

MINUTES of the meeting of Regulatory Sub Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Tuesday, 30th May, 2006 at 10.00 a.m.

Present: Councillor Brig. P. Jones CBE (Chairman)

Councillors: G.W. Davis and D.J. Fleet

1. ELECTION OF CHAIRMAN

Councillor Brig. P. Jones C.B.E. was elected as Chairman for the Regulatory Sub-Committee hearing.

2. APOLOGIES FOR ABSENCE

Apologies were received from Councillor J.W. Newman.

3. NAMED SUBSTITUTES (IF ANY)

Councillor G.W. Davis attended the hearing as a substitute for Councillor J.W. Newman.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made.

5. APPLICATION FOR A VARIATION TO THE PREMISE LICENCE 'THE QUEENS HEAD, BRIDGE STREET, KINGTON, HR5 3DJ' (Pages 1 - 4)

Please see the attached decision notice for details regarding the determination of the application.

6. APPLICATION FOR VARIATION OF PREMISES LICENCE 'THE NEW PRIORY HOTEL, STRETTON SUGWAS, HEREFORD, HR4 7AR' (Pages 5 - 8)

Please see the attached decision notice for details regarding the determination of the application.

CHAIRMAN



HEREFORDSHIRE COUNCIL

**REGULATORY COMMITTEE DECISION NOTICE
(THE LICENSING ACT 2003)**

PREMISES	The Queens Head
APPLICANT'S NAME	Mr. N. Morris
APPLICATION TYPE	New Premises Licence
PANEL MEMBERS	Councillor Brig. P. Jones (Chairman) Councillor D.J. Fleet Councillor G.W. Davis
DATE OF MEETING	30th May, 2006

Members of the Licensing Panel of the Council's Regulatory Committee considered the above application, full details of which appeared before the Members in their agenda and the background papers.

Prior to making their decision, the Members heard from Miss Woodland, the Environmental Health Officer, P.C. Thomas, representing West Mercia Police authority, as well as Mrs. Andrews, a local resident who objected to the application.

Having carefully considered those matters brought before them, the Committee were of the opinion that the application should be **granted subject** to the conditions appearing below. In reaching their decision, the Members had full regard to both the provisions of the Licensing Act 2003 and the Council's Licensing Policy. The Members imposed conditions in order to promote the four licensing objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

HOURS OF LICENSABLE ACTIVITY

	Live / Recorded Music, Dance	Provision of facilities for Music / Dance	Supply of Alcohol	Open to the public
Monday	1100 - 2330	1100 - 2330	1100 - 0000	1100 - 0030
Tuesday	1100 - 2330	1100 - 2330	1100 - 0000	1100 - 0030
Wednesday	1100 - 2330	1100 - 2330	1100 - 0000	1100 - 0030
Thursday	1100 - 2330	1100 - 2330	1100 - 0000	1100 - 0030
Friday	1100 - 2330	1100 - 2330	1100 - 0000	1100 - 0030
Saturday	1100 - 2330	1100 - 2330	1100 - 0030	1100 - 0100
Sunday	1100 - 2330	1100 - 2330	1100 - 0030	1100 - 0100

HEREFORDSHIRE COUNCIL

**REGULATORY COMMITTEE DECISION NOTICE
(THE LICENSING ACT 2003)**

NON STANDARD HOURS

	Supply of Alcohol	Open to the public
New Years Eve	24 hours	24 Hours

CONDITIONS

The application was granted in respect of the hours of operation of the licensable activities described in the box above together with the following conditions

- The mandatory conditions of The Licensing Act 2003.

PUBLIC NUISANCE

- A terminal hour for opening and all licensable activities unless otherwise stated of 00:30 Sunday to Thursday; and 01:00 hours Friday and Saturday.
- A terminal hour for all music entertainment of 23:30 hours on any day.
- Alcohol shall not be supplied during the last 30 minutes of opening to allow a wind-down period.
- Provision of a last entry time of 23.30 hours on any day.
- The outdoor garden area shall not be used for the consumption of alcohol after 23.30 hours.
- The licensee shall ensure that noise and vibration does not emanate from the premises so as to cause a public nuisance.
- Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- All external doors and window shall be kept closed except for access when amplified music entertainment is provided at the premises and after 23:00 hours in any day.

PUBLIC SAFETY

- The Licensee shall take all reasonable precautions to ensure the safety of the public, the performers and employees on the premises.
- The approved arrangements, including the means of escape, the fire alarm and warning system, the fire fighting equipment, the electrical equipment and mechanical equipment shall be maintained in good condition and full working order.
- The premises shall be adequately ventilated whilst open to the general public. All ventilation equipment shall be maintained in good working order.

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REGULATORY COMMITTEE DECISION NOTICE (THE LICENSING ACT 2003)

- Adequate systems shall be in place to control persons entering and leaving the premises to prevent overcrowding and effectively deal with any altercations or antisocial behaviour of patrons both on and in the vicinity of the premises.
- The maximum number of persons permitted on the premises at any one time shall not exceed **145**.
- A current electrical safety inspection certificate shall be held for all electrical installations in accordance with BS 7671 and BS5266-1.
- All portable electrical equipment in the entertainment areas shall be powered through a suitable and sufficient sensitive earth leakage protection system (residual current device).
- The Licensee shall ensure that a fire risk assessment is carried out for the whole premises. He/she shall also ensure that all fire risks are minimised in accordance with current industry good practice.
 - a) The fire risk assessment shall cover the following areas;
 - a. Means of escape
 - b. Exit routes and exit notices
 - c. Exit doors
 - d. Disabled access and escape
 - e. Reporting of Fires
 - f. Fire Procedure
 - g. Fire Logbook
 - h. Access for Fire Appliances
 - i. Fire Fighting Equipment
 - j. Fire Resistant Furniture and Fittings
 - k. Smoking
 - l. Explosive and Flammable Substances
- All parts of the premises shall be provided with adequate illumination whilst the premises are being used for any licensable activities. All routes of escape and all parts of the premises to which the public have access shall be provided with adequate and assured lighting from two independent supplies and systems

