

## Representation Form

**Responsible Authority.** Please delete as applicable.  
Police

APPENDIX 3

Your Name	Nicola King
Job Title	Area Licensing Practitioner
Postal and email address	Yeovil Police Station Horsey Lane Yeovil Somerset BA20 1SN
Contact telephone number	101

Name of the premises you are making a representation about.	The Sheep & Penguin
Address of the premises you are making a representation about.	1-2 Tucker Street Wells Somerset BA5 2DZ

Which of the four licensing Objectives does your representation relate to? Please state yes or no.	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
The Prevention of harm to children	Yes	<p>An application has been received for the grant of a new premises licence for The Sheep &amp; Penguin, 1-2 Tucker Street, Wells, Somerset BA5 2DZ. The application is to permit on and off sales Monday – Sunday 0900-0000hrs.</p> <p>On behalf of the Chief Officer of Police we submit our formal representation in respect of this application.</p> <p>Having considered the application and the details provided and taking into consideration the promotion of the licensing objectives, the police are not satisfied that the current conditions put forward by the applicant in the application are either sufficient, proportionate, or enforceable, and in their current format would not enable the promotion of the licensing objectives.</p> <p>Unfortunately, there has been no prior consultation with the police and as a result, we have not been able to furnish the applicant with the latest initiatives taking place in the area, provide information in respect of Challenge 25, Pub watch, Ask Angela and staff training. Recent communication has taken place via email to try and agree conditions with the applicant prior to the closing of the consultation period, but due to ongoing work commitments this has not be possible. Negotiations are currently ongoing and a revised set of conditions has been offered to the applicant but as of yet, no reply has been received.</p> <p>The conditions requested are to enable the promotion of the licensing objectives especially around the prevention of crime and/or disorder, public safety and the protection of children from harm.</p> <p>We have considered the detail provided by the applicant and</p>
To prevent Public Nuisance		
To prevent crime and disorder		
Public Safety		

also their similar business operation but without clear guidelines and procedures in place, it can risk important information not being implemented and recorded. It also gives staff a clear understanding of their responsibilities in assisting the premises licence holder with the promotion of the licensing objectives.

Until recently Mendip District Council, which has now merged with several Councils to become 'Somerset Council', outlined in their Statement of Licensing Policy measures/recommendations for perspective applicants. As an example Pg 2, point 12 of that policy stated the following:-

*Applicants for Premises Licences and Club Premises Certificates are strongly recommended to set out, in the Operating Schedule, how they will promote the Licensing Objectives and what measures they intend to employ to ensure compliance with them, in sufficient detail and with specific relevance to their application*

Whilst we are currently awaiting the revised policy from Somerset Council no doubt it will outline to applicants something very similar as these measures are imperative in the promotion of the licensing objectives.

Conditions should never be viewed as a negative and should be seen as a positive approach in working in partnership with agencies to promote the licensing objectives which, make our towns and cities an enjoyable experience for all wishing to experience.

To try and support the applicant with their application and ensure that the four licensing objectives are promoted the police request the below conditions be considered by the applicant and are attached to the premises licence. This list is not exhaustive and is specific to the premises.

If the applicant is not in agreement to the conditions, then please accept this as formal notice of the police representation to the application and any evidence will be produced prior to the hearing.

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.

The premises must install and maintain a comprehensive surveillance system to the satisfaction of the Police and ICO guidelines. The system must be maintained in full working order and record at all times when the premises is open for licensable activities. The correct time & date must be generated on all recordings which must be retained for a minimum period of 31 days. Recorded images must be of evidential quality. Copies must be made available on request, to the police or authorised officer of the licensing authority. If the system is inoperative or faulty for any reason, steps must be taken to repair or replace the equipment within 24 hours. A Data Controller who is conversant with the operation of the system must be available at all times when the premises is open to the public and be able to provide

police or authorised officer of the licensing authority recent data or footage with the absolute minimum of delay when requested. Management, storage, giving and sharing of data recordings must comply with the general data protection regulations at all times.  
*(The attached document may be helpful and please ensure that your system is registered via [www.ico.org.uk](http://www.ico.org.uk) as outlined in the attached document).*

An incident register must be kept and maintained to record all incidents occurring on the premises or outside and associated with the premises. Records must be made available to the Police & Licensing Authority on request and records will be kept for at least 12 months.

A refusals register must be kept at each bar and used on the premises, to record instances where any sale of alcohol and proxy sales to a patron is refused. This must also include refusals to persons who are intoxicated. Records must be kept for a minimum of 12 months and must be made available request to the Local Authority, Police and Trading Standards Officers upon request.

The premises must operate a “Challenge 25 policy” or similar, whereby anyone wishing to purchase alcohol that appears to be under the age of 25 years, must be asked to provide photographic identification e.g. Passport, driving licence, PASS card.

All persons involved in the sale of alcohol must receive training on commencement of employment, with regards to preventing the sale of alcohol to persons who are under the required age and proxy sales. This training must be documented and signed for by employees to acknowledge that they have received this training. All employees must receive refresher training every six months. Records must be made available for inspection by the Police & Licensing Authority upon request.

The licence holder must operate a ‘zero tolerance’ policy in relation to drugs at the premises and all staff must receive training with regards to this policy. Drugs seized by staff must be securely stored, until they can be collected by the Police.

No persons shall be allowed in the beer garden after 2300hrs.

The premise licence holder shall be an active member of any pubwatch or similar scheme that operates within the area.

N.B If you, as the Responsible Authority, make a representation, a member from your Authority will be expected to attend the Licensing Sub Committee and any subsequent appeal proceeding.

Signed: N King

Date: 1<sup>st</sup> May 2023

Please return this form along with any additional sheets to: Licensing - Somerset Council

**This form must be returned within the Statutory Period.**