

**MINUTES of the meeting of Regulatory Sub Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 4th July, 2007 at 9.00 a.m.**

**Present:** Councillor JW Hope MBE (Chairman)

**Councillors:** CM Bartrum and SPA Daniels

**6. ELECTION OF CHAIRMAN**

Councillor J.W. Hope was elected as Chairman for the Regulatory Sub-Committee hearing.

**7. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**8. NAMED SUBSTITUTES (IF ANY)**

There were no substitutes present at the hearing.

**9. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**10. APPLICATION FOR VARIATION OF PREMISES LICENCE 'ROYAL NATIONAL COLLEGE FOR THE BLIND, COLLEGE ROAD, HEREFORD, HR1 1EB.' (Pages 1 - 2)**

The Sub-Committee were required to hear and determine an opposed application for a new premises licence for Royal National College For The Blind, College Road, Hereford, HR1 1EB. The Chairman introduced the Sub-Committee and Officers and confirmed that all members of the Sub-Committee had seen and read the background papers. He then requested that any persons making representations make themselves known. The following representatives were noted:

- Mr. O'Keefe and Mr. Turvey (Applicants)
- Mr. and Mrs. Frankham (Representees)

The Chairman asked all representatives if they required an extension to the 10 minute allocated time allowed for public speaking. All parties felt that 10 minutes would be acceptable and no requests for an extension to the time limit were made.

The Licensing Officer presented his report to the Sub-Committee. He confirmed that the application did not include the patio area and was. He also advised members of the following errors in the report:

- The application should refer to a new premises licence and not a variation.
- The consultation period expired on 13th June, 2007 not 13th May, 2007.
- 5 letters of objection had been received not 15 as stated in the report.
- Paragraph 5 of the report did not contain the full application details, the

licensable activities applied for were the same as currently permitted and detailed in Paragraph 2 of the report.

In accordance with the Licensing Act 2003 Regulations for Hearings, Mr. and Mrs. Frankham, neighbouring residents, addressed the Regulatory Sub-Committee with their concerns in respect of the application and Mr. Turvey, the applicant, spoke in support of his application.

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 Royal National College For The Blind, College Road, Hereford, HR1 1EB, be granted subject to the conditions outlined in the attached decision notice.**

**11. APPLICATION FOR VARIATION OF PREMISES LICENCE 'HOM GREEN CHAPEL, ARCHENFIELD ROAD, HOM GREEN, HR9 5QN.'** (Pages 3 - 4)

The Sub-Committee were required to hear and determine an opposed application for a new premises licence for Hom Green Chapel, Archenfield Road, Hom Green, HR9 5QN. The Chairman introduced the Sub-Committee and Officers and confirmed that all members of the Sub-Committee had seen and read the background papers. He then requested that any persons making representations make themselves known. The following representatives were noted:

- Mr. Sabel (Applicant)

The Chairman asked all representatives if they required an extension to the 10 minute allocated time allowed for public speaking. All parties felt that 10 minutes would be acceptable and no requests for an extension to the time limit were made.

The Licensing Officer presented his report to the Sub-Committee. He confirmed that the applicant had agreed to all of the conditions recommended by the Environmental Health Officer.

In accordance with the Licensing Act 2003 Regulations for Hearings, Mr. Turvey, the applicant, spoke in support of his application.

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 Hom Green Chapel, Archenfield Road, Hom Green, HR9 5QN, be granted subject to the conditions outlined in the attached decision notice.**

**12. APPLICATION FOR VARIATION OF PREMISES LICENCE 'BIG CHILL, EASTNOR CASTLE DEER PARK, EASTNOR, LEDBURY, HR8 1RD.'** (Pages 5 - 10)

The Sub-Committee were required to hear and determine an application for a time limited premises licence for The Big Chill, Eastnor Castle Deer Park, Eastnor,

Ledbury, HR8 1RD. The Chairman introduced the Sub-Committee and Officers and confirmed that all members of the Sub-Committee had seen and read the background papers. He then requested that any persons making representations make themselves known. The Licensing Officer confirmed that the applicant would not be attending the meeting as he had now agreed to all of the conditions recommended by the statutory consultees.

