



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING SUB-COMMITTEE

MONDAY 14TH JANUARY 2013

AT 10.00 A.M.

COMMITTEE ROOM, THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

MEMBERS: Councillors Mrs. R. L. Dent, Miss P. A. Harrison and S. P. Shannon
Mrs. S. J. Baxter (Substitute Member)

AGENDA

LICENSING SUB-COMMITTEE HEARING PROCEDURE (Pages 1 - 4)

1. Appointment of Chairman for the meeting
2. To receive apologies for absence and notification of substitutes
3. Declarations of Interest
4. Application for a Premises Licence in respect of Moto Frankley Service Area (North), M5 Motorway, Illey Lane, Birmingham, B32 4AR (Pages 5 - 38)
5. Application for a Premises Licence in respect of Moto Frankley Service Area (South), M5 Motorway, Illey Lane, Birmingham, B32 4AR (Pages 39 - 72)

6. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

2nd January 2013



INFORMATION FOR THE PUBLIC

Access to Information

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000 has further broadened these rights, and limited exemptions under the 1985 Act.

- You can attend all Council, Cabinet and Committee/Board meetings, except for any part of the meeting when the business would disclose confidential or “exempt” information.
- You can inspect agenda and public reports at least five days before the date of the meeting.
- You can inspect minutes of the Council, Cabinet and its Committees/Boards for up to six years following a meeting.
- You can have access, upon request, to the background papers on which reports are based for a period of up to six years from the date of the meeting. These are listed at the end of each report.
- An electronic register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc. is available on our website.
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You can access the following documents:

- Meeting Agendas
- Meeting Minutes
- The Council’s Constitution

at www.bromsgrove.gov.uk

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Appendix

LICENSING SUB-COMMITTEE

HEARING PROCEDURE

1. The Chairman will open the hearing and introduce members of the Sub-Committee and officers present.
2. The Chairman will ask all parties to the proceedings to introduce themselves.
3. In the event the Applicant is not represented, the Chairman will remind the Applicant that he/she can be represented by a legal representative at his/her own expense.
4. The Licensing Officer will present the report.
5. The Chairman will invite Members of the Sub-Committee and all parties to the proceedings to put any relevant questions to the Licensing Officer.
6. The Chairman will invite the Applicant and/or his/her representative to present his/her case and call any witnesses. The Applicant will be allowed a maximum of 10 minutes to present their case.
7. The Chairman will invite Members of the Sub-Committee and other parties to the proceedings to put any relevant questions to the Applicant and/or his/her representative.
8. The Chairman will invite the Responsible Authorities to present their representations. New representations must not be raised. The Responsible Authorities will be allowed a total of 10 minutes to present their case(s). If two or more Responsible Authorities wish to address the Sub-Committee the 10 minutes will be divided between them.
9. The Chairman will invite Members of the Sub-Committee and all other parties to the proceedings to put any relevant questions to the Responsible Authorities.
10. All other Parties to the proceedings will be invited to present their representations or elect a spokesperson to speak on their behalf. New representations must not be raised. A maximum of 10 minutes will be allowed for the Parties to present their case(s). If two or more Parties wish to address the Sub-Committee the 10 minutes will be divided between them.
11. The Chairman will invite Members of the Sub-Committee and the applicant / applicant's representative to put any relevant questions to the other Parties.

- 12. The other Parties to the proceedings will be invited to sum up. A maximum of 5 minutes will be allowed.**
- 13. The Responsible Authorities will be invited to sum up. A maximum of 5 minutes will be allowed.**
- 14. The Applicant and/or his/her representative will be invited to sum up. A maximum of 5 minutes will be allowed.**
- 15. The Chairman will ask the Council's Legal Advisor if there is any legal advice to be given.**
- 16. At the conclusion of the hearing Members of the Sub-Committee, the Legal Adviser and the Democratic Services Officer will withdraw from the meeting room so that the Sub-Committee can reach its decision in private.**
- 17. Once the Sub-Committee has reached its decision, all parties will return and the meeting will reconvene. The Sub-Committee's decision, together with the reasons for the decision, will be announced by the Chairman.**
- 18. The Sub-Committee's decision will be confirmed in writing to the Applicant and those parties who made representations.**

Please Note:

1. ***Each application coming before the Licensing Sub-Committee will be treated on its own merits, and the Sub-Committee will take its decision based upon:***
 - a) ***the promotion of the four licensing objectives, as given by the Licensing Act 2003, namely:***
 - ***the prevention of crime and disorder;***
 - ***public safety;***
 - ***the prevention of public nuisance; and***
 - ***the protection of children from harm***
 - b) ***Bromsgrove District Council's Statement of Licensing Policy;***
 - c) ***guidance issued under section 182 of the Licensing Act 2003; and***
 - d) ***the Licensing Act 2003.***
2. ***The Chairman may require any person who in his/her opinion is behaving in a disruptive manner to leave the meeting, and may refuse to permit that person to return, or permit him/her to return only on such conditions as the Chairman may specify. However, such person may, before the end of the hearing, submit in writing any information which he/she would have been entitled to have given orally at the meeting had he/she not been required to leave.***
3. ***Decisions may be taken in the absence of the Applicant or any other party. All notices and representations received from absent parties will be considered.***
4. ***Questioning must not be hostile or intended to unfairly undermine the position of any party.***
5. ***Late evidence will only be considered with the agreement of all parties present.***
6. ***In cases where a decision cannot be given at the end of the hearing, the decision will be made within 5 working days.***
7. ***An appeal to the Magistrates' Court against the Sub-Committee's decision must be lodged within 21 days of the date on which all parties were notified in writing of the decision of the Licensing Sub-Committee.***

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Licensing Sub-Committee

14th January 2013

APPLICATION FOR A PREMISE LICENCE UNDER THE LICENSING ACT 2003

Relevant Portfolio Holder	Councillor Kit Taylor
Portfolio Holder Consulted	No
Relevant Head of Service	Steve Jorden – Head of Worcestershire Regulatory Services.
Wards Affected	Uffdown
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To consider an application for a Premise licence made by Moto Hospitality Limited to sell alcohol off the premise at Moto Frankley Service Area (North), M5 Motorway, Illey Lane, Birmingham, B32 4AR. This application is brought before the Licensing Sub-Committee following receipt of relevant objections.

