

AGENDA

Regulatory Sub Committee

Date: **Tuesday 15 May 2012**

Time: **10.00 am**

Place: **The Council Chamber, Brockington, 35 Hafod Road,
Hereford**

Notes: Please note the **time, date** and **venue** of the meeting.

For any further information please contact:

Ricky Clarke, Democratic Services Officer

Tel: 01432 261885

Email: rclarke@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format or language, please call Ricky Clarke, Democratic Services Officer on 01432 261885 or e-mail rclarke@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Regulatory Sub Committee

Membership

Councillor PL Bettington
Councillor Brig P Jones CBE
Councillor PJ McCaull

GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS

What is a personal interest?

You have a personal interest in a matter if that matter affects the well-being or financial position of you, your relatives or people with whom you have a close personal association more than it would affect the majority of other people in the ward(s) to which the matter relates.

A personal interest can affect you, your relatives or people with whom you have a close personal association positively or negatively. If you or they would stand to lose by the decision, you should also declare it.

You also have a personal interest in a matter if it relates to any interests, which you must register.

What do I need to do if I have a personal interest?

You must declare it when you get to the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you. You may still speak and vote unless it is a prejudicial interest.

If a matter affects a body to which you have been appointed by the authority, or a body exercising functions of a public nature, you only need declare the interest if you are going to speak on the matter.

What is a prejudicial interest?

You have a prejudicial interest in a matter if;

- a) a member of the public, who knows the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgment of the public interest; and
- b) the matter affects your financial interests or relates to a licensing or regulatory matter; and
- c) the interest does not fall within one of the exempt categories at paragraph 10(2)(c) of the Code of Conduct.

What do I need to do if I have a prejudicial interest?

If you have a prejudicial interest you must withdraw from the meeting. However, under paragraph 12(2) of the Code of Conduct, if members of the public are allowed to make representations, give evidence or answer questions about that matter, you may also make representations as if you were a member of the public. However, you must withdraw from the meeting once you have made your representations and before any debate starts.

AGENDA

	Pages
<p>1. ELECTION OF CHAIRMAN To elect a Chairman for the hearing.</p>	
<p>2. APOLOGIES FOR ABSENCE To receive apologies for absence.</p>	
<p>3. NAMED SUBSTITUTES (IF ANY) To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.</p>	
<p>4. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.</p>	
<p>5. APPLICATION FOR A VARIATION OF A PREMISES LICENCE 'THE EAGLE INN, 23 BROAD STREET, ROSS-ON-WYE, HR9 7EA.' To consider an application for the variation of a premises licence in respect of 'The Eagle Inn, 23 Broad Street, Ross on Wye, HR9 7EA'.</p>	1 - 6
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YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

Public Transport Links

- Public transport access can be gained to Brockington via the service runs approximately every 20 minutes from the City bus station at the Tesco store in Bewell Street (next to the roundabout junction of Blueschool Street / Victoria Street / Edgar Street).
- The nearest bus stop to Brockington is located in Vineyard Road near to its junction with Old Eign Hill. The return journey can be made from the same bus stop.

HEREFORDSHIRE COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit.

