



Licensing Sub-Committee

Date: Wednesday, 18 November 2020
Time: 10.00 am
Venue: A link to the meeting can be found on the front page of the agenda.

Membership: (Quorum 3)
Councillors Les Fry, Cathy Lugg and Emma Parker

Chief Executive: Matt Prosser, South Walks House, South Walks Road, Dorchester, Dorset DT1 1UZ (Sat Nav DT1 1EE)

For more information about this agenda please telephone Democratic Services 01305 224202 elaine.tibble@dorsetcouncil.gov.uk



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<https://youtu.be/BkCeXmT3yD8>

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A G E N D A

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1 ELECTION OF CHAIRMAN AND STATEMENT FOR THE PROCEDURE OF THE MEETING

5 - 8

To elect a Chairman for the meeting and the Chairman to present and explain the procedure for the meeting.

2 APOLOGIES

To receive any apologies for absence.

3 DECLARATIONS OF INTEREST

To receive any declarations of interest.

4 VARIATION TO PREMISES LICENCE FOR MORRISONS, VERWOOD

9 - 32

An application has been made to vary the opening times on the premises licence for the Morrison's store in Verwood. The application has been out to public consultation and has attracted two relevant representations. A Licensing Sub-Committee must consider the application and representations at a public hearing.

5 URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.

6 EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph x of schedule 12 A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the

item of business is considered.

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TEMPORARY LICENSING SUB-COMMITTEE HEARINGS PROCEDURE AND GUIDANCE

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 and The Licensing Act 2003 (Hearings) Regulations 2005

This Temporary Procedure and Guidance notes makes provision for the conduct of local authority Licensing Sub-Committee hearings, held between 4 April 2020 and 7th May 2021, and for public and press access to these meetings and are made in accordance with Coronavirus Act 2020 and The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

The following points of clarification apply throughout:

- A reference to a “meeting of the Licensing Sub-Committee” or reference to a “place” where a meeting is held, includes more than one place, electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.
- Any reference to being “attend” “attendance” “present” at a meeting includes through remote attendance.
“Remote access” means remote access of public and press to a Council meeting to enable them to attend or participate in that meeting by electronic means, including by telephone conference, video conference, live webcasts, and live interactive streaming.
- A Member of the Licensing Sub-Committee who is a “Member in remote attendance” attends the meeting at any time if all of the conditions in subsection section 5(3) of The Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 are satisfied, which means the Member in remote attendance is able at that time—
 - (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the Members in attendance,
 - (ii) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting, and

(iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

- Any reference to a member, or a member of the public, attending a meeting includes that person attending by remote access.

Rights of a Party

1. A party has the right to attend the hearing and may be represented by any person.
2. A party is entitled to give further information where the authority has asked for clarification.
3. A party can question another party, and/or address the authority, with consent of the authority.

Failure to Attend

4. If the authority is informed a party does not wish to attend, the hearing may proceed in their absence.
5. If a party has not indicated their attendance and fails to attend the hearing may be adjourned if considered in the public interest, or hold the hearing ensuring the party's representation is considered.
6. Where the authority adjourns the hearing it shall notify the parties of the date, time and place.

Procedural Information

7. At the start of the hearing, the authority shall explain the procedure which it proposes to follow and shall consider any request for permission for another person to appear at the hearing.
8. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that it is required.
9. The authority will allow the parties an equal maximum period of time in which to speak.
10. The authority may require any person behaving disruptively to be disconnected from the hearing, and may refuse that person to be reconnected, but such a person may, before the end of the hearing, submit in writing information they would have been entitled to give orally had they not been required to leave.

FOOTNOTE:

In relation to all other matters governed by the Licensing Act 2003 (Hearings) Regulations 2005 any party or their representative may contact the Licensing Department at Dorset Council and they will be provided with a full copy of the regulations on request.

LICENSING SUB-COMMITTEE PROCEDURE

1. At the start of the meeting the Chairman will introduce:
 - the members of the sub-committee in attendance
 - the council officers in attendance
 - the parties and their representatives in attendance
2. The Chairman will then deal with any appropriate agenda items.
3. The Licensing Officer will be asked to outline the details of the application, including details of any withdrawn representations.
4. The applicant or their representative is then invited to present their case.
5. Committee members will be invited to ask questions.
6. Where appropriate the Responsible Bodies e.g. representatives of Police, Fire Services, Environmental Services or Trading Standards will be invited to address the sub-committee on any relevant representations they may have.
7. The Chairman may then allow an opportunity for questions asking each person in turn if they wish to ask a question.
8. The Chairman will ask any person who has made representations, who has already expressed a wish to do so, to address the sub-committee. The sub-committee will have read all the papers before them, including any letters of representation. Members of the public are asked to keep their comments concise and to the point.
9. All parties will be given the opportunity to “sum up” their case.
10. The Chairman will ask the Legal Advisor if all relevant points have been addressed before advising all parties present that the public part of the meeting will conclude. The sub-committee will then consider its decision in private. The sub-committee will also have the Democratic Services Officer in remote attendance, and the Legal Advisor can be called upon to offer legal guidance.
11. The decision of the Licensing Sub-Committee shall be communicated to the parties and made available on the Council’s website as soon as practicable.