2. RECOMMENDATIONS

- 2.1 **The Sub-Committee is asked to RESOLVE**

whether or not, having regard to the licensing objectives, the Guidance issued under section 182 of the Licensing Act 2003, the District Council's Statement of Licensing Policy, the applicant's proposed Operating Schedule and relevant representations made by responsible authorities;

- 1) **To grant or refuse the application, as shown in the application form attached at Appendix 1 to the report.**
- 2) **If the Licensing Sub-Committee is minded to approve the application;**
 - a) **To attach relevant Mandatory Conditions; and**
 - b) **To consider, with due regard to the statutory licensing objectives and the relevant representation received, whether to attach any appropriate conditions.**

3. KEY ISSUES

Financial Implications

- 3.1 The Statutory Fee of £635.00 has been paid, and the application has been duly advertised in accordance to the requirements of the Licensing Act 2003. Should the application be refused by the Sub-committee, there is a right of appeal to Magistrates Court. Should an appeal be successful the Magistrates may make an order for costs.

Licensing Sub-Committee

14th January 2013

Legal Implications

- 3.2 The Sub-Committee should have regard to any National Guidance set down under S182 of the Licensing Act 2003 and Bromsgrove District Council's Statement of Licensing Policy.
- 3.3 The Committee is obliged to determine this application with a view to the promotion of the licensing objectives which are:
- The Prevention of Crime and Disorder
 - Public Safety
 - The Prevention of Public Nuisance
 - The Protection of Children from Harm.
- 3.4 The Sub-Committee must also have regard to the representations made and the evidence it hears.
- 3.5 The Committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:
- (a) Grant the application as asked
 - (b) Modify or impose conditions on the licence, by altering or omitting or adding to them.
 - (c) Reject the application.
- 3.6 The Sub-Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.
- 3.7 The Human Rights Act 1998 incorporates human rights under the European Convention into English law. Article 6 provides that, in the determination of a person's civil rights, everyone is entitled to a fair and public hearing. In this respect, third parties whose property rights may be adversely affected and, of course, applicants themselves, should be allowed to address the Committee if they

Service/Operational Implications

- 3.8 An application for a new Premises Licence for Moto Frankley Service Area (North), M5 Motorway, Illey Lane, Birmingham, B32 4AR made by Moto Hospitality Limited was received by Bromsgrove District Council on the 16th November 2012, for the:

Sale of alcohol off the Premises: Monday to Sunday 07:00 – 23:00.

Licensing Sub-Committee

14th January 2013

- 3.9 The Licensing Authority has received a letter of objection from West Mercia Police, objecting to the application made by Moto Hospitality Limited. Malthurst Limited. Copy of the representation is attached as **Appendix 2**.
- 3.10 Attached as **Appendix 3** (copies to be provided on the day) is the response from Responsible Authorities under the Licensing Act 2003 informing us that they do not have any objections to the grant of the application.

Customer / Equalities and Diversity Implications

- 3.11 None

4. RISK MANAGEMENT

- 4.1 None

5. APPENDICES

- Appendix 1 Application Form, Plan
Appendix 2 Objection letter from Police
Appendix 3 Response from Responsible Authorities

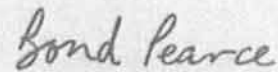
6. BACKGROUND PAPERS

- Licensing Act 2003
Guidance under S182 of the Licensing Act 2003
Statement of Licensing Policy

AUTHOR OF REPORT

Name: Sayful Alom – Licensing Officer
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15 November 2012
By guaranteed next day delivery

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Licensing Department
Worcestershire Regulatory Services
Bromsgrove District Council
The Council House
Burcot Lane
Bromsgrove, Worcs
B60 1AA

Our ref:
JMM1/JMM1/300042.292
Your ref:

Dear Sir or Madam

Licensing Act 2003
Moto Frankley Service Area (North), M5 Motorway, Illey Lane, Birmingham, B32 4AR
New Premises Licence

We are instructed by Moto Hospitality Limited to make application for a new Premises Licence for the above premises.

We hope it is helpful to give a little background to this application. Earlier this year our clients were granted alcohol Premises Licences under Licensing Act 2003 without hearings at all 24 service area sites in respect of which they made applications. Applications had not previously been made for these sites as arrangements with the Highways Agency precluded it. However, late in 2011 the Highways Agency changed its stance and as a result of this there was no objection by the Highways Agency to any of the above applications or granted.

Moto is the freehold owner of this application site.

The above site is not excluded premises as it was not acquired by a special road authority. Our clients wish to license it as the initial round of sites has operated well and without issues

Accordingly, we now enclose the following:-

1. Completed form of application;
2. Cheque made payable to your Council in the sum of £635.00;
3. Copy of drawing numbered 3539_(00)_03
4. Consent form signed by the nominated Premises Supervisor.