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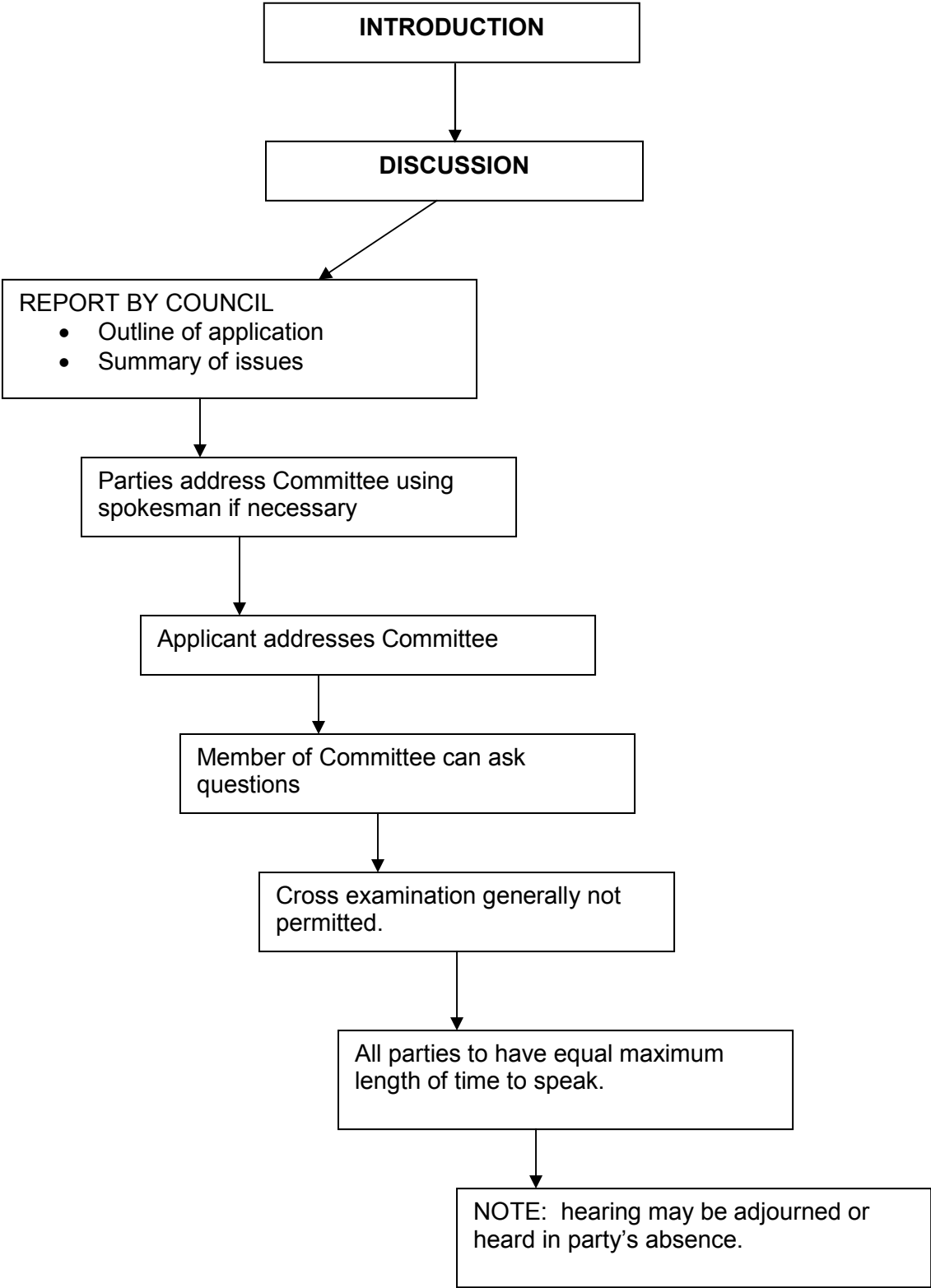
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Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.



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LICENCING HEARING FLOW CHART



MEETING:	REGULATORY SUB-COMMITTEE
DATE:	15 MAY 2012
TITLE OF REPORT:	APPLICATION FOR VARIATION OF A PREMISES LICENCE 'THE EAGLE INN, 23 BROAD STREET, ROSS ON WYE, HR9 7EA' – LICENSING ACT 2003
PORTFOLIO AREA:	HEALTH & WELLBEING SERVICES

CLASSIFICATION: Open

Wards Affected

Ross on Wye West

Purpose

To consider an application for the variation of a premises licence in respect of 'The Eagle Inn, 23 Broad Street, Ross on Wye, HR9 7EA'.

Key Decision

This is not a Key Decision.

Recommendation

THAT Sub-Committee determine the application with a view to promoting the licensing objectives in the overall interests of the local community. They should give appropriate weight to:

- The steps that are necessary to promote the licensing objectives,
- The representations (including supporting information) presented by all parties,
- The Guidance issued to local authorities under Section 182 of the Licensing Act 2003, and
- The Herefordshire Council Licensing Policy.

