

Application to vary a premises licence to specify an individual as designated premises supervisor 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.

Shu Tak Chung + Li Qing Chung
We being the premises licence holder, apply to vary
(full name(s) of premises licence holder)
a premises licence to specify the individual named in this application as the premises supervisor under section 37 of the Licensing Act 2003

Premises licence number

79

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Dragon Pearl Restaurant 33 Hyde Road	
Post town	Post code
Raigton	TQ4 5BP
Telephone number (if any)	
01303 552220	

Description of premises (please read guidance note 1)

Chinese restaurant

art 2

Full name of proposed designated premises supervisor

Zhong Liu

Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any)

367679 Rhondda Cynon Taf CBC

Full name of existing designated premises supervisor (if any)

Andrew Salmon

Please tick yes

I would like this application to have immediate effect under section 38 of the Licensing Act 2003

I have enclosed the premises licence or relevant part of it

(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

Reasons why I have failed to enclose the premises licence or relevant part of it

Please tick yes

- I have made or enclosed payment of the fee
- I will give a copy of this application to the chief officer of police
- I have enclosed the consent form completed by the proposed premises supervisor
- I have enclosed the premises licence, or the relevant part of it or explanation
- I will give a copy of this form to the existing premises supervisor, if any
- 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 3 – Signatures (please read guidance note 2)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 3).
If signing on behalf of the applicant please state in what capacity.

Signature [Handwritten Signature]
Date 21/11/09
Capacity Premises licence holder

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature [Handwritten Signature]
Date 21/11/09
Capacity Premises licence holder

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)	
<u>Shu Tak Chung</u> <u>Dragon Pearl Chinese Restaurant</u> <u>333 Hyde Road</u>	
Post town <u>Paignton</u>	Post code <u>TQ4 5BP</u>
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Guidance notes

1. Describe the premises. For example the type of premises it is.
2. The application form must be signed.
3. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application.

Part A

Consent of individual to being specified as premises supervisor

I Zhong Liu [full name of prospective premises supervisor]
 of 333 Hyde Road Paignton [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 Varia D.P.S. [type of application]
 by Shu Tak Chung + Li Qing Chung [name of applicant]
 relating to a premises licence 79 [number of existing licence, if any]
 for Dragon Pearl Restaurant, 333 Hyde Road Paignton [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 Shu Tak Chung + Li Qing Chung [name of applicant]
 concerning the supply of alcohol at Dragon Pearl, 333 Hyde Rd Paignton [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 367679 [insert personal licence number, if any]
 Personal licence issuing authority Rhonda Cynon Taf CPS
 [insert name and address and telephone number of personal licence issuing authority, if
 any]

Expires 11/3/19

Zhong Liu signed
ZHONG LIU name (please print)
21/4/09 dated

PART B

Consent of premises licence holder to transfer

I/we [full name of premises licence holder(s)]
 the premises licence holder of premises licence number [insert
 premises licence number] relating to
 [name and address of
 premises to which the application relates] hereby give my consent for the transfer of
 premises licence number [insert premises licence number]
 to [full name of transferee].

..... signed
 name (please print)
 dated



Our ref:

Your ref: Appendix 2

Torbay Council Licensing Department
First Floor
Roebuck House
Abbey Road
TORQUAY
TQ2 53J

DEVON & CORNWALL
CONSTABULARY

Licensing Department
Devon and Cornwall Constabulary
PO Box 1
PAIGNTON
TQ3 2YF

28 April 2009

Telephone: 01803 841327/841287

Dear Sir/Madam

Re: Dragon Pearl Chinese Restaurant, 33 Hyde Road, Paignton

I refer to an application made by the above premises to Vary the Designated Premises Supervisor into the name of Zhong LIU.

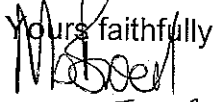
The nominated DPS, Mr LIU, although the holder of a current Personal Licence (number 367679 issued by Rhondda Cynon Taf CBC), has been seen at the premises regarding the requirements of the premises licence and the licensing laws in general, by Julie Smart, one of my Licensing Officers.

Mr LIU was only able to converse with my officer through a male interpreter who was present at the time and it was clear that Mr LIU had difficulties understanding and speaking English without the assistance of an interpreter. It is clearly evident that Mr LIU had little or no command of the English language. Therefore the view of the police is that he would not be able to adequately carry out the duties of a Designated Premises Supervisor and because of this, there is a likelihood that this would undermine the Licensing Objectives.

Based on these facts, the police object to the application to Vary the DPS under Section 37(5) of the Licensing Act 2003.

Should you require any further information, please contact Julie Smart of my Licensing Department.

Yours faithfully


CISP BECAD on behalf of
Superintendent C. Singer

20 APR 2009