Please note that a DPS variation application will be made in due course in the name of a member of the store management team.

We confirm that a copy of this letter and all documents (save for the cheque) are being sent to all responsible authorities today by guaranteed post.

The appropriate notice will be displayed on the premises for 28 days starting on 17 November 2012.

A notice will appear in the Bromsgrove Advertiser on the 21 November 2012.

We should be most grateful if you will kindly acknowledge safe receipt of this application.

Bond Pearce LLP, a Limited Liability Partnership. Registered in England and Wales number OC311430. Registered office: 3 Temple Quay Temple Back East Bristol BS1 6DZ. VAT number GB143 0282 07. A list of members (all of whom are solicitors of England and Wales or registered foreign lawyers) of Bond Pearce is open for inspection at the registered office. We use the word "partner" to refer to a member of the LLP, or an employee or consultant who is a lawyer with equivalent standing and qualifications. Authorised and Regulated by the Solicitors Regulation Authority.

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Yours faithfully



Bond Pearce LLP

- CC: Licensing Unit, West Mercia Constabulary, Police Station, Castle Street, Worcester, WR1 3QX
- Hereford and Worcester Fire and Rescue Service, North District HQ., Castle Road, Kidderminster, Worcs, DY12 6TH
- Trading Standards, (Weights and Measures), Worcestershire Regulatory Services, PO Box 866, Worcester, WR1 9DP
- Planning Department, Bromsgrove District Council, The Town Hall, Burcot Lane, Bromsgrove, Worcs, B60 1AA
- Environmental Health, Worcestershire Regulatory Services, PO Box 866, Worcester, WR1 9DP
- Health and Safety, Environmental Services, Bromsgrove District Council, The Council House, Burcot Lane, Bromsgrove, Worcs, B60 1AA
- Service Manager, Safeguarding & Quality Assurance, County Hall, Wildwood Way, Worcester, WR5 2NP
- Bromsgrove District Council as Licensing Authority, The Council House, Burcot Lane, Bromsgrove, Worcs, B60 1AA
- Public Health Department, NHS Worcester, Assistance Director of Public Health, Pavilion B Zero, County Hall, Spetchely Road, Worcester, WR5 2NP

**Application for a Premises Licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

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

I/We Moto Hospitality Limited
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Moto Frankley Service Area (North) M5 Motorway Illey Lane			
Post town	Birmingham	Post code	B32 4AR
Telephone number at premises (if any)		0121 550 3131	
Non-domestic rateable value of premises		£455,000.00	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick yes

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an Independent hospital in Wales | <input type="checkbox"/> | please complete section (B) |

- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an Independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

- Please tick yes
- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
 - I am making the application pursuant to a statutory function or a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Moto Hospitality Limited
Address Toddington Service Area Junction 11-12 M1 Southbound Toddington Bedfordshire LU5 6HR
Registered number (where applicable) 00734299
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year	
1	5	1	2	2	0
1	2	0	1	2	

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year	
1	1	1	1	1	1
1	1	1	1	1	1

Please give a general description of the premises (please read guidance note1)

Service Area amenity building shop.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

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 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 6)			Will the performance of a play take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed					
Thur			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)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			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 entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
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 5)		
Fri					
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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed			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 5)		
Thur					
Fri					
Sat					
Sun					

G

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

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><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)</p>		
Fri					
Sat			<p><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 5)</p>		
Sun					



I

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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed					
Thur			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)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	0700	2300	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	0700	2300			
Wed	0700	2300			
Thur	0700	2300			
Fri	0700	2300			
Sat	0700	2300			
Sun	0700	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)		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name Craig Alexander Martin	
Address 	
Postcode	
Personal Licence number (if known) PA2029	
Issuing licensing authority (if known) Northampton Borough Council	

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 8)

There will be no activities at the premises which expose children to harm.

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 6)</p>			<p>State any seasonal variations (please read guidance note 4)</p>
Day	Start	Finish	<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 5)</p> <p>The premises are entitled to open 24 hours on each day and from time to time may do so.</p>
Mon	0700	2300	
Tue	0700	2300	
Wed	0700	2300	
Thur	0700	2300	
Fri	0700	2300	
Sat	0700	2300	
Sun	0700	2300	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The company maintains comprehensive regulatory compliance procedures and all aspects of the four licensing objectives are covered by these procedures.

b) The prevention of crime and disorder

Digital CCTV will be installed and will be maintained on a 24 hour basis. Data will be retained for a period of 31 days and will be made available to the Police for evidential purposes.

c) Public safety

Fire safety measures and procedures are in operation in accordance with Fire Safety Regulations.

Provision will be made for the disabled to ensure safe evacuation in the event of fire or other emergency and general access.

d) The prevention of public nuisance

All planning requirements will be met and procedures established to prevent noise nuisance from deliveries and all plant and machinery.

Measures will be in place to ensure the proper disposal of all waste

e) The protection of children from harm

Staff training to ensure that in case of any doubt whether a purchaser is over the age of 18 to refuse sale of alcohol unless valid identification is produced.

Till prompts remind staff at point of sale of alcohol to ensure the purchaser is over 18.

All displays of alcohol will be appropriately ticketed to advise purchasers that it is an offence for those under 18 to purchase alcohol.

Till points will be monitored by the digital CCTV system.

An Age Challenge Scheme with an Age Challenge of not less than 25 years is in force for persons who appear to be less than 25.