Key Points Summary

- **Seven (7)** relevant representation from members of the public
- **Two (2)** representations from Responsible Authorities (Police & Trading Standards)

Further information on the subject of this report is available from
Fred Spriggs – Licensing Officer 01432 383542

Options

- 1 a) Grant the licence subject to conditions that are consistent with the operating schedule accompanying the application and the mandatory conditions set out in the Licensing Act 2003,
- b) Grant the licence subject to modified conditions to that of the operating schedule where the committee considers it necessary for the promotion of the licensing objectives and add mandatory conditions set out in the Licensing Act 2003,
- c) To exclude from the scope of the licence any of the licensable activities to which the application relates,
- d) To refuse to specify a person in the licence as the premise supervisor, or
- e) To reject the application.

Reasons for Recommendations

- 2 Ensures compliance with the Licensing Act 2003.

Introduction and Background

3 Background Information

Applicant	Mrs Maria Gooding The King Charles 2nd, 13 Broad Street, Ross on Wye, HR9 7EA.	
Representative	Nil	
Type of application: New Application	Date received: 23/03/2012	28 Days consultation 19/04/2012

Licence Application

- 4 The application for a variation of the premises licence has received representation and is brought before the committee for determination.

Current Licence

- 5 The premises is currently licensed as follows: -

Live Music

Monday – Thursday	10:00 to 23:00
Friday and Saturday	10:00 to 23:30
Sunday	10:00 to 22.30

<u>Recorded Music</u>	
Sunday - Thursday	10:00 to 23:30
Friday and Saturday	10:00 to 00:00

<u>Late Night Refreshment</u>	
Friday and Saturday	23:00 to 00:00
Sunday – Thursday	23:00 to 23:30

<u>Supply/Sale of Alcohol</u>	
Sunday - Thursday	10:00 to 23:00
Friday and Saturday	10:00 to 23:30

Seasonal variations: None

Non standard timings: None

6 **History of the Premises**

In December 2010, in brief, the premises had the following hours and licensable activities authorised by the licence:

<u>Live Music</u>	
Monday – Thursday	10:00 to 23:30
Friday and Saturday	10:00 to 01:00
Sunday	10:00 to 22:30

<u>Recorded Music</u>	
Sunday - Thursday	10:00 to 00:00
Friday and Saturday	10:00 to 01:30

<u>Late Night Refreshment</u>	
Friday and Saturday	23:00 to 01:30

<u>Supply/Sale of Alcohol</u>	
Sunday - Thursday	10:00 to 23:30
Friday and Saturday	10:00 to 01:00

Non standard timings:

Friday, Saturday, Sunday and Monday on Bank holiday weekends
 St Georges Day, St Patricks Day, St Davids Day and St Andrews Day
 December 24th - 30th
 Sale of Alcohol 10:00 - 01:00

- 7 On 11th January 2011 the police launched a review in respect of the premises following a number of incidents of crime and disorder which occurred at the premises.
- 8 As a result the review appeared before the Licensing Committee on 7th March 2011 where the committee decided to curtail the hours of operation and amend the conditions attached to the licence.
- 9 The current hours and conditions shown on the licence remain unchanged since that review hearing.

10 The current premises licence holder took possession of the licence 3rd February 2012.

Summary of Application

11 The application requests to extend the above hours as follows:

Live Music, Recorded Music (Both Indoors & Outdoors) Supply of Alcohol (Both on & Off Premises)

Monday – Thursday	0900 to 0000
Friday & Saturday	0900 to 0100
Sunday	1000 to 0000

Late Night Refreshment (Indoors and Outdoors)

Sunday – Thursday	23:00 to 0000
Friday & Saturday	23:00 to 0100

Non Standard Timings:

Sunday before a Bank Holiday until 0100

New Years Eve from the End of permitted hours until the start of permitted hours on New Years Day

Summary of Representations

12 A copy of the representations can be found within the background papers.

13 In total **seven (7) members of the public** have made representation to the application. Two (2) from Responsible Authorities (Trading Standards, the Police) Both of these have been accepted.

Key Considerations

14 To consider what action should be taken, if any, to promote the four licensing objectives in accordance with the recommendation.

Community Impact

15 The granting of the licence as applied for may have an impact on the Community.

Legal Implications

16 The Committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the Licensing Authority.

17 The case of Daniel Thwaites Plc v Wirral Borough Magistrates' Court (Case No: CO/5533/2006) at the High Court of Justice Queen's Bench Division Administrative Court on 6 May 2008, [2008] EWHC 838 (Admin), 2008 WL 1968943, Before the Honourable Mrs Justice Black.

