



BARNSELY METROPOLITAN BOROUGH COUNCIL

**Report of the Principal
Officer (Licensing) to the
meeting of the Statutory
Licensing Regulatory Board
Sub Committee to be held
on the 2 December 2010**

LICENSING ACT 2003

APPLICATION TO VARY PREMISES LICENCE

Wm Morrison's Supermarket Plc, Lower Thomas Street, Barnsley, S70 1LQ

1 Background

- 1.1 In October 2010, an application under the provisions of the Licensing Act 2003 was received from Gosschalks Solicitors on behalf of Wm Morrison's Supermarket Plc, Hilmore House, Gain Lane, Bradford.

A copy of this application is attached as Appendix 1.

- 1.2 Members are requested to determine the application to vary the premises licence.
- 1.3 Wm Morrison's Supermarket is located within Barnsley town centre and is situated amongst residential dwellings.

2 Existing Licence

- 2.1 The existing premise licence became effective following a transitional variation application on 24 November 2005. The licence included the following licensable activities and opening times:

a) Supply of Alcohol

Monday to Saturday 08.00 – 20.00 (Off the premises)

Sunday 10.00 – 16.00

b) Opening Hours

Monday to Saturday 08.00 – 23.00

Sunday 10.00 – 22.30

3 Application to Vary the Premises Licence

- 3.1 On 8 October 2010, an application was received to vary the premises licence for Wm Morrison's Supermarket, Lower Thomas Street, Barnsley. This application relates to the supply of alcohol, details of which are specified below:

a) Supply of Alcohol

The application to vary the premises licence requests an extension to hours permitted for the supply of alcohol off the premises only. Times requested are:

Monday to Sunday 06.00 – 23.00 inclusive

b) Opening Hours

The application to vary the premises licence states the premises will be open to the public from:

Monday to Sunday 06.00 – 23.00 inclusive

4 Promotion of Licensing Objectives

- 4.1 The applicant has set out in the application the additional steps intended to be taken in order to promote the four licensing objectives, if the proposed premises licence is granted.

a) General – all four licensing objectives

All staff engaged in the sale of alcohol will be trained in accordance with established Wm Morrison Supermarkets Plc training procedures.

b) The Prevention of Crime and Disorder

All staff will receive suitable training (including refresher training) in relation to the proof of age 'Task 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 and any other locally or nationally approved form of identification. CCTV shall be provided on the premises and shall be kept in good working order. All checkout operators will operate a refusal log.

c) Public Safety

Wm Morrison Supermarkets Plc undertakes ongoing risk assessments in order to comply with health & safety legislation.

d) The Prevention of Public Nuisance

The premises are responsibly managed and supervised. No additional measures are believed necessary.

e) The Protection of Children from Harm

All staff will receive suitable training (including refresher training) in relation to the proof of age 'Task 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 and any other locally or nationally approved form of identification. Till prompts are in use at the store.

5 Responsible Authorities

5.1 No representations have been received.

6 Interested Parties

6.1 Following publication of the statutory notice for the variation in premises licence in the local press and the display of notices at the premises, a representation has been received from an interested party.

6.2 The representation has been received from:

Mr S A Semley, 27 George Street, Barnsley S70 1AX

With the exception of comments made in relation to a planning application and issues surrounding street parking, the representation relates to the licensing objectives and a copy of this is attached as Appendix 2.

6.3 Under the provisions of the Licensing Act 2003, representations can be made from interested parties who live or have any interest in a business that is located within the vicinity of the premises where the application has been made. In this case, the interested party concerned resides within close proximity of where the application has been made.

6.4 The representation sets out a number of areas of concern in relation to the licensing objectives and a précis of these are given below:

a) 'I already have to put up with people under the influence of alcohol using George Street as a cut through to purchase alcohol creating a disturbance on an evening';

b) 'On three occasions I have been the victim of vandalism and theft from my vehicle;'

6.5 Gosschalks Solicitors have been in close contact with the Licensing Section throughout the application process and have indicated they are willing to work with all parties concerned to seek resolution to issues that have arisen.