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- 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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	[REDACTED]
Date	15 November 2012
Capacity	Solicitors for and on behalf of Applicant

For joint applications signature of 2nd applicant 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 postal address for correspondence associated with this application (please read guidance note 13)

Our ref:
Bond Pearce LLP
3 Temple Quay
Temple Back East

Post town	Bristol	Post code	BS1 6DZ
Telephone number (if any)	0845 415 6775		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) joanne.morgan@bondpearce.com			

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 the 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.

Consent of individual to being specified as premises supervisor

I, Craig Alexander Martin

[full name of prospective premises supervisor]

[REDACTED]

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

THE GRANT OF A PREMISES LICENCE

[type of application]

By Moto Hospitality Ltd

[name of applicant]

relating to a premises licence application for

[number of existing licence, if any]

Moto Frankley Service Area (North), M5 Motorway, Illey Lane, Birmingham, B32 4AR

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by Moto Hospitality Ltd

[name of applicant]

concerning the supply of alcohol at:

Moto Frankley Service Area (North), M5 Motorway, Illey Lane, Birmingham, B32 4AR

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below

Personal licence number:

PA2029

[insert personal licence number, if any]

Personal licence issuing authority:

Northampton Borough Council

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed: [REDACTED]

Name (please print): CRAIG MARTIN..... CRAIG MARTIN

Date: 26/10/12

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Sayful Alom

From: Sue Garratt GCSX
Sent: 28 November 2012 13:42
To: Sayful Alom
Subject: FW: Frankley Services North and South Bound Premises Application
Attachments: M54 KRISS EWING[2].DOC

Rep from the Police

Sue

Sue Garratt
Senior Practitioner Licensing
Worcestershire Regulatory Services
Tel: 01527 534100
email: sue.garratt@worcsregservices.gov.uk.

on behalf of: Redditch Borough Council, Bromsgrove District Council and Wychavon District Council

As from the 1st June the County and District Council functions of Trading Standards, Environmental Health and Licensing have been combined into a single Worcestershire Regulatory Service hosted by Bromsgrove District Council. All the existing functions are being maintained or enhanced, and are currently being delivered from the same locations. At this stage please continue to send any correspondence to this current address but I would ask you to note that the title of this Service will change on future correspondence.

From: Bott,Paul [mailto:paul.bott@westmercia.pnn.police.uk]
Sent: Tue 27/11/2012 11:09
To: Sue Garratt GCSX
Subject: Frankley Services North and South Bound Premises Application

Morning Sue,

Re the Premises Licence Application from Bond Pearce on behalf of Moto Frankley Service Area North and South.

I wish to put forward representations against the issuing of a Licence as it appears from the Department for Transport Policy on the matter sales of alcohol are not allowed on Motorway Service Areas. Please see the attachment from West Mercia's legal team regarding the matter.

Regards Paul

*** eSafe scanned this email for malicious content ***
*** IMPORTANT: Do not open attachments from unrecognized senders ***

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From:
Sent: 27 February 2012 15:05
To: (Licensing)
Subject: RE: Motorway Service Stations

I have had a look at the Department for Transport policy circular and feel that it makes it quite clear that there should be no sale of alcohol, even in services on privately owned land.

To quote from the policy:- (my italics)

10. Until 1992, the Department for Transport was responsible for developing MSAs: acquiring land, funding construction and leasing the completed sites to operating companies. Since 1992, government policy has been that the private sector should take the initiative in identifying and acquiring MSA sites and seeking planning consent from local planning authorities. When completed, these MSAs are owned by the private sector rather than the Government. *The Government, through the Highways Agency, continues to have an interest in these (new and existing) privately owned sites, in relation to motorway safety and traffic management.*
11. *Operators of both new and existing MSAs, whether leased from the Government or privately owned, must comply with the requirements of government policy.* These provisions are reflected in the Traffic Signs Agreements into which they enter with the Highways Agency. If they do not observe these conditions, action can be taken which could ultimately lead to the closure of sites. However, operators have responsibility for all other operational matters at MSAs, including pricing and staffing levels.
12. *The development of roadside facilities on APTRs has traditionally been led by The private sector, with the Highways Agency providing advice on road safety and traffic management issues.*
- 116 *There is to be no sales or consumption of alcohol anywhere on the premises of a MSA or MRA*

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Licensing Sub-Committee

14th January 2013

APPLICATION FOR A PREMISE LICENCE UNDER THE LICENSING ACT 2003

Relevant Portfolio Holder	Councillor Kit Taylor
Portfolio Holder Consulted	No
Relevant Head of Service	Steve Jorden – Head of Worcestershire Regulatory Services.
Wards Affected	Uffdown
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To consider an application for a Premise licence made by Moto Hospitality Limited to sell alcohol off the premise at Moto Frankley Service Area (South), M5 Motorway, Illey Lane, Birmingham, B32 4AR. This application is brought before the Licensing Sub-Committee following receipt of relevant objections.

2. RECOMMENDATIONS

- 2.1 **The Sub-Committee is asked to RESOLVE**

whether or not, having regard to the licensing objectives, the Guidance issued under section 182 of the Licensing Act 2003, the District Council's Statement of Licensing Policy, the applicant's proposed Operating Schedule and relevant representations made by responsible authorities;

- 1) **To grant or refuse the application, as shown in the application form attached at Appendix 1 to the report.**
- 2) **If the Licensing Sub-Committee is minded to approve the application;**
 - a) **To attach relevant Mandatory Conditions; and**
 - b) **To consider, with due regard to the statutory licensing objectives and the relevant representation received, whether to attach any appropriate conditions.**

3. KEY ISSUES

Financial Implications

- 3.1 The Statutory Fee of £635.00 has been paid, and the application has been duly advertised in accordance to the requirements of the Licensing Act 2003. Should the application be refused by the Sub-committee, there is a right of appeal to Magistrates Court. Should an appeal be successful the Magistrates may make an order for costs.