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 time limited premise licence in respect of the Big Chill, Eastnor Castle Deer Park, Eastnor, Ledbury, HR8 1RD, be granted subject to the conditions outlined in the attached decision notice.**

**13. APPLICATION FOR VARIATION OF PREMISES LICENCE 'FLAMES, 21 UNION STREET, HEREFORD, HR1 2BB.'**

The Licensing Officer advised the Sub-Committee that the application had been withdrawn.

**CHAIRMAN**





## HEREFORDSHIRE COUNCIL

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

<b>PREMISES</b>	Royal National College For The Blind
<b>APPLICANT'S NAME</b>	Royal National College For The Blind
<b>APPLICATION TYPE</b>	New Premises Licence
<b>PANEL MEMBERS</b>	Councillor J.W. Hope (Chairman) Councillor S.P.A. Daniels Councillor C.M. Bartrum
<b>DATE OF MEETING</b>	4th July, 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. O'Keefe and Mr. Turvey, the Applicants, and Mr. and Mrs. Frankham, 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

	Live/Recorded Music & Prov. of Facilities for making Music/Dance	Plays / Films Performance of Dance	Supply of Alcohol	Open to the public
Monday	1200 - 2400	0900 - 2400	1100 - 2400	0900 - 0030
Tuesday	1200 - 2400	0900 - 2400	1100 - 2400	0900 - 0030
Wednesday	1200 - 2400	0900 - 2400	1100 - 2400	0900 - 0030
Thursday	1200 - 2400	0900 - 2400	1100 - 2400	0900 - 0030
Friday	1200 - 2400	0900 - 2400	1100 - 2400	0900 - 0030
Saturday	1200 - 2400	0900 - 2400	1100 - 2400	0900 - 0030
Sunday	1200 - 2400	0900 - 2400	1100 - 2400	0900 - 0030

## HEREFORDSHIRE COUNCIL

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

#### 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

- When regulated entertainment is provided in any of the rooms hereby licensed, all windows and doors to those rooms shall be kept closed after 2300 hours save for access/egress.

#### PUBLIC SAFETY

- Risk assessments shall be undertaken and recorded for the provision of licensable activities in each of the areas hereby licensed.

#### INFORMATIVE NOTE

- The applicant and other responsible persons should be aware that the Regulatory Reform (Fire Safety) Order 2005 requires that a fire risk assessment is carried out to identify fire hazards and the general fire precautions necessary to ensure the safety of persons.

#### SEASONAL VARIATION

	Live/Recorded Music & Prov. of Facilities for making Music/Dance	Plays / Films Performance of Dance	Supply of Alcohol	Open to the public
Christmas Eve	1200 - 0100	0900 - 0100	1100 - 0100	0900 - 0130
New Years Eve	1200 - 0100	0900 - 0100	1100 - 0100	0900 - 0130
Bank Holidays	1200 - 0100	0900 - 0100	1100 - 0100	0900 - 0130
St. David's Day	1200 - 0100	0900 - 0100	1100 - 0100	0900 - 0130
St. Patrick's Day	1200 - 0100	0900 - 0100	1100 - 0100	0900 - 0130
St. Andrew's Day	1200 - 0100	0900 - 0100	1100 - 0100	0900 - 0130
St. George's Day	1200 - 0100	0900 - 0100	1100 - 0100	0900 - 0130



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

<b>PREMISES</b>	Hom Green Chapel
<b>APPLICANT'S NAME</b>	Mr. A. Markby and Mr. P. Sabel
<b>APPLICATION TYPE</b>	New Premises Licence
<b>PANEL MEMBERS</b>	Councillor J.W. Hope (Chairman) Councillor S.P.A. Daniels Councillor C.M. Bartrum
<b>DATE OF MEETING</b>	4th July, 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. Sabel, the Applicant.

