11

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 12

Relevant entertainment is defined in the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act") as *any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means)*. Relevant entertainment therefore includes, but is not limited to, lap dancing and pole dancing.

The 1982 Act requires premises which provide relevant entertainment to be licensed under that Act for this purpose. Premises at which there have not been more than eleven occasions on which such entertainment has been provided within a period of 12 months, no such occasion has lasted for more than 24 hours and there has been a period of at least one month between each such occasion are exempt from the requirement to obtain a licence under the 1982 Act. Such premises are likely instead to require an authorisation under the Licensing Act 2003 to be used for such activities as these are a licensable activity (the provision of regulated entertainment – see note 6 above). A temporary event notice may be given for this purpose.

Note 13

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 14

As stated under Note 13, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 10 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1st January to 31st December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year. However, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an "associate".

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
the provision of regulated entertainment; and
the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance; and
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 7

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 8

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Note 9

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 10

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 includes not only the audience, spectators or consumers but also, for example, staff, organisers, stewards and performers who will be present on the premises.

Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers’ market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- the sale by retail of alcohol;

- a copy of the temporary event notice is prominently displayed at the premises; or
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine not exceeding level 1 on the standard scale, currently £200); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed “premises user”.

For completion by the licensing authority

| | |
|---|--------------------------------------|
| 10. Acknowledgement (Please read note 19) | |
| I acknowledge receipt of this temporary event notice. | |
| Signature | On behalf of the licensing authority |
| Date | |
| Name of Officer signing | |

NOTES

General

In these notes, a person who gives a temporary event notice is called a “premises user”.

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (12 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 15 below sets out the definition of an “associate”.

When permitted temporary activities take place, a premises user must ensure that either:

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations amend the Licensing Act 2003 (Permitted Temporary Activities) (Notices) Regulations 2005 (“the 2005 Regulations”). Their purpose is to prescribe the form of a temporary event notice to replace the notice prescribed in the 2005 Regulations. The form of temporary event notice now requires the premises user to provide information about the intended use of premises for the provision of relevant entertainment (within the meaning of paragraph 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982).

An impact assessment has not been produced for this instrument as no impact on businesses, charities, voluntary bodies or the public sector is foreseen.

From: Diffin, Michael [<mailto:Michael.Diffin@wiltshire.pnn.police.uk>]
Sent: 30 March 2017 14:38
To: Kathryn Ashton <KAshton@swindon.gov.uk>; E & P Licensing <E&PLicensing@swindon.gov.uk>
Cc: Kalyinka, Sian <Sian.Kalyinka@wiltshire.pnn.police.uk>
Subject: TEN OBJECTION
Importance: High

Hi Kathryn

Please accept this e mail as a representation from Wiltshire Police to object to the TEN application dated between 20/04 – 25/04/2017 under the prevention of crime and disorder objective of the Licensing Act.

The evidence to support this application is that the location was found to be operating without a premise licence for a number of months without the knowledge of Police or Licensing authority.

In addition Licensing checks have been completed at the location and the owner was found to be employing persons illegally within the UK and there were continual breaches of the conditions that were on the licence.

Wiltshire Police also believe that the applicant has links to the owner and that the alcohol still in the store belongs to him and that he will still be operating the premise.

Thanks

Michael DIFFIN MBE
Police Constable 1630
Police Licensing Officer
Swindon Hub
Town Centre Hub
Civic Offices
Euclid Street
Swindon
SN1 2JH

michael.diffin@wiltshire.pnn.police.uk

Landline - 01380 861630
Mobile - 07471029445

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Hi Kathryn

Please accept this e mail as a representation from Wiltshire Police to object to the TEN application between the dates 27/04 – 02/05/2017 under the prevention of crime and disorder objective of the Licensing Act.

The evidence to support this application is that the location was found to be operating without a premise licence for a number of months without the knowledge of Police or Licensing authority.

In addition Licensing checks have been completed at the location and the owner was found to be employing persons illegally within the UK and there were continual breaches of the conditions that were on the licence.

Wiltshire Police also believe that the applicant has links to the owner and that the alcohol still in the store belongs to him and that he will still be operating the premise.