NOTE

The Chairman may vary this procedure, as circumstances require but will have regard to the rules of natural justice and the Licensing Act 2003 (Hearings) Regulations 2005, and the requirements of The Local Authorities and Police and

Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

The remote meeting will be available to via web-link details of which will be set out on the agenda. However, the public can be excluded from all or part of the meeting by removal of remote access where the sub-committee considers that the public interest in so doing outweighs the public interest in the meeting or that part of the meeting, taking place in public.

Under no circumstances must the parties or their witnesses offer the sub-committee information in the absence of the other parties.

The Chairman and the Sub-Committee have discretion whether to allow new information or documents to be submitted and read at the meeting.

Licensing Sub-Committee

18 November 2020

Variation to Premises Licence for Morrisons, Verwood

For Decision

Portfolio Holder: Cllr J Haynes, Customer and Community Services

Local Councillor(s): Cllrs S Flower, T Coombs and S Gibson

Executive Director: J Sellgren, Executive Director of Place

Report Author: Aileen Powell
Title: Licensing Team Leader
Tel: 01258 484022
Email: aileen.powell@dorsetcouncil.gov.uk

Report Status: Public

Recommendation: The Sub-Committee determines the application in the light of written and oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of;

- a) The prevention of crime and disorder
- b) The prevention of public nuisance
- c) Public safety
- d) The protection of children from harm

Reason for Recommendation: The Sub-Committee must take into account the oral representations and information given at the hearing.

1. Executive Summary

An application has been made to vary the opening times on the premises licence for the Morrison's store in Verwood. The application has been out to public consultation and has attracted two relevant representations. A Licensing Sub-Committee must consider the application and representations at a public hearing.

2. Financial Implications

Any decision of the Sub-Committee could lead to an appeal by any of the parties involved that could incur costs.

3. Climate implications

None

4. Other Implications

Public Health and Community Safety

5. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

6. Equalities Impact Assessment

Not Applicable

7. Appendices

Appendix 1 - Current Licence

Appendix 2 - Application

Appendix 3 - Representations

8. Background Papers

[Licensing Act](#)

[Section 182 Guidance](#)

[LGA Councillors Handbook](#)

[EHRC - Guide to the Human Rights Act for Public Authorities](#)

9. Details

- 9.1. WM Morrisons Supermarkets PLC have held a licence for their store at The District Shopping Centre, Chiltern Drive, Verwood since December 2013. The current licence allows for the supply of alcohol by off sales, between the hours of 06:00 and Midnight every day in line with the stores opening hours. The licence is attached at appendix 1.

9.2. Morrisons have applied to vary the premises licence to allow for

Supply of alcohol (off sales)	00.00 to 24:00
Late Night Refreshment	23:00 to 05:00
Opening hours	00.00 to 24:00

The full application is attached at appendix 2.

9.3. The application has been advertised on the premises, in a newspaper and the Councils web site.

9.4. No representations were received from the responsible authorities but 5 representations have been received from members of the public. The representations are attached at appendix 3.

9.5. For a representation to be relevant it must relate to one of the four licensing objectives of:-

- a) the prevention of crime and disorder
- b) the prevention of public nuisance
- c) public safety
- d) the protection of children from harm

Representations relating to anti-social behaviour, litter, noise and disturbance all relate to one of the objectives and are relevant, however, competition with other premises or the “need” to have a longer licence do not relate to one of the four objectives and are therefore not relevant considerations which can be taken into account when considering an application under the Licensing Act 2003.

10. Considerations

10.1. Paragraphs 9.42 to 9.44 of the Section 182 Guidance sets how the Authority should decide what actions are appropriate.

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

11. Recommendation

11.1. The Sub-Committee determines the application in the light of written and oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of;

- a) the prevention of crime and disorder
- b) the prevention of public nuisance
- c) public safety
- d) the protection of children from harm.