7 Compatibility with the European Convention on Human Rights

The decision of the Board will amount to a determination of the Council and the rights of the applicant. Therefore, as far as it is possible to do so, the board must comply with the requirements of Article 6 (the right to a fair trial). This means the applicant and should be afforded the right to make oral representations at the meeting.

If Members determine to refuse the application, it is necessary for the reasons to be clearly stated.

8 Financial Implications

Not applicable.

9 List of Appendices

Appendix 1 - Copy of the application received

Appendix 2 – Representation from Interested Party

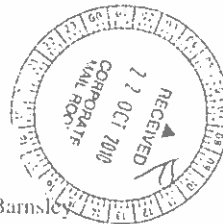
Officer Contact: K Liddall **Tel:** (01226) 774258 **Date:** 1 November 2010

THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK
COPIES OF THE PREMISES LICENCE APPLICATION FORM WILL
BE MADE AVAILABLE AT THE HEARING

*Reg Services
Licensing*

Mr S A Semley
27 George street
Barnsley
Sth Yorkshire
S701AX

Tel: 01226211255



Ref: Wm Morrison's lower Thomas St Barnsley

Dear Sir/Madam

I am writing to object to the recent planning application made by Wm Morrison Supermarkets under the licensing act 2003, notice of application to vary a premises licence under section 34 and the proposed extension of trading hours and the sales of alcohol from 0600 to 2300 Monday to Sunday inclusive.

As a local resident of George Street (adjacent to Morrison's supermarket) I already have to put up with people "under the influence of alcohol" using George Street as a cut through to the supermarket to purchase alcohol creating a disturbance on an evening and on three occasions I have been the victim of vandalism and theft from my vehicle.

As George Street is the only street in the location that does not have any parking restrictions we also have Morrison's staff using the street for parking during working hours sometimes leaving me no option than to park streets away from home.

Morrison's have fenced off the car park end of George Street and provide gate access to the store. However this gate is permanently open as a thoroughfare.

Unless Morrison's take action to ensure the thoroughfare is locked outside of store trading hours and that they find alternative parking for staff I feel the extension to trading hours will create further issues in this area and therefore object to their planning application.

Yours Sincerely

Mr S A SEMLEY

A handwritten signature in cursive script, appearing to read 'S A Semley'.

GOSSCHALKS

Licensing Authority
Barnsley MBC
Regulatory Services
PO Box 602
Barnsley
S70 9FB

Our ref: MCJ VHL 109500-759-7
Your ref:

Date: 6 October 2010

E-Mail: mcj@gosschalks.co.uk
Direct Fax: 0870 600 5947

Dear Sir

Re: Morrisons, Lower Thomas Street, Barnsley, S70 1LQ
Variation of Premises Licence

We enclose herewith:-

- 1 Application to vary a Premise Licence.
- 2 Relevant Fee.
- 3 Premises Licence.

If any further information is required please telephone the Licensing Team on 01482 324252 and any information you require will be forwarded to you. We would be grateful if you would adopt this course of action first without returning the application as a returned application would of course affect the newspaper advertisement and the notices displayed on the premises.

We would be grateful if all correspondence relating to this application could be forwarded to this address as we are instructed to deal with all matters relating to this application.

We look forward to receiving the Premises Licence in due course.

Yours faithfully

cc Responsible Authorities.

Gosschalks
177816
£635.00

Insert name and address
of relevant licensing
authority and its
reference number
(optional)

LICENSING AUTHORITY
BARNSELY MBC
REGULATORY SERVICES
PO BOX 602
BARNSELY
S70 9FB

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.