Thanks

**Michael DIFFIN MBE
Police Constable 1630
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Swindon
SN1 2JH**

michael.diffin@wiltshire.pnn.police.uk

**Landline - 01380 861630
Mobile - 07471029445**

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Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

| | | | |
|---|--|----------|-----------|
| 1. The personal details of premises user (Please read note 1) | | | |
| 1. Your name | | | |
| Title | Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) | | |
| Surname | RAGUNATHAN | | |
| Forenames | RASAIYA | | |
| 2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary) | | | |
| Title | Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) | | |
| Surname | | | |
| Forenames | | | |
| 3. Your date of birth | Day 29 | Month 09 | Year 1971 |
| 4. Your place of birth | VAVUNIYA - SRI LANKA | | |
| 5. National Insurance Number | SL 859 781 B | | |
| 6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below) | | | |
| 2 DUNSFORD CLOSE | | | |
| Post town | SWINDON | Postcode | SN1 4PN |
| 7. Other contact details | | | |
| Telephone numbers | 01793 616 160 | | |
| Daytime | 01793 438 758 | | |
| Evening (optional) H | 07880 831 569 | | |
| Mobile (optional) | | | |
| Fax number (optional) | | | |
| E-Mail address (if available) | | | |
| 8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you) | | | |
| 160 CRICKLADE ROAD | | | |
| Post town | SWINDON | Postcode | SN2 8AG |
| 9. Alternative contact details (if applicable) | | | |
| Telephone numbers: | | | |
| Daytime | | | |
| Evening (optional) | | | |
| Mobile (optional) | | | |
| Fax number (optional) | | | |
| E-Mail address (if available) | | | |

| 2. The premises | |
|--|--|
| Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2) | |
| 160 CRICKLADE ROAD SWINDON SN2 8AG. | |
| Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below <i>NONE.</i> | |
| Premises licence number | |
| Club premises certificate number | |
| If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3) | |
| SHOP AREA ONLY | |
| Please describe the nature of the premises below. (Please read note 4) | |
| CONVENIENCE STORE. | |
| Please describe the nature of the event below. (Please read note 5) | |
| TO SELL ALCOHOL WHILST PREMISES LICENCE IS APPLIED FOR. | |

| 3. The licensable activities | | |
|---|-------------------------------------|-------------------------------------|
| Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6) | | |
| The sale by retail of alcohol | <input checked="" type="checkbox"/> | |
| The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club | <input type="checkbox"/> | |
| The provision of regulated entertainment | <input type="checkbox"/> | |
| The provision of late night refreshment | <input type="checkbox"/> | |
| Are you giving a late temporary event notice? (Please read note 7) | <input type="checkbox"/> | |
| Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8) | | |
| THURSDAY 27 th APRIL - TUESDAY 2 nd MAY 2017 incl | | |
| Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9) | | |
| 144 HOURS Daily sale of alcohol 08:00hrs - 23:00hrs. | | |
| Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10) | | |
| If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11) | On the premises only | <input type="checkbox"/> |
| | Off the premises only | <input checked="" type="checkbox"/> |
| | Both | <input type="checkbox"/> |

| |
|--|
| <p>Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 12)</p> <p>N/A.</p> |
|--|

| 4. Personal licence holders (Please read note 13) | | |
|---|-------------------------|---|
| Do you currently hold a valid personal licence? (Please tick) | | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| If "Yes" please provide the details of your personal licence below. | | |
| Issuing licensing authority | SWINDON BOROUGH COUNCIL | |
| Licence number | 881110234 PERSON | |
| Date of issue | 07/07/2011 | |
| Date of expiry | | |
| Any further relevant details | | |

| 5. Previous temporary event notices you have given (Please read note 14 and tick the boxes that apply to you) | | |
|--|---|--|
| Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year | 2 | |
| Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

| 6. Associates and business colleagues (Please read note 15 and tick the boxes that apply to you) | | |
|--|---|--|
| Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year. | | |
| Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year. | 1 | |
| Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

| 7. Checklist (Please read note 16) | |
|--|-------------------------------------|
| I have: (Please tick the appropriate boxes) | |
| Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated | <input checked="" type="checkbox"/> |
| Sent a copy of this notice to the chief officer of police for the area in which the premises are situated | <input type="checkbox"/> |
| Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated | <input type="checkbox"/> |
| If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority | <input type="checkbox"/> |
| If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police | <input type="checkbox"/> |
| If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions | <input type="checkbox"/> |
| Made or enclosed payment of the fee for the application | <input checked="" type="checkbox"/> |
| Signed the declaration in Section 9 below | <input checked="" type="checkbox"/> |