Licensing Sub-Committee

14th January 2013

Legal Implications

- 3.2 The Sub-Committee should have regard to any National Guidance set down under S182 of the Licensing Act 2003 and Bromsgrove District Council's Statement of Licensing Policy.
- 3.3 The Committee is obliged to determine this application with a view to the promotion of the licensing objectives which are:
- The Prevention of Crime and Disorder
 - Public Safety
 - The Prevention of Public Nuisance
 - The Protection of Children from Harm.
- 3.4 The Sub-Committee must also have regard to the representations made and the evidence it hears.
- 3.5 The Committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:
- (a) Grant the application as asked
 - (b) Modify or impose conditions on the licence, by altering or omitting or adding to them.
 - (c) Reject the application.
- 3.6 The Sub-Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.
- 3.7 The Human Rights Act 1998 incorporates human rights under the European Convention into English law. Article 6 provides that, in the determination of a person's civil rights, everyone is entitled to a fair and public hearing. In this respect, third parties whose property rights may be adversely affected and, of course, applicants themselves, should be allowed to address the Committee if they

Service/Operational Implications

- 3.8 An application for a new Premises Licence for Moto Frankley Service Area (South), M5 Motorway, Illey Lane, Birmingham, B32 4AR made by Moto Hospitality Limited was received by Bromsgrove District Council on the 16th November 2012, for the:

Sale of alcohol off the Premises: Monday to Sunday 07:00 – 23:00.

Licensing Sub-Committee

14th January 2013

- 3.9 The Licensing Authority has received a letter of objection from West Mercia Police, objecting to the application made by Moto Hospitality Limited. Malthurst Limited. Copy of the representation is attached as **Appendix 2**.
- 3.10 Attached as **Appendix 3** (copies to be provided on the day) is the response from Responsible Authorities under the Licensing Act 2003 informing us that they do not have any objections to the grant of the application.

Customer / Equalities and Diversity Implications

- 3.11 None

4. RISK MANAGEMENT

- 4.1 None

5. APPENDICES

Appendix 1 Application Form, Plan
Appendix 2 Objection letter from Police
Appendix 3 Response from Responsible Authorities

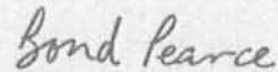
6. BACKGROUND PAPERS

Licensing Act 2003
Guidance under S182 of the Licensing Act 2003
Statement of Licensing Policy

AUTHOR OF REPORT

Name: Sayful Alom – Licensing Officer
E Mail: sayful.alom@worcsregservices.gov.uk
Tel: (01527) 881454

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15 November 2012
By guaranteed next day delivery

Bond Pearce LLP
3 Temple Quay
Temple Back East
Bristol BS1 6DZ

Tel: +44 (0)845 415 0000
Fax: +44 (0)845 415 6900
DX 200561 Bristol Temple Meads

Licensing Department
Worcestershire Regulatory Services
Bromsgrove District Council
The Council House
Burcot Lane
Bromsgrove, Worcs
B60 1AA

Our ref:
JMM1/JMM1/300042.293
Your ref:

Dear Sir or Madam

Licensing Act 2003
Moto Frankley Service Area (South), M5 Motorway, Illey Lane, Birmingham, B32 4AR
New Premises Licence

We are instructed by Moto Hospitality Limited to make application for a new Premises Licence for the above premises.

We hope it is helpful to give a little background to this application. Earlier this year our clients were granted alcohol Premises Licences under Licensing Act 2003 without hearings at all 24 service area sites in respect of which they made applications. Applications had not previously been made for these sites as arrangements with the Highways Agency precluded it. However, late in 2011 the Highways Agency changed its stance and as a result of this there was no objection by the Highways Agency to any of the above applications or granted.

Moto is the freehold owner of this application site.

The above site is not excluded premises as it was not acquired by a special road authority. Our clients wish to license it as the initial round of sites has operated well and without issues

Accordingly, we now enclose the following:-

1. Completed form of application;
2. Cheque made payable to your Council in the sum of £635.00;
3. Copy of drawings numbered:
 - a) 3539_(00)_36 Site Plan
 - b) 3539_(00)_04 layout plan
4. Consent form signed by the nominated Premises Supervisor.

Please note that a DPS variation application will be made in due course in the name of a member of the store management team.

We confirm that a copy of this letter and all documents (save for the cheque) are being sent to all responsible authorities today by guaranteed post.

The appropriate notice will be displayed on the premises for 28 days starting on 17 November 2012.

A notice will appear in the Bromsgrove Advertiser on the 21 November 2012.

We should be most grateful if you will kindly acknowledge safe receipt of this application.

