

**MINUTES of the meeting of Regulatory Sub Committee held at : The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 5th December, 2007 at 9.30 a.m.**

**Present:** Councillor P Jones CBE (Chairman)  
Councillors: SPA Daniels and R Mills

**45. ELECTION OF CHAIRMAN**

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

**46. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

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

There were no substitutes present at the hearing.

**48. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**49. APPLICATION FOR VARIATION OF PREMISES LICENCE 'THE CASTLE LODGE HOTEL, WILTON, ROSS-ON-WYE, HR9 6AD.'** (Pages 1 - 2)

The Sub-Committee were required to hear and determine an opposed application for a new premises licence for The Castle Lodge Hotel. 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 Felices and Mr Backhouse, the applicant and his legal representative, advised the Chairman of their wish to address the Sub-Committee in support of the application. Mr and Mrs Straight, and Mr Tait, three of the local residents who had made representation in respect of the application were also present 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. They 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 and confirmed that the applicant had agreed to all of the conditions recommended by the Environmental Health Officer excluding conditions 2.1 and 2.2.

In accordance with the Licensing Act 2003 Regulations for Hearings, Mr Straight and Mr Tait, two of the local residents who had made representation in respect of the

application, spoke in objection to the application. They advised the sub-committee that the premise was in close proximity to residential dwellings and they felt that granting the licence would result in noise disturbance to local residents. They felt that the licence should be granted for the month of December only and should also be restricted to permit licensed activities until 0100 only.

In accordance with the Licensing Act 2003 Regulations for Hearings, Mr Backhouse, the applicant's legal advisor, spoke in support of the 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 legal and procedural advice.

**RESOLVED:**

**That the application for a variation to the premise licence in respect of The Castle Lodge Hotel, Wilton, Ross-on-Wye, HR9 6AD, be granted subject to the conditions outlined in the attached decision notice.**

The meeting ended at 11.10 a.m.

**CHAIRMAN**



## HEREFORDSHIRE COUNCIL

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

<b>PREMISES</b>	The Castle Lodge Hotel
<b>APPLICANT'S NAME</b>	Mr JC Felices
<b>APPLICATION TYPE</b>	Variation to Premises Licence
<b>PANEL MEMBERS</b>	Councillor P Jones CBE (Chairman) Councillor SPA Daniels Councillor RI Mills
<b>DATE OF MEETING</b>	5th December, 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. Backhouse, the applicant's legal advisor together with Mr and Mrs Straight, and Mr Tait, the interested parties who had made representation in respect of 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 (15TH NOVEMBER – 31ST DECEMBER)  
ON PREMISES ONLY**

	<b>Supply of Alcohol</b>	<b>Live / Recorded Music, Dancing</b>	<b>Late Night Refreshment</b>	<b>Open to the public</b>
Monday	1000 – 0100	1100 – 0100	2300 – 0100	1000 – 0130
Tuesday	1000 – 0100	1100 – 0100	2300 – 0100	1000 – 0130
Wednesday	1000 – 0100	1100 – 0100	2300 – 0100	1000 – 0130
Thursday	1000 – 0100	1100 – 0100	2300 – 0100	1000 – 0130
Friday	1000 – 0100	1100 – 0100	2300 – 0100	1000 – 0130
Saturday	1000 – 0100	1100 – 0100	2300 – 0100	1000 – 0130
Sunday	1200 – 0100	1100 – 0100	2300 – 0100	1200 – 0130

## HEREFORDSHIRE COUNCIL

### REGULATORY COMMITTEE DECISION NOTICE (Amended) (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

- There shall be no amplified music/sound after 0100 hours, except on New Year's Eve when this may be extended to 0200 hours.
- Noise and vibration shall not emanate from the premises so as to cause a public nuisance.
- When functions are provided, a designated person shall be made responsible for assessing the local area, from time to time, for noise breakout from the premises and to take the appropriate action where necessary to minimise disturbance to neighbours.
- A means of contacting taxi or similar transport shall be made available for persons leaving the premises when functions are provided. This is to minimise noise disturbance and to promote public safety.
- Light shall not be emitted from the premises so as to cause a disturbance to neighbours.

#### PUBLIC SAFETY

- The licensee shall ensure as far as reasonably practicable that persons leaving the premises do so in an orderly and sociable manner.
- No open containers [drinks] shall be removed from the premises.

#### ADDITIONAL NOTES

- The application for additional off licence sales was rejected.
- All licensable activities applied for were permitted until 0200 on New Year's Eve with the premises closing to the public at 0230.