11.2. The steps that the Sub-Committee may take are:

- a) modify the conditions of the licence, or
- b) reject the whole or part of the variation.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

**Licensing**

Allenview House, Hanham Road,
Wimborne, BH21 1AG
) 01202 795096
8 www.dorsetcouncil.gov.uk

Licensing Act 2003 Premises Licence

PL0247

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**Morrisons**

District Shopping Centre, Chiltern Drive, Verwood, Dorset, BH31 6UQ.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption OFF the premises only	Monday - Sunday	6:00am	Midnight

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday - Sunday	6:00am	Midnight

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption OFF the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Wm Morrison Supermarkets Plc
Hilmore House, Gain Lane, Bradford, West Yorks, BD3 7DL.

Telephone 0845 611 5626

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR OR MANAGEMENT COMMITTEE WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Shaun Brian Gary SCHOFIELD

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. 546

Issued by Portsmouth



Licensing Act 2003

Premises Licence

PL0247

ANNEXES

MANDATORY CONDITIONS

1. There shall be no sale or supply of alcohol when there is no designated premises supervisor in respect of this premises licence or at a time when the said premises supervisor does not hold a personal licence or when his/her licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
4. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
5. For the purposes of the condition set out above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6)
 - (b) "permitted price" is the price found by applying the formula
$$P = D + (D \times V)$$
Where -
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol
 - (c) "relevant persons" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;



Licensing Act 2003
Premises Licence

PL0247

ANNEXES continued ...

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(b)

6. Where the permitted price given by Paragraph (b) of paragraph 5 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
7. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 5 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

8. All staff engaged in the sale of alcohol will be trained in accordance with the premises licence holder's training procedures.
9. All staff will receive suitable training (including refresher training) in relation to the proof of age "Challenge 25" scheme to be applied on the premises. The following forms of identification are acceptable: photo driving licence, passport, proof of age standards scheme (PASS) card, Military ID and any other locally or nationally approved form of identification.
10. All checkout operators will operate a refusals log.
11. The premises licence holder shall ensure that till prompts are used on checkouts at the store.
12. A CCTV system shall be in place at the premises that is capable of continuously recording for a period of not less than 31 days and is in good working order meeting the Home Office Guidelines.
13. The correct date and time will be generated onto both the recording and the real time screen.
14. Copies of the CCTV shall be able to be produced on site. Copies of such recordings shall be



Licensing Act 2003

Premises Licence

PL0247

ANNEXES continued ...

provided on request to a Police Officer as soon as reasonably practicable. Copies shall also be made available to other Responsible Authorities if required.

15. The CCTV system shall be capable of facial image recognition of all persons both entering and exiting the store, at least one camera from the system shall cover the doorway.

16. The DPS shall ensure that there is a trained member of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority and Police.

17. Signage shall clearly be displayed on the premises indicating that CCTV equipment is in use and recording at the premises.

18. The DPS shall take such steps as are necessary to ensure that the system is operated and maintained in accordance with these conditions.

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

None

PLAN OF PREMISES

In accordance with the plan submitted with the minor variation on 19 September 2019, with the number 640/A/SK1/BWSL/006.

Business Licensing

Appendix 2 - Application

Aileen Powell

From: Mandy Mighty <Mandy_Mighty@gosschalks.co.uk>
Sent: 25 September 2020 16:47
To: Licensing Team C
Subject: MORRISONS VERWOOD GTE:00094000011890

Good afternoon

We have just submitted an application for variation of the premises licence for this store to allow alcohol sales and late night refreshment 24 hours a day.

The reason for this application is that Morrisons believes that moving forward, there will be significant customer demand to shop through the night in order that customers may maintain social distancing and the company is therefore seeking the variation to allow customers to shop when they feel most comfortable.

Please note, the request for late night refreshment relates to the sale of coffee and other hot drinks and possibly rotisserie chicken/fresh bread etc. There is no proposal to open the café through the night.

The store will continue to be bound by the terms of the Sunday Trading Act and will therefore only operate 6 hours on a Sunday irrespective of the hours shown on the licence (as indeed it does at the moment)

If you have any queries about this application then please do not hesitate to contact me.

Kind regards

RICHARD

Richard Taylor | Partner | Head of Licensing Department

Gosschalks, Queens Gardens, Kingston Upon Hull, HU1 3DZ

DD: 01482 590216 | **F:** 0870 600 5958 | **M:** 07949 132931 | **Switch:** 01482 324252 | www.gosschalks.co.uk

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Application to Vary a Premises Licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

- (1) Delete as applicable.
- (2) Insert name(s) of applicant.