Bond Pearce LLP, a Limited Liability Partnership. Registered in England and Wales number OC311430. Registered office: 3 Temple Quay Temple Back East Bristol BS1 6DZ. VAT number GB143 0282 07. A list of members (all of whom are solicitors of England and Wales or registered foreign lawyers) of Bond Pearce is open for inspection at the registered office. We use the word "partner" to refer to a member of the LLP, or an employee or consultant who is a lawyer with equivalent standing and qualifications. Authorised and Regulated by the Solicitors Regulation Authority.

www.bondpearce.com

Yours faithfully



Bond Pearce LLP

CC: Licensing Unit, West Mercia Constabulary, Police Station, Castle Street, Worcester, WR1 3QX
Hereford and Worcester Fire and Rescue Service, North District HQ., Castle Road, Kidderminster, Worcs, DY12 6TH
Trading Standards, (Weights and Measures), Worcestershire Regulatory Services, PO Box 866, Worcester, WR1 9DP
Planning Department, Bromsgrove District Council, The Town Hall, Burcot Lane, Bromsgrove, Worcs, B60 1AA
Environmental Health, Worcestershire Regulatory Services, PO Box 866, Worcester, WR1 9DP
Health and Safety, Environmental Services, Bromsgrove District Council, The Council House, Burcot Lane, Bromsgrove, Worcs, B60 1AA
Service Manager, Safeguarding & Quality Assurance, County Hall, Wildwood Way, Worcester, WR5 2NP
Bromsgrove District Council as Licensing Authority, The Council House, Burcot Lane, Bromsgrove, Worcs, B60 1AA
Public Health Department, NHS Worcester, Assistance Director of Public Health, Pavilion B Zero, County Hall, Spetchely Road, Worcester, WR5 2NP

**Application for a Premises Licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We Moto Hospitality Limited
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Moto Frankley Service Area (South) M5 Motorway Illey Lane			
Post town	Birmingham	Post code	B32 4AR
Telephone number at premises (if any)		0121 550 3131	
Non-domestic rateable value of premises		£575,000.00	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick yes

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |
| g) a person who is registered under Part 2 of the Care | | |

- Standards Act 2000 (c14) in respect of an Independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an Independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Moto Hospitality Limited
Address Toddington Service Area Junction 11-12 M1 Southbound Toddington Bedfordshire LU5 6HR
Registered number (where applicable) 00734299
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day			Month			Year		
1	5	1	2	2	0	1	2	

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day			Month			Year		
+	+	+	+	+	+	+	+	+

Please give a general description of the premises (please read guidance note1)

Service Area amenity building shops.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

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 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 6)			Will the performance of a play take place <u>indoors or outdoors or both - please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day				Start	Finish
Mon				Outdoors	<input type="checkbox"/>
Tue				Both	<input type="checkbox"/>
			Please give further details here (please read guidance note 3)		
			State any seasonal variations for performing plays (please read guidance note 4)		
			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)		
Fri					
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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed			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)		
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			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)
Thur			
Fri			
Sat			
Sun			

D

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

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><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)</p>		
Fri					
Sat			<p><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 5)</p>		
Sun					



I

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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
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					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	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 4)					
Mon	0700	2300						
Tue	0700	2300						
Wed	0700	2300						
Thur	0700	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)		
Fri	0700	2300						
Sat	0700	2300						
Sun	0700	2300						

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name Craig Alexander Martin	
Address 	
Postcode	
Personal Licence number (if known) PA2029	
Issuing licensing authority (if known) Northampton Borough Council	

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 8)

There will be no activities at the premises which expose children to harm.

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			<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 5)</p> <p>The premises are entitled to open 24 hours on each day and from time to time may do so.</p>
	0700	2300	
Tue			
	0700	2300	
Wed			
	0700	2300	
Thur			
	0700	2300	
Fri			
	0700	2300	
Sat			
	0700	2300	
Sun			
	0700	2300	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The company maintains comprehensive regulatory compliance procedures and all aspects of the four licensing objectives are covered by these procedures.

b) The prevention of crime and disorder

Digital CCTV will be installed and will be maintained on a 24 hour basis. Data will be retained for a period of 31 days and will be made available to the Police for evidential purposes.

c) Public safety

Fire safety measures and procedures are in operation in accordance with Fire Safety Regulations.

Provision will be made for the disabled to ensure safe evacuation in the event of fire or other emergency and general access.

d) The prevention of public nuisance

All planning requirements will be met and procedures established to prevent noise nuisance from deliveries and all plant and machinery.

Measures will be in place to ensure the proper disposal of all waste

e) The protection of children from harm

Staff training to ensure that in case of any doubt whether a purchaser is over the age of 18 to refuse sale of alcohol unless valid identification is produced.

Till prompts remind staff at point of sale of alcohol to ensure the purchaser is over 18.

All displays of alcohol will be appropriately ticketed to advise purchasers that it is an offence for those under 18 to purchase alcohol.

Till points will be monitored by the digital CCTV system.

An Age Challenge Scheme with an Age Challenge of not less than 25 years is in force for persons who appear to be less than 25.

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- 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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	[REDACTED]
Date	15 November 2012
Capacity	Solicitors for and on behalf of Applicant

For joint applications signature of 2nd applicant 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 postal address for correspondence associated with this application (please read guidance note 13)

Our ref:
Bond Pearce LLP
3 Temple Quay
Temple Back East

Post town	Bristol	Post code	BS1 6DZ
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Telephone number (if any)	0845 415 6775
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If you would prefer us to correspond with you by e-mail your e-mail address (optional)
joanne.morgan@bondpearce.com

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 the 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.