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

	<b>Live Music</b>	<b>Recorded Music</b>	<b>Hours Open to the Public</b>
Monday	1800 - 2300	1800 - 2200	1200 -2330
Tuesday	1800 - 2300	1800 - 2200	1200 -2330
Wednesday	1800 - 2300	1800 - 2200	1200 -2330
Thursday	1800 - 2300	1800 - 2200	1200 -2330
Friday	1800 - 2300	1800 - 2200	1200 -2330
Saturday	1800 - 2300	1800 - 2200	1200 -2330
Sunday	1800 - 2300	1800 - 2200	1200 -2330

## HEREFORDSHIRE COUNCIL

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

#### 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 a public nuisance.
- Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of the local residents and to leave the premises and the area quietly.

#### PUBLIC SAFETY

- All fixtures and fitting, the electrical equipment and mechanical equipment shall be maintained in good condition and full working order.
- A current inspection certificate shall be held for all electrical installations in accordance with BS7671 and BS5266-1.
- All portable electrical equipment shall be powered through a suitable and sufficient sensitive earth leakage protection system (residual current device).
- 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.
- A suitable and sufficient risk assessment for all licensable activities provided on the premises 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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(THE LICENSING ACT 2003)**

<b>PREMISES</b>	The Big Chill
<b>APPLICANT'S NAME</b>	Chillfest Ltd.
<b>APPLICATION TYPE</b>	Time Limited Premises Licence
<b>PANEL MEMBERS</b>	Councillor J.W. Hope M.B.E. (Chairman) Councillor C.M. Bartrum Councillor S.P.A. Daniels
<b>DATE OF MEETING</b>	4th July, 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.

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**

	<b>Plays, Performance of Dance</b>	<b>Live / Recorded Music, Films, Provision for Music / Dance (or similar)</b>	<b>Late night refreshment</b>	<b>Supply of Alcohol</b>	<b>Open to the public</b>
2nd August 2007			2300 - 0500	1100 - 0300	0900 - 2400
3rd August 2007	1200 - 0300	1200 - 0500	2300 - 0500	1100 - 0300	0000 - 2400
4th August 2007	1200 - 0300	1200 - 0500	2300 - 0500	1100 - 0300	0000 - 2400
5th August 2007	1200 - 0300	1200 - 0500	2300 - 0500	1100 - 0300	0000 - 2400
6th August 2007	1200 - 0300	1200 - 0500	2300 - 0500	1100 - 0300	0000 - 1600

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

#### 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 CRIME:

- That a revised and completed Event Management Plan will be submitted to the Licensing Authority, West Mercia Constabulary, and Hereford and Worcester Fire and Rescue Authority by the 4th July 2007.
- That any variations to the Event Management Plan made after the 4th July 2007, will be notified in writing to the Licensing Authority, West Mercia Constabulary and Hereford and Worcester Fire and Rescue Authority, and will meet the requirements and expectations of those authorities.
- That the completed Event Management Plan will meet the requirements of the above Licensing Authority, West Mercia Constabulary and Hereford and Worcester Fire and Rescue Authority, in respect of the 4 licensing objectives, and will contain a detailed account of security and stewards numbers and their roles and responsibilities based on the risk assessment.
- That the number of Police Officers and Police Support Officers on site during the festival will be those agreed in writing between West Mercia Constabulary and Chillfest Ltd.

#### PUBLIC SAFETY:

- That a suitable and sufficient Event Safety Management Plan shall be provided to the satisfaction of Environmental Health by 4th July 2007. The Plan should be a working document providing details of how the event is to be conducted and safety issues addressed, it should address safety issues raised by the Safety Advisory Group, include an event risk assessment and provide specific details on the following areas:
  1. Fire safety
  2. Electrical safety
  3. Slips, trips and falls
  4. Lighting
  5. Stages & Barriers
  6. Sanitary provisions
  7. Waste receptacles & collection
  8. Vehicle & pedestrian movements
  9. Crowd management & security

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10. Structural safety
11. Water, Food & drink
12. Sound (noise & vibration)
13. Adverse weather
14. Special effects (including fireworks)
15. Emergency evacuation

- No significant alterations to the site layout or entertainment activities provided on the site that could effect the organizers ability to fulfill the four licensing objectives shall be made without prior notification to, and approval by, Environmental Health.