WM WM MORRISON SUPERMARKETS PLC
(Insert name(s) of applicant)

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

Premises licence number

003570

Part 1 - Premises Details

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

MORRISONS
LOWER THOMAS STREET

Post town BARNSELY

Post code S70 1LQ

Telephone number at premises (if any)

01226 281526

Non-domestic rateable value of premises

£ 1,610,000.00

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 Yes

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

If not, do you want the variation to take effect from:

Day	Month	Year

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

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

... TO VARY THE SALE BY RETAIL OF ALCOHOL FROM 0900 TO 2300 MONDAY TO SUNDAY ...
... TO VARY THE PREMISES TO OPEN FROM 0600 TO 2300 MONDAY TO SUNDAY ...

Part 4 - Operating Schedule

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

Provision of regulated entertainment

Please tick Yes

- 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 entertainment facilities for:

- j) making music (if ticking yes, fill in box I)
- k) dancing (if ticking yes, fill in box J)
- l) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

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

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 5)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			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 5)
Fri			
Sat			
Sun			

D

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

F

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

G

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

H

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

I

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

J

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

K

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

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)		Indoors	
Day	Start	Finish	Please give further details here (please read guidance note 3)		Outdoors	
Mon					Both	
Tue					State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Wed						
Thur						
Fri			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 5)			
Sat						
Sun						

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption please tick ✓ (please read guidance note 7)	On the premises	
				Off the premises	✓
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	0600	2300			
Tue	0600	2300			
Wed	0600	2300			
Thur	0600	2300			
Fri	0600	2300			
Sat	0600	2300			
Sun	0600	2300			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

N

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

NONE

O

Hours premises are open to the public Standard days and timings (please read guidance note 4)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	06:00	11:00	
Tue	06:00	11:00	
Wed	06:00	11:00	
Thu	06:00	11:00	
Fri	06:00	11:00	
Sat	06:00	11:00	
Sun	06:00	11:00	Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

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 REMOVE THE PERMITTED HOURS FOR THE SALE BY RETAIL OF ALCOHOL WITH THE TIMES FOR THE SALE BY RETAIL

Please tick Yes

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 failed to enclose the premises licence or relevant part of premises licence

P 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, e) (please read guidance note 9)

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.

Please tick Yes

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

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

Part 5 - Signatures (please read guidance note 10)

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

Signature

(Signature)

Date 6 OCTOBER 2016

Capacity SOLICITOR 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 12) 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 13)

Mr. Walker
Lionel Gardens

Post town BL1

Post code BL1 3EG

Telephone number (if any) 01492 374052

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

mr.walker@bl1.np

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.

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. 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.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. 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, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



BARNLSLEY

Metropolitan Borough Council

Regulatory Services

Assistant Director: Ken Eastwood, BSc (Hons), MCIEH
PO Box 602, Barnsley, S70 9FB

My Ref: 003570/Premises Your Ref: Date: 24th June 2010

Enquiries To: regulatoryservices@barnsley.gov.uk Tel: (01226) 772468 Fax: (01226) 775699

Morrisons, Lower Thomas Street
Westway
Barnsley
South Yorkshire

Dear Sir/Madam,

2 JUN 2010

Licensing Act 2003, Section 23
Application for a Premises Licence
Wm MORRISON SUPERMARKETS PLC, Morrisons, Lower Thomas Street,
Westway, Barnsley, South Yorkshire, S70 1LQ

With regard to the above, I enclose the Premises Licence and Premises Licence Summary.

The premises licence became effective on 24 November 2005.

Under the provisions of the Licensing Act 2003 you may, in certain circumstances, have a right of appeal against some or all of the Licensing Authority's decisions made in respect to your application. Appeals should be made to the Magistrates' Court for the area in which the premises are situated, within twenty one days of receiving the premises licence.

If you need advice on the appeal procedure, you should contact the court, but please note court staff cannot give you legal advice. If you need legal advice, for example about the likely success of an appeal, you should contact a solicitor or a Citizens Advice Bureau immediately.