(1) ~~H~~ **[We]** (2)
WM MORRISON SUPERMARKETS PLC

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

Premises licence number PL0247

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
MORRISONS DISTRICT SHOPPING CENTRE CHILTERN DRIVE			
Post town	VERWOOD	Postcode	BH31 6UQ
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 124,0000.00	

Part 2 - Applicant Details

Daytime contact telephone number	0845 611 5000		
E-mail address (optional)			
Current postal address if different from premises address	HILMORE HOUSE GAIN LANE		
Post town	BRADFORD	Postcode	BD3 7DL

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

DD MM YYYY

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

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

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

1. TO VARY THE HOURS FOR THE SALE BY RETAIL OF ALCOHOL AND OPENING TO 00.00 TO 24.00 HOURS MONDAY TO SUNDAY INCLUSIVE.

2. TO PERMIT LATE NIGHT REFRESHMENT FROM 23.00 TO 05.00 HOURS MONDAY TO SUNDAY INCLUSIVE.

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

Part 4 - Operating Schedule

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

Provision of regulated entertainment (please see guidance note 3)

Please tick all that apply

(a) plays (if ticking yes, fill in box A)

(b) films (if ticking yes, fill in box B)

(c) indoor sporting events (if ticking yes, fill in box C)

(d) boxing or wrestling entertainment (if ticking yes, fill in box D)

(e) live music (if ticking yes, fill in box E)

(f) recorded music (if ticking yes, fill in box F)

(g) performances of dance (if ticking yes, fill in box G)

(h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both - please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)	Both	<input type="checkbox"/>
Tue					
Wed					
Thur			State any seasonal variations for performing plays (please read guidance note 6)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both - please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)	Both	<input type="checkbox"/>
Tue					
Wed					
Thur			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)		
Day	Start	Finish			
Mon					
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)		
Wed					
Thur					
Fri			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)			
Mon			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)			
Tue						
Wed						
Thur			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)			
Fri						
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both - please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
			State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed					
Thur					
			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both - please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed					
Thur					
			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both - please tick</u> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)			
Mon						
Tue						
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)			
Thur						
Fri						
Sat			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)			
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing			
			<u>Will this entertainment take place indoors or outdoors or both - please tick</u> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)			
Mon						
Tue						
Wed			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)			
Thur						
Fri						
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)			
Sun						

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	2300	0500			
Tue	2300	0500	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Wed	2300	0500			
Thur	2300	0500	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	2300	0500			
Sat	2300	0500			
Sun	2300	0500			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption - please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon	0000	2400			
Tue	0000	2400	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Wed	0000	2400			
Thur	0000	2400			
Fri	0000	2400			
Sat	0000	2400			
Sun	0000	2400			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10)

NONE .

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	0000	2400	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)</p>
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	

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

Please tick as appropriate

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

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

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

M

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

(a) General - all four licensing objectives (b, c, d and e) (please read guidance note 11)

AS EXISTING.

(b) The prevention of crime and disorder

AS EXISTING.

(c) Public safety

AS EXISTING.

(d) The prevention of public nuisance

AS EXISTING.

(e) The protection of children from harm

AS EXISTING.

Checklist:


Please tick to indicate agreement

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

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 - Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	25th September 2020
Capacity	SOLICITORS ON BEHALF OF THE APPLICANT

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) Gosschalks Solicitors Queens Gardens Hull DX 11902 Hull			
Post town		Postcode	HU1 3DZ
Telephone number (if any)	01482 324252		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) mandy_mighty@gosschalks.co.uk			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports- defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts- are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.

- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

Appendix 3 - Representations

Application for Variation to Premises Licence Morrisons, Verwood PL0247 - Last day for reps 23/10/2020