Consent of individual to being specified as premises supervisor

I, Craig Alexander Martin
[full name of prospective premises supervisor]

Of [REDACTED]
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

THE GRANT OF A PREMISES LICENCE
[type of application]

By Moto Hospitality Ltd
[name of applicant]

relating to a premises licence application for
[number of existing licence, if any]

Moto Frankley Service Area (South), M5 Motorway, Illey Lane, Birmingham, B32 4AR
[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by
Moto Hospitality Ltd
[name of applicant]

concerning the supply of alcohol at:
Moto Frankley Service Area (South), M5 Motorway, Illey Lane, Birmingham, B32 4AR
[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below

Personal licence number:
PA2029
[insert personal licence number, if any]

Personal licence issuing authority:
Northampton Borough Council
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed: [REDACTED]

Name (please print): CRAIG MARTIN..... CRAIG MARTIN

Date: 26/10/12

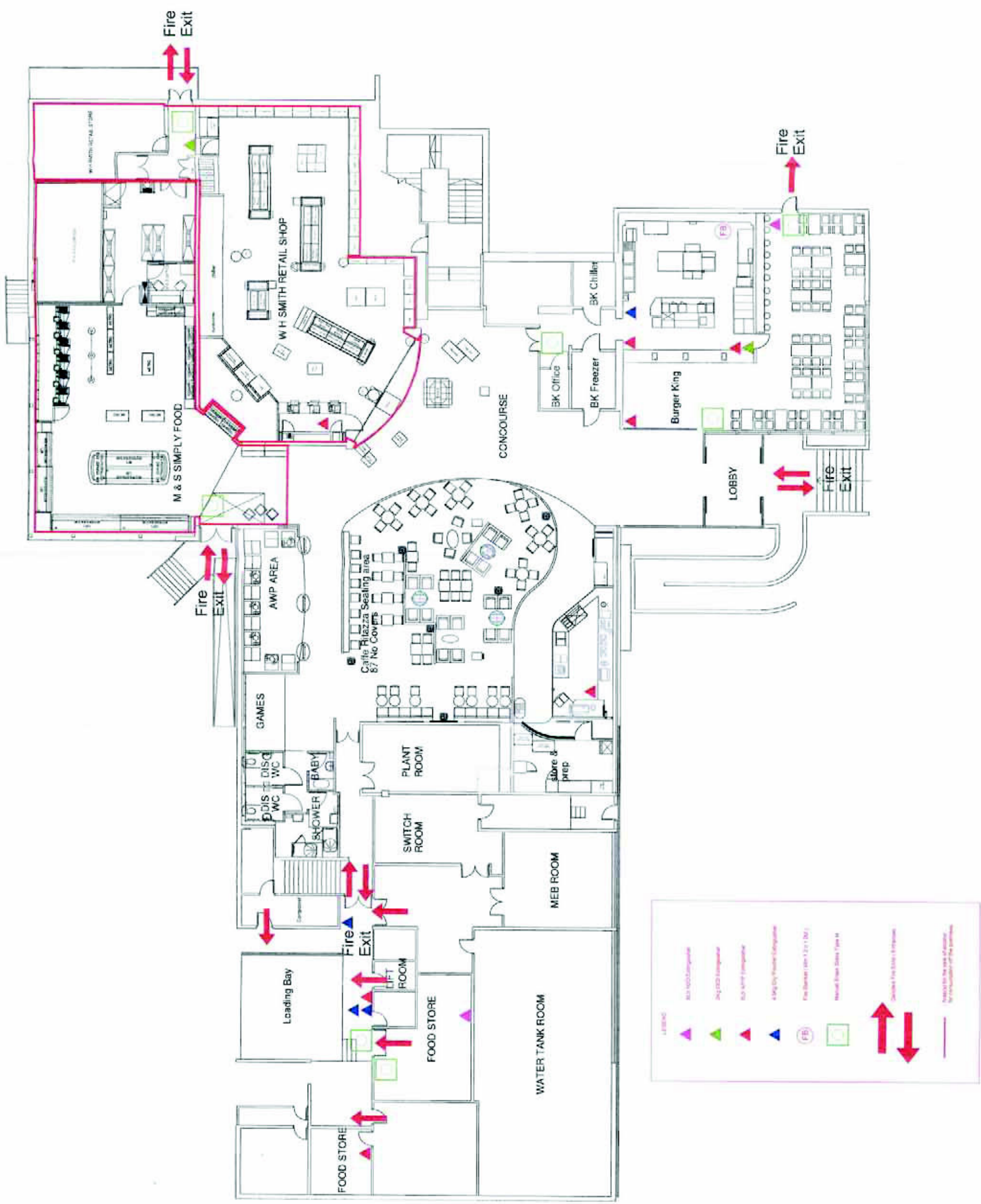
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Date	Sept 2012
Project No.	3539_001_04
Sheet No.	1
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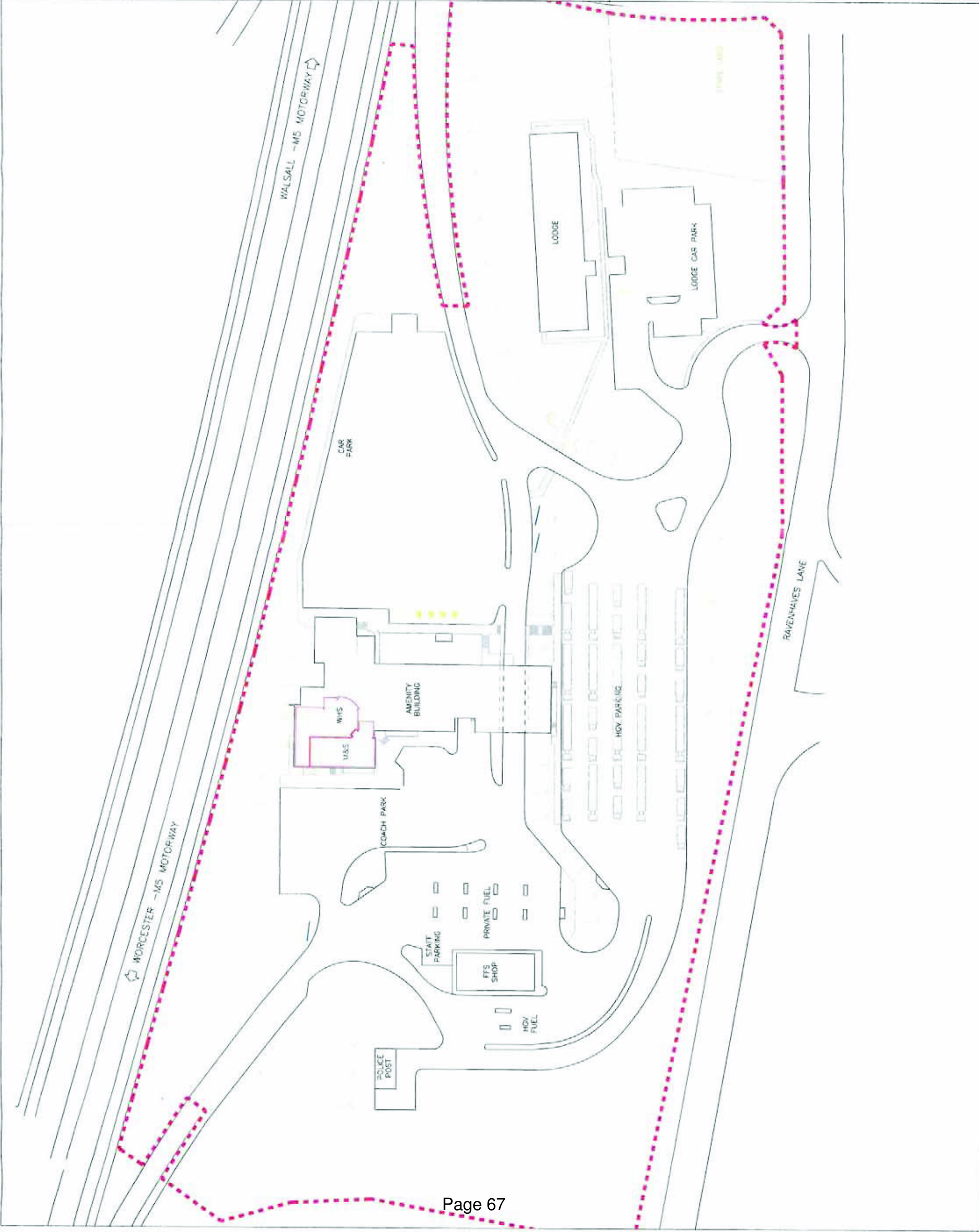
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Quantity Surveying
 Project Management
 Architecture
 Construction Law
 Frankley Southbound
 M85
 Moto Hospitality Ltd
 Site Plan
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Sayful Alom