L.A. serve
L.A. serve
N/A
N/A
N/A

| 8. Condition (Please read note 17) |
|---|
| It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user. |

| 9. Declarations (Please read note 18) | |
|--|-----------------------|
| The information contained in this form is correct to the best of my knowledge and belief. I understand that it is an offence: (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both. | |
| Signature | <i>R. Raghunathan</i> |
| Date | 28.03.2017. |
| Name of Person signing | RASAIYA RAGUNATHAN. |

INFORMATION IN SUPPORT OF APPLICATION.

We will carry out Challenge 25 Policy - Posters on display

- ID - we will accept the following for age verification, photo driving licence, passport, EU photo identity cards.
- we will not sell to those appearing drunk
- We use an automatic till system that requests age verification on sale of alcohol. If not confirmed no sale is recorded. Record can be printed off.

We also use a refusals book.

For completion by the licensing authority

| | |
|---|--------------------------------------|
| 10. Acknowledgement (Please read note 19) | |
| I acknowledge receipt of this temporary event notice. | |
| Signature | On behalf of the licensing authority |
| Date | |
| Name of Officer signing | |

NOTES

General

In these notes, a person who gives a temporary event notice is called a “premises user”.

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (12 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 15 below sets out the definition of an “associate”.

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice is prominently displayed at the premises; or
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine not exceeding level 1 on the standard scale, currently £200); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed "premises user".

Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers’ market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- the sale by retail of alcohol;

the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
the provision of regulated entertainment; and
the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance; and
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 7

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 8

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Note 9

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 10

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 includes not only the audience, spectators or consumers but also, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 11

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 12

Relevant entertainment is defined in the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act") as *any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means)*. Relevant entertainment therefore includes, but is not limited to, lap dancing and pole dancing.

The 1982 Act requires premises which provide relevant entertainment to be licensed under that Act for this purpose. Premises at which there have not been more than eleven occasions on which such entertainment has been provided within a period of 12 months, no such occasion has lasted for more than 24 hours and there has been a period of at least one month between each such occasion are exempt from the requirement to obtain a licence under the 1982 Act. Such premises are likely instead to require an authorisation under the Licensing Act 2003 to be used for such activities as these are a licensable activity (the provision of regulated entertainment – see note 6 above). A temporary event notice may be given for this purpose.

Note 13

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 14

As stated under Note 13, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 10 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1st January to 31st December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year. However, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an "associate".

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user. Note 15 below sets out the definition of an “associate”.

Note 15

An “associate” of the proposed premises user is:

- (a) the spouse or civil partner of that person;
- (b) a child, parent, grandchild, grandparent, brother or sister of that person;
- (c) an agent or employee of that person; or
- (d) the spouse or civil partner of a person within (b) or (c).

For these purposes, a person living with another as that person’s husband or wife is to be treated as that person’s spouse.

Note 16

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the further police force and local authority exercising environmental health functions.

Note 17

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 18

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement.) To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

Note 19

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of its receipt of the notice.

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations amend the Licensing Act 2003 (Permitted Temporary Activities) (Notices) Regulations 2005 (“the 2005 Regulations”). Their purpose is to prescribe the form of a temporary event notice to replace the notice prescribed in the 2005 Regulations. The form of temporary event notice now requires the premises user to provide information about the intended use of premises for the provision of relevant entertainment (within the meaning of paragraph 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982).

An impact assessment has not been produced for this instrument as no impact on businesses, charities, voluntary bodies or the public sector is foreseen.

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