If you consider there is a mistake in the premises licence or the premises licence summary, the Licensing Authority will correct anything which it accepts as being a clerical mistake. If you believe there is such a clerical mistake, please contact us. This does not affect your right to appeal.

The premises licence will last indefinitely unless it is surrendered or revoked, but will lapse in the event of the death of the holder of the premises licence or upon the licence holder becoming mentally incapable or financially insolvent.

An annual fee is payable on the anniversary of the grant of the licence, unless the premises are a school or community building, e.g. village hall. We will send you a

reminder for the payment of the annual fee and advise you of what sum is then payable. The fees are set by Government and may be subject to change.

Finally, there are specific provisions in section 57 of the Licensing Act 2003 *concerning the requirements for keeping, displaying and producing the premises licence and premises licence summary whenever the premises are used for any licensable activity authorised by the licence.* A brief summary of these requirements is set out below for your convenience:

Premises Licence

The holder of the premises licence must ensure that the premises licence (or a certified copy of it) is kept at the premises and is either in the custody or control of the holder of the premises licence or some other specific person who works at the premises (e.g. manager).

Premises Licence Summary

The holder of the premises licence must ensure that the premises licence summary (or a certified copy of it) is prominently displayed at the premises and, if the premises licence (or a certified copy of it) is in the custody of someone other than the holder of the premises licence, a notice must also be prominently displayed stating the position (e.g. manager) of that person.

Duty to Produce

A police constable or an authorised officer (e.g. a Council licensing officer) may require such person who has custody of the premises licence (i.e. the holder of the premises licence or such other nominated person, as referred to above) to produce the licence for examination.

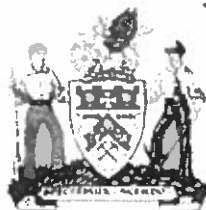
Offences

The holder of a premises licence commits an offence if they fail to comply with the above requirements relating to a premises licence and / or a premises licences summary. Anyone who has custody or control of the premises licence (i.e. the holder of the premises licence or such other nominated person, as referred to above) commits an offence if they fail, without reasonable excuse, to produce the licence in accordance with a requirement under the above duty to produce. A person guilty of an offence under section 57 is liable on summary conviction to a fine.

If you have any queries on this matter please contact Licensing on 01226 772468.

Yours faithfully,


Kevin Rowland
Principal Officer Licensing



BARNSLEY METROPOLITAN BOROUGH COUNCIL

**PREMISES LICENCE
LICENSING ACT 2003**

Schedule 12 Part A
Regulation 33, 34

Premises Licence Number 003570
Date of Grant 24th November 2005
Premises Address Wm Morrisons Supermarkets PLC
Lower Thomas Street
Barnsley
South Yorkshire
Postcode S70 1LQ
Telephone Number 01226 281526

Activities authorised by this licence

The sale by retail of alcohol

Times authorised to undertake licensable activities

Supply of Alcohol

Supply of alcohol permitted: Monday to Saturday from 08:00 until 20:00

Sunday from 10:00 until 16:00

Licensed for the sale of alcohol for consumption off the premises.

Conditions consistent with a former Children's Certificate under Section 168A of the Licensing Act 1964

Not applicable

Embedded Restrictions

Not applicable

There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises of an adult nature unless they are specified below:

None Specified

Opening Hours of the Premises

Hours premises are open to the public: Monday to Saturday from 08:00 until 23:00

Sunday from 10:00 until 22:30

Whether the supplies of alcohol are for consumption on and/or off the premises	Alcohol Off The Premises
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Name, (registered) address, telephone number and email(where relevant) of premise licence holder	Wm Morrison Supermarkets Plc Hillmore House Thornton Road Bradford BD8 9AX 01274 356296
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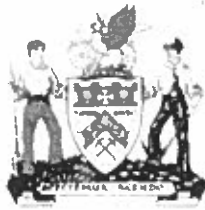
Registered Number of Company if Applicable	00358949
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Designated Premises Supervisor <i>(This section will be blank if the licence does not authorise the sale of alcohol)</i>	
Name and Address of the designated premises supervisor	Michael Wayne Smith c/o Wm Morrison Supermarkets Plc Lower Thomas Street Barnsley