Representations received

1	<p>Verwood is an area of mixed ages, however there is very little demand for food retailing after 9pm, let alone 24hour shopping. The store is surrounded by residential properties, although there is a public house immediately adjacent. I have no objection to Morrisons trading (including sale of alcohol) up to 10 or 11pm to match the local convenience stores and public houses as this will protect the local amenity of the residents.</p> <p>Currently we also have a high level of antisocial behaviour which includes a group of young adults that appear to be out all night and this proposed increase in ability to purchase alcohol all night will only exacerbate the matter.</p> <p>So in conclusion I would not object to an extension in licensing hours up to 11pm but strongly object to 24hr licensing in the Town. Neither would I support an earlier extension in the morning.</p>
2	<p>As one of the three Verwood Ward Councillors can I confirm my support for the views set out above</p>
3	<p>I would like to comment re the new proposed hours for the supermarket.</p> <p>Firstly I have no comment either way on the opening for retail sales.</p> <p>Secondly it seems a little over the top to have an almost 24 hour cafe in Verwood. I can only see that this will be a meeting place for the less desirable elements of the local community. Who really needs a feeding station at these hours of the day?</p> <p>Thirdly to have more temptations to consume alcohol especially at this time seems a cynical commercial ploy. There must be more than a few members of our community that would be better served conserving their resources for the difficult times ahead. Our local police, I am sure, can also do without any more social disorder to deal with. Not to mention drink driving problems! (Alcohol purchasers in the main would probably drive to the store). Dare I also make mention of NHS resources, especially A and E on Fridays and Saturdays.</p> <p>Fourthly Inevitably this will result in more litter and as street cleaning and litter picking appear to have been curtailed, and will probably go unpicked (our street has not been cleaned for over 2 years with weeds growing in the tarmac etc)</p>
4	<p>I have seen the application at Morrisons in Verwood and would like to object in the strongest possible terms at the proposed licence variation.</p> <p>At a time when the hospitality industry is on its knees due to restrictions imposed by our government, it is an utter kick in the teeth to allow a supermarket of all things to potentially sell alcohol 24 hours a day. This supermarket doesn't even open in these hours, it is pure greed prompting this application. If granted, it is a massive kick in the teeth for these pubs and restaurants in the area trying desperately to make a living for themselves and their families.</p>

Representations received

	<p>Please please do not allow a massive national supermarket to once again tread all over local businesses. There is no need whatsoever for this variation when the whole country is supposed to be in a time of restraint. If people want to buy their alcohol let them do it in opening hours like everyone else. We all have to get on with this situation and the supermarkets should be no different.</p>
5	<p>I am contacting you to register my objection to the above application by Morrisons Verwood to extend the hours for selling alcohol and “late night refreshments”. As a resident of Verwood who lives fairly close to Morrisons I can see no valid reason why Morrisons should be allowed to be able to sell alcohol at any time of the day or night, should they chose to do so. There is absolutely no need for this in Verwood and should this be allowed to go ahead I can foresee that it is likely to cause significant problems in the future.</p>
6	<p>This application if approved would apparently allow Morrisons to open for longer hours whenever they feel like doing so, which in my opinion would have a significant impact upon on local streets.</p> <p>Morrisons have no external Security personnel patrolling the car parks, only inside the store and the garage shop.</p> <p>Recently there has been an increase lately in Anti-Social behaviour after dark, with motorcycles being driven around the car park areas, accompanied by loud shouting and arguing. Groups meet up and consume food and alcohol and then litter the car parks with their packaging. Morrisons do not keep the carparks free of litter. Skateboarding continues to be an issue. Youths are using the areas around the store to meet up in-groups which can be threatening to older people. None of these activities are monitored or restricted by Morrisons.</p> <p>If Morrisons are not going to protect their own carparks with increased high visibility security staff then there will be an increase in the following areas which should be a concern for the Council. So before any extended hours are agreed, the Council should insist upon improved security throughout any period when the store, shop or garage are open. If not then the following areas will be adversely impacted:</p> <ul style="list-style-type: none"> Crime & Disorder Public nuisance making shopping area a no-go area for older people. Increased noise and disturbance in the night hours disturbing the local residents. <p>I hope that my concerns will be taken into consideration</p>

The following comments were also received from Planning on 12/10/2020

Having just looked up the 2012 file in respect of the parish comment I can see that noise was considered when planning permission was granted so thought I'd drop you a line.

Representations received

It appears that on the basis of comments from Public Health at the time the acoustic report was accepted subject to conditions including condition 16

- 16 Full details of the position of any fixed plant and equipment on the site shall be submitted to and approved by the local planning authority before building works are commenced. The fixed plant and equipment shall be designed, installed and maintained to ensure that the noise does not exceed 35dB(A)LAeq (5min) when measured at any noise sensitive property.

Reason: To provide conformity with Policy DES2 of the East Dorset Local Plan in relation to protecting the amenity of adjacent residential occupiers.

Fixed plant and equipment to be installed on the building was anticipated to run all night so I assume this would not change to accommodate the proposed increase in opening hours. In that case the main issue would be noise from customer vehicles and any deliveries. The latter are currently limited by condition 21 which prevents deliveries between 12-5am and I assume would stay. Condition 20 of 3/12/0531 currently requires that the shop opening hours should be limited to 6am-11pm and this was intended to protect neighbouring amenity too. This is the condition that Morrisons will need to apply to amend if they are to pursue the proposal in their licencing application.