CRIME AND DISORDER

- The prevention of open containers being removed from the premise except for consumption in the beer garden

ADDITIONAL CONDITIONS

- Soundproofing works to be undertaken to ensure that noise and vibration does not emanate from the premises so as to cause public nuisance. These works to be completed by 1st September, 2006



HEREFORDSHIRE COUNCIL

**REGULATORY COMMITTEE DECISION NOTICE
(THE LICENSING ACT 2003)**

PREMISES	New Priory Hotel
APPLICANT'S NAME	Mr. M. Vessey & Mrs. A. Vessey
APPLICATION TYPE	Variation
PANEL MEMBERS	Councillor Brig. P. Jones (Chairman) Councillor D.J. Fleet Councillor G.W. Davis
DATE OF MEETING	30th May, 2006

Members of the Licensing Panel of the Council's Regulatory Committee considered the above application, full details of which appeared before the Members in their agenda and the background papers.

Prior to making their decision, the Members heard from Mr. Backhouse, the Applicant's Legal Advisor, Miss Woodland, the Environmental Health Officer, P.C. Thomas, as well as Mr. Bayliss and Mr. Jones, two of the local residents who had raised objections to the application.

Having carefully considered those matters brought before them, the Committee were of the opinion that the application should be **granted subject** to the conditions appearing below. In reaching their decision, the Members had full regard to both the provisions of the Licensing Act 2003 and the Council's Licensing Policy. The Members imposed conditions in order to promote the four licensing objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

HOURS OF LICENSABLE ACTIVITY (INDOORS ONLY)

	Plays & Films	Live / Recorded music, Dance	Prov. of Facilities for Making Music / Dancing, or similar	Supply of Alcohol	Open to the public
Monday	1200 - 0100	2000 - 0100	2000 - 0100	1000 - 0100	1000 - 0130
Tuesday	1200 - 0100	2000 - 0100	2000 - 0100	1000 - 0100	1000 - 0130
Wednesday	1200 - 0100	2000 - 0100	2000 - 0100	1000 - 0100	1000 - 0130
Thursday	1200 - 0100	2000 - 0100	2000 - 0100	1000 - 0100	1000 - 0130
Friday	1200 - 0100	2000 - 0100	2000 - 0100	1000 - 0100	1000 - 0130
Saturday	1200 - 0100	1200 - 0100	1200 - 0100	1000 - 0100	1000 - 0130
Sunday	1200 - 0000	1200 - 0000	1200 - 0000	1200 - 0000	1000 - 0030

HEREFORDSHIRE COUNCIL

**REGULATORY COMMITTEE DECISION NOTICE
(THE LICENSING ACT 2003)**

HOURS OF LICENSABLE ACTIVITY (OUTDOORS (REAR GARDEN ONLY))

	Plays & Films	Live / Recorded music, Dance	Prov. of Facilities for Making Music & Dancing	Supply of Alcohol
Monday	1200 - 2300	2000 - 2300	2000 - 2300	1000 - 0000
Tuesday	1200 - 2300	2000 - 2300	2000 - 2300	1000 - 0000
Wednesday	1200 - 2300	2000 - 2300	2000 - 2300	1000 - 0000
Thursday	1200 - 2300	2000 - 2300	2000 - 2300	1000 - 0000
Friday	1200 - 2300	2000 - 2300	2000 - 2300	1000 - 0000
Saturday	1200 - 2300	1200 - 2300	1200 - 2300	1000 - 0000
Sunday	1200 - 2300	1200 - 2300	1200 - 2300	1000 - 0000

CONDITIONS

The application was granted in respect of the hours of operation of the licensable activities described in the box above together with the following conditions

- The mandatory conditions of The Licensing Act 2003.

PUBLIC NUISANCE

- No regulated entertainment shall be provided outdoors after 2300 hours on any day.
- The area to the front of the premises shall not be used for any licensable activity or consumption of alcohol at any time. The outdoor area to the rear of the premises shall not be used for the consumption of alcohol after 0000 hours (midnight) on any day.
- Environmental health shall approve the stage or set up for any regulated entertainment outdoors prior to first use.
- No camping shall be permitted to the front of the premises. Any camping in conjunction with an event held at the premises shall be restricted to within the rear gardens.

PUBLIC SAFETY

- The Licensee shall take all reasonable precautions to ensure the safety of the public, the performers and employees on the premises.
- A risk assessment for all licensed outdoor areas shall be recorded and maintained. Adequate systems shall be in place to ensure the actions (and precautions) identified in the risk assessment are effectively implemented.

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**REGULATORY COMMITTEE DECISION NOTICE
(THE LICENSING ACT 2003)**

- Adequate systems shall be in place to control the number of persons entering the premises and its grounds to prevent overcrowding and alleviate any crowd control problems.

CRIME AND DISORDER

- The provision of a capacity limit for the garden area (*A capacity limit of 350 for the building and garden was agreed*).
- The provision of stewards on dates when regulated entertainment is provided in the garden area, open to the public.
- That any private functions are pre booked and a record of that booking is available for inspection by the Licensing Authority and Police.

ADDITIONAL POINTS

- The condition on the existing license requiring food to be purchased in order for an alcohol beverage to be served on Sunday between 1500 – 1900, be removed from the license.

NON STANDARD HOURS

	All Licensable Activities	Open to the public
Sunday preceding Bank Holiday	1200 - 0100	1000 – 0130
Bank Holiday Monday	1200 - 0000	1000 – 0030