Post Code	S70 1LQ
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Personal Licence Number and issuing authority of the personal licence held by the designated premises supervisor	PA0127 Wakefield District Council
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REGULATORY SERVICES TEL: 01226 772468



BARNSLEY METROPOLITAN BOROUGH COUNCIL

PREMISES LICENCE SUMMARY

Premises Licence No. 003570

Premises Address: Wm. Morrison Supermarkets PLC
Lower Thomas Street
Barnsley
South Yorkshire

Postal Code S70 1LQ

Telephone Number 01226 281526

Activities authorised by this licence

The sale by retail of alcohol

Times authorised to undertake licensable activities

Supply of Alcohol

Supply of alcohol permitted: Monday to Saturday from 08:00 until 20:00

Sunday from 10:00 until 16:00

Licensed for the sale of alcohol for consumption off the premises.

The opening hours of the premises

Hours premises are open to the public: Monday to Saturday from 08:00 until 23:00

Sunday from 10:00 until 22:30

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

Alcohol-Off The Premises

Granted on: 24th November 2005



BARNESLEY METROPOLITAN BOROUGH COUNCIL

PREMISES LICENCE

Part B

Premises Licence Number	003570
Name, (registered) address, telephone number and email(where relevant) of premise holder	Wm Morrison Supermarkets Plc Hillmore House Thornton Road Bradford BD8 9AX 01274 356296
Registered Number of Company if Applicable	00358949
Name and Address of the designated premises supervisor	Michael Wayne Smith c/o Wm Morrison Supermarkets Plc Lower Thomas Street Barnsley
Post Code	S70 1LQ
Personal Licence Number and issuing authority of the personal licence held by the designated permises supervisor	PA0127 Wakefield District Council

REGULATORY SERVICES TEL: 01226 772468

ANNEX 1

MANDATORY CONDITIONS

LICENSING ACT 2003

Licence ref no.	003570
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1. Supply of Alcohol

Where this Licence authorises the supply of alcohol the following conditions will apply:

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

2. Door Supervision

Where this Licence includes a condition that one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

3. Exhibition of Films

Where this licence authorises the exhibition of films the following conditions will apply:

- Where any film exhibited has an age restriction classification the admission of children (any person aged under 18) must be restricted in accordance with any recommendation made by the film classification body in respect of the film.
- Where the film classification body and or age restriction is not specified in respect of a film or the licensing authority has notified the holder of the licence that this condition applies to the film in question admission of children (any person aged under 18) must be restricted in accordance with any recommendation made by the licensing authority.

4. Irresponsible Promotions (On Licenced Premises only)

- 1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- 2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - i) the outcome of a race, competition or other event or process, or
 - ii) the likelihood of anything occurring or not occurring;
 - e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

5. Dispensing of Alcohol Directly into the Mouth (On Licenced Premises only)

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

6. Tap Water (On Licenced Premises only)

The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

The remaining two conditions will not come into effect until 1 October 2010.

7. Age Verification Policy

- 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.

8. Measures (On Licenced Premises only)

The responsible person shall ensure that—

- 1) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - i) beer or cider: ½ pint;
 - ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii) still wine in a glass: 125 ml; and
- 2) customers are made aware of the availability of these measures.

ANNEX 2

Conditions consistent with the Operating Schedule

Licence ref no. 003570

Not Applicable

ANNEX 3

Conditions attached after a hearing by the Licensing Authority

Licence ref no. 003570

Not Applicable

ANNEX 4

Plan of the Premises to which this Licence relates:

Plan as per appendix 1
(See attached)