In this case it was summed up that: -

18 A licensing authority must have regard to guidance issued by the Secretary of State under section 182. Licensing authorities may depart from it if they have reason to do so but will need to give full reasons for their actions.

19 Furthermore the Thwaites case established that only conditions should be attached to a licence with a view to promoting the Licensing objectives and that 'real evidence' must be presented to support the reason for imposing these conditions.

20 This judgement is further supported in the case of *The Queen on the Application of Bristol Council v Bristol Magistrates' Court*, CO/6920/2008 High Court of Justice Queen's Bench Division The Administrative Court, 24 February 2009, [2009] EWHC 625 (Admin) 2009 WL 648859 in which it was said:

'Licensing authorities should only impose conditions which are necessary and proportionate for the promotion for licensing objectives'.

In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

21 Schedule 5 gives a right of appeal to: -

Rejection of applications relating to premises licences

1 Where a licensing authority—

- (a) rejects an application for a premises licence under section 18,
 - (b) rejects (in whole or in part) an application to vary a premises licence under section 35,
 - (c) rejects an application to vary a premises licence to specify an individual as the premises supervisor under section 39, or
 - (d) rejects an application to transfer a premises licence under section 44,
- the applicant may appeal against the decision.

Decision to grant premises licence or impose conditions etc.

2(1) This paragraph applies where a licensing authority grants a premises licence under section 18.

(2) The holder of the licence may appeal against any decision—

(a) to impose conditions on the licence under subsection (2)(a) or (3)(b) of that section, or

(b) to take any step mentioned in subsection (4)(b) or (c) of that section (exclusion of licensable activity or refusal to specify person as premises supervisor).

(3) Where a person who made relevant representations in relation to the application desires to contend—

(a) that the licence ought not to have been granted, or

(b) that, on granting the licence, the licensing authority ought to have imposed different or additional conditions, or to have taken a step mentioned in subsection (4)(b) or (c) of that section,

he may appeal against the decision.

(4) In sub-paragraph (3) "relevant representations" has the meaning given in section 18(6).

22 Section 9 states that any such appeal must be made to a Magistrates Court for the area in which the premises are situated within 21 days of notification of the decision.

Consultees

23 Responsible authorities and persons living within the vicinity or with a business interest within the vicinity of the premises.

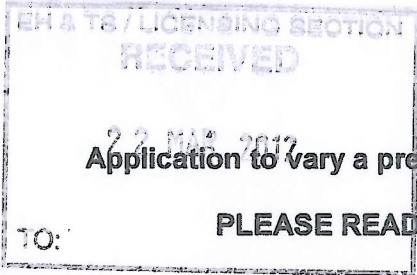
- 24 A copy of the application was served on the responsible authorities. This was backed up by an email sent to them by the Licensing Authority.
- 25 The notice of application was displayed on the premises prior to the start of the consultation period and for a period of 28 days. In addition, notice of the application was required to be published in a newspaper which was circulated within the vicinity of the premises.
- 26 The applicant, at this time, has not produced a copy of the advertisement which is only correct in part.

Appendices

- 27
- a. Application Form
 - b. Public Representations
 - c. Police Representation
 - d. Trading Standards Representation
 - e. Decision Notice following review on 7th March 2011.

Background Papers

Background papers are available for inspection in the Council Chamber, Brockington, 35 Hafod Road, Hereford 30 minutes before the start of the hearing.



Stamp
23.03.12

Application to vary a premises licence under the Licensing Act 2003

TO: **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.

I/We MRS MARIA GOODING
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	PR00447
-------------------------	---------

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
The Eagle Inn 23 Broad Street Ross-on-woye Herefordshire			
Post town	Ross-on-woye	Post code	HR9 7EA

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£7901-25

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	[REDACTED]		
Post Town		Postcode	

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day		Month		Year	

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

We have transformed this venue and are now a food and ale bar venue.

We would like to extend the licence here as we would like to serve food later + due to trends of people coming out later this would make a big difference to the business as in these tough times we are the earliest closing premise in Ross-on-Weye.

We also now have two fully operational function rooms, with a good number of bookings so the extension would also save us putting tens notices in for functions.