From: Sue Garratt GCSX
Sent: 28 November 2012 13:42
To: Sayful Alom
Subject: FW: Frankley Services North and South Bound Premises Application
Attachments: M54 KRISS EWING[2].DOC

Rep from the Police

Sue

Sue Garratt
Senior Practitioner Licensing
Worcestershire Regulatory Services
Tel: 01527 534100
email: sue.garratt@worcsregservices.gov.uk

on behalf of: Redditch Borough Council, Bromsgrove District Council and Wychavon District Council

As from the 1st June the County and District Council functions of Trading Standards, Environmental Health and Licensing have been combined into a single Worcestershire Regulatory Service hosted by Bromsgrove District Council. All the existing functions are being maintained or enhanced, and are currently being delivered from the same locations. At this stage please continue to send any correspondence to this current address but I would ask you to note that the title of this Service will change on future correspondence.

From: Bott,Paul [mailto:paul.bott@westmercia.pnn.police.uk]
Sent: Tue 27/11/2012 11:09
To: Sue Garratt GCSX
Subject: Frankley Services North and South Bound Premises Application

Morning Sue,

Re the Premises Licence Application from Bond Pearce on behalf of Moto Frankley Service Area North and South.

I wish to put forward representations against the issuing of a Licence as it appears from the Department for Transport Policy on the matter sales of alcohol are not allowed on Motorway Service Areas. Please see the attachment from West Mercia's legal team regarding the matter.

Regards Paul

*** eSafe scanned this email for malicious content ***
*** IMPORTANT: Do not open attachments from unrecognized senders ***

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From:

Sent: 27 February 2012 15:05

To: (Licensing)

Subject: RE: Motorway Service Stations

I have had a look at the Department for Transport policy circular and feel that it makes it quite clear that there should be no sale of alcohol, even in services on privately owned land.

To quote from the policy:- (my italics)

10. Until 1992, the Department for Transport was responsible for developing MSAs: acquiring land, funding construction and leasing the completed sites to operating companies. Since 1992, government policy has been that the private sector should take the initiative in identifying and acquiring MSA sites and seeking planning consent from local planning authorities. When completed, these MSAs are owned by the private sector rather than the Government. *The Government, through the Highways Agency, continues to have an interest in these (new and existing) privately owned sites, in relation to motorway safety and traffic management.*
11. *Operators of both new and existing MSAs, whether leased from the Government or privately owned, must comply with the requirements of government policy.* These provisions are reflected in the Traffic Signs Agreements into which they enter with the Highways Agency. If they do not observe these conditions, action can be taken which could ultimately lead to the closure of sites. However, operators have responsibility for all other operational matters at MSAs, including pricing and staffing levels.
12. *The development of roadside facilities on APTRs has traditionally been led by The private sector, with the Highways Agency providing advice on road safety and traffic management issues.*
- 116 *There is to be no sales or consumption of alcohol anywhere on the premises of a MSA or MRA*

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