#### Electrical Installations

- All electrical installations and equipment are to be provided in accordance with the advice and guidance outlined in the Event Safety Guide [ISBN 0 7178 2453 6].
- On completion of electrical installations on the site, and prior to commencement of the event, a competent person shall sign-off all electrical installations as safe.

#### Temporary Demountable Structures

- A satisfactory completion certificate shall be provided by a competent person for all temporary demountable structures in the entertainment area prior to the start of the event.

#### Regulating Numbers of Persons in Tented Structures

- The maximum permitted numbers, in all tented structures where regulated entertainment is provided, shall be agreed by Environmental Health prior to first use.
- Suitable means of regulating the number of persons present, in the tented structures at any time when used for entertainment, shall be included in the Event Management Plan to the satisfaction of Environmental Health.
- The licensee shall nominate a person to manage each tented area whilst open to the public and that person shall, on request of an authorised officer, demonstrate the means of regulating numbers.

#### Stewards

- A sufficient number of stewards shall be provided in all entertainment areas to the satisfaction of Environmental Health.

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- All stewards shall be fit to carry out their allocated duties, aged 18 years or over and shall not consume or be under the influence of alcohol or other drugs.
- All stewards must be trained, briefed and equipped (including appropriate PPE) to a standard that reflects their responsibilities.
- All stewards are to be readily identifiable by the wearing of distinctive tabards (or similar), clearly and indelibly marked with the words "STEWARD".
- All stewards to have a means by which they are individually identifiable by a number.

#### Drinking Water

- Free and unrestricted access to drinking water shall be provided at all times and without charge.

#### Lakes

- The licensee shall ensure, where reasonably practicable, that no one enters the lakes within the festival site.

#### Lighting

- Adequate levels of illumination shall be provided throughout the site for the duration of the event.

### **PREVENTION OF PUBLIC NUISANCE:**

#### Noise and Sound Management and On Site Exposure

The Licensee shall ensure that over the duration of the event the following restrictions are adhered to:

- The Peak Sound Pressure Level in any part of the audience areas of the event shall not exceed 140 dB, and;
- The Event Equivalent Continuous Sound Level in the audience areas shall not exceed 107dB(A) and;
- Suitable ear protection equipment shall be made readily available to all staff working in the entertainment areas.

#### Off-Site Exposure

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Noise levels arising from the event, when measured at locations to be specified by the Licensing Authority, shall be as follows:

- Between 09.00 and 23.00 hours the Music Noise Level (LAEq) shall not exceed the background noise level (LA90) by more than 15 dB.

For Friday & Saturday Night Performances:

- Between the hours of 23.00 and 02.00 hours, the Music Noise Level (LAEq) shall not exceed the background noise level (LA90) by more than 10 dB.
- Between the hours of 02.00 and 09.00 hours, the Music Noise Level shall not exceed background levels and should be inaudible inside any noise sensitive dwelling with windows closed.

For the Sunday Night Performance:

- Between the hours of 23.00 and 01.00 hours, the Music Noise Level (LAEq) shall not exceed the background noise level (LA90) by more than 10 dB.
- Between the hours of 01.00 and 09.00 hours, the Music Noise Level shall not exceed background levels and should be inaudible inside any noise sensitive dwelling with windows closed.
- The licensee shall immediately comply with any request to reduce or adjust noise levels/frequency spectra made by an officer of the council or the Police Force.
- The Licensee should make appropriate arrangements for the assessment of noise for the duration of the event, which should be documented. A copy of all noise assessment data should be made available to an authorised officer upon request.

Refuse

- All rubbish shall be adequately stored in appropriate containers. Such containers must be sufficient in number and suitably located around the site.
- No waste shall be burnt on site before, during or after the festival. All waste produced on site shall be collected and disposed of by a licensed, authorised waste company.

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**PROTECTION OF CHILDREN:**

Films

- Children under the age of 18 will not be allowed in the film area whilst material that is considered unsuitable for under 18's is showing. After 21:00hrs the film area will be restricted to 18's and over only.

Supply of Alcohol

- Proven methods (such as the 'challenge 21' method) shall be employed for the prevention of unlawful supply, consumption and use of alcohol and other products, which is illegal to sell to children.