

MINUTES of the meeting of Regulatory Sub Committee held at The Council Chamber, Town Hall, St. Owen's Street, Hereford on Tuesday 29 May 2007 at 3.30 pm

Present: Councillor Brig P Jones CBE (Chairman)

Councillors: SPA Daniels and G Lucas

1. ELECTION OF CHAIRMAN

Councillor P. Jones CBE was elected as Chairman for the Regulatory Sub-Committee hearing.

2. APOLOGIES FOR ABSENCE

No apologies for absence were received.

3. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the hearing.

4. DECLARATIONS OF INTEREST

Councillor SPA Daniels declared a personal interest on item 5 of the agenda.

5. APPLICATION FOR VARIATION OF CLUB PREMISES LICENCE 'HEREFORD WHITECROSS CLUB, SOLLERS CLOSE, HEREFORD, HR4 0LX' (Pages 1 - 4)

The Sub-Committee were required to hear and determine an opposed application for a variation of the Club Premises Licence for Hereford Whitecross Club. The Chairman introduced the Sub-Committee and Officers and confirmed that all Members had received the background papers. He then asked any interested parties attending the hearing to make themselves known. Mr E White and Mr M White, the applicants, and Mrs Boulter and Mrs Spencer, two of the interested parties who had objected to the application advised the Chairman of their wish to address the Sub-Committee.

The Chairman asked all of the parties present if they required an extension to the 10 minute allocated time allowed for public speaking. The applicants felt that they may require longer than 10 minutes to address all areas of their application. The Chairman extended the time limit to 15 minutes for all parties.

The Licensing Officer presented her report to the Sub-Committee. She confirmed that a copy of the advertisement had been seen and it was acceptable. She also advised Members of an error in the report, she confirmed that the premises was to be open to the public from 0900 and not 1000.

The Environmental Health Officer confirmed that the applicant had agreed to all of the recommended conditions excluding the following condition:

“Music played at the premises shall be controlled and contained to ensure that any noise breakout from the premises is inaudible inside the nearest noise sensitive dwelling after 22:30 hours.”

In accordance with the Licensing Act 2003 Regulations for Hearings, Mrs Boulter and Mrs Spencer addressed the sub-committee. They voiced a number of concerns relating to antisocial behaviour in the area; car parking concerns; problems in contacting the environmental health department out of hours; and bottles being left in the premises car park. Mr E White and Mr M White both addressed the sub-committee in support of their application.

Members discussed the application and felt that it may be beneficial for the Whitecross Club to establish better links with neighbouring residents, they felt that this could be achieved through the introduction of regular meetings between the parties. They also felt that the introduction of better signage may encourage people to park sensibly and safely.

The Regulatory Sub-Committee withdrew from the meeting to make their decision. They requested that the Legal Advisor and Democratic Services Officer accompany them to offer procedural advice.

RESOLVED:

That the application for a variation to the premise licence in respect of Hereford Whitecross Club, Sollers Close, Hereford, HR4 0LX be granted subject to the conditions outlined in the attached decision notice.

The meeting ended at 4.55 pm

CHAIRMAN



HEREFORDSHIRE COUNCIL

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

PREMISES	Hereford Whitecross Club
APPLICANT'S NAME	Hereford Whitecross Club
APPLICATION TYPE	Variation to Premises Licence
PANEL MEMBERS	Councillor P. Jones C.B.E. (Chairman) Councillor S.P.A. Daniels Councillor G. Lucas
DATE OF MEETING	29th May, 2007

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. E. White and Mr. M. White, the Applicants, together with Miss. V. Woodland, the Environmental Health Officer, and Mr. A. Boulter and Miss J. Spencer, two of the local residents who 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

	Supply of Alcohol	Live / Recorded Music, Dance	Indoor Sporting Events	Open to the public
Monday	1000 - 2330	1900 - 2330	0900 - 2200	0900 - 0000
Tuesday	1000 - 2330	1900 - 2330	0900 - 2200	0900 - 0000
Wednesday	1000 - 2330	1900 - 2330	0900 - 2200	0900 - 0000
Thursday	1000 - 2330	1900 - 2330	0900 - 2200	0900 - 0000
Friday	1000 - 0000	1900 - 0000	0900 - 2200	0900 - 0030
Saturday	1000 - 0000	1900 - 0000	0900 - 2200	0900 - 0030
Sunday	1000 - 2330	1900 - 2330	0900 - 2200	0900 - 0000

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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.

PREVENTION OF PUBLIC NUISANCE

- The licensee shall ensure that noise and vibration does not emanate from the premises so as to cause public nuisance.
- Music played at the premises shall be controlled and contained to ensure that any noise breakout from the premises is inaudible inside the nearest noise sensitive dwelling after 22:30 hours.
- A designated person shall be made responsible for assessing the local area, from time to time, for noise breakout from the premises and shall at the earliest opportunity undertake appropriate action to further reduce noise levels if necessary.
- All windows to the area where music entertainment is provided shall be kept closed during the provision of that entertainment.
- All doors to the area where music entertainment is provided shall be close fitting and constructed from dense, heavy materials. All doors shall remain closed except for access/egress by persons to/from the entertainment area and shall at no time be propped open.
- All windows and doors to the premises shall be maintained in a good state of repair.
- 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.
- When regulated entertainment is provided on the premises, at least one steward shall be positioned at the main exit doors after 23:00 hours until closing and shall act to ensure as far as reasonably practicable that patrons leave the premises and the immediate vicinity in a quiet and sociable manner.
- No amplified sound shall be provided outside the premises at any time.

PUBLIC SAFETY

- The Licensee shall take all reasonable precautions to ensure the safety of the public, the performers and employees on the premises.

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(THE LICENSING ACT 2003)**

- In undertaking any or all of the conditions, the licensee shall comply with all reasonable requests of the Police, the Fire Authority and the Licensing Authority's Officers.
- A risk assessment for all licensed 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.
- Adequate systems shall be in place to control numbers of persons entering the premises to prevent overcrowding and alleviate crowd control problems.
- Adequate means of ventilation shall be provided at the premises whilst open to the public.
- All parts of the premises shall be provided with adequate illumination during the whole time 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.
- A current inspection certificate shall be held for all electrical installations in accordance with BS7671 and BS5266-1.
- No open bottles or containers to be removed from the premises except for consumption in any external area provided for that purpose.

ADDITIONAL CONDITIONS

- Prominent signage to be displayed at the club entrance advising people to park sensibly and safely.
- A residents committee to be set up between local residents and the Whitecross Club, meetings to be held at frequent intervals.

SEASONABLE VARIATION

	Supply of Alcohol	Live / Recorded Music, Dance	Open to the public
New Years Eve	1000 - 0200	1900 - 0200	0900 - 0200