We are actively encouraging families into our premises.

Both myself + my husband are SIA Bodedged + would like to just have one member of SIA on the door here as trading as a restaurant looks bad with 2. We have many years of licenced trading knowledge

within this town.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u>		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films (please read guidance note 4)</u>		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u>		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)</u>		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Both being - courtyard possibly Live Jazz on a Sunday afternoon.		
Mon	09:00	00:00			
Tue	09:00	00:00			
Wed	09:00	00:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) Extension on Sunday bank holidays till 1am + New years eve 36hour licence		
Thur	09:00	00:00			
Fri	09:00	01:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	09:00	01:00			
Sun	10:00	00:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	09:00	00:00	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	09:00	00:00			
Wed	09:00	00:00	State any seasonal variations for the playing of recorded music (please read guidance note 4) Extension on Sunday bank holidays Till 1AM + New Years Eve 36hours licence		
Thur	09:00	00:00			
Fri	09:00	01:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	09:00	01:00			
Sun	10:00	00:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u>		
Mon					
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Tue					
			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Wed					
Thur					
Fri					
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)</u>	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u>	
Mon				
Tue				
			<u>State any seasonal variations for the provision of facilities for making music (please read guidance note 4)</u>	
Wed				
Thur				
			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5)</u>	
Fri				
Sat				
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give a description of the facilities for dancing you will be providing</u>		
Mon			<u>Please give further details here (please read guidance note 3)</u>		
Tue					
Wed			<u>State any seasonal variations for providing dancing facilities (please read guidance note 4)</u>		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 4)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u>		
Mon	09:00	00:00			
Tue	09:00	00:00			
Wed	09:00	00:00	<u>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</u>		
Thur	09:00	00:00			
Fri	09:00	01:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)</u>		
Sat	09:00	01:00			
Sun	10:00	00:00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) Extension on bank holidays Sunday till 1AM + New years eve 36 hour licence.		
Mon	09:00	20:00			
Tue	09:00	20:00			
Wed	09:00	00:00			
Thur	09:00	00:00			
Fri	09:00	01:00			
Sat	09:00	01:00			
Sun	10:00	00:00			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

0

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	09:00	00:00	<p>Extension on Sunday bank Holidays till 1am</p> <p>+ New years Eve 36 hour licence.</p>
Tue	09:00	00:00	
Wed	09:00	00:00	
Thur	09:00	00:00	
Fri	09:00	01:00	
Sat	09:00	01:00	
Sun	10:00	00:00	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

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

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

To run a safe and responsible venue for all ages.

b) The prevention of crime and disorder

We are members of the H.A.N.D scheme
Also part of the Mercia Radio link
Also on weekends we will employ 1
Member of SIA in addition to ourselves
as myself + husband are both badge holders
Full C.C.T.V system ~~inst~~ installed + working

c) Public safety

All staff shall wear clothing identifying themselves.
Capacity limited set within the fire risk assessment.

d) The prevention of public nuisance

Windows will be closed at all times
Internal doors closed where possible.
~~For~~ regular checks to courtyard ~~when~~ during
Busy periods

e) The protection of children from harm

Proof of age / photo I.D only
Not allowing adults to buy alcohol for children
Challenge 21


Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- 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 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	20/3/12
Capacity	licencsee

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

HEREFORDSHIRE COUNCIL
Licensing Act 2003

SP1 & TS / LICENSING SECTION
RECEIVED
20 APR
TO:

REPRESENTATION FORM – INTERESTED
PARTIES

Please return this form, and any additional information within the statutory period to:
**The Licensing Section,
County Offices,
PO Box 233,
Bath Street, Hereford,
HR1 2ZF
licensing@herefordshire.gov.uk**

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

When completing this form please print clearly and legibly.

Your Name: [REDACTED]	Contact Telephone No.: [REDACTED]
Address: [REDACTED] Ross-on-Wye Herefordshire HR9 7EA	E-mail address: Please state your interest in the premises you are making a representation about:
Name & Address of premises you are making a representation about: The Eagle Public House, 23 Broad street Ross-on Wye Herefordshire	

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing.

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

To Prevent Crime & Disorder
Public Safety
To Prevent Public Nuisance As a resident living very close to the public house am strongly against any further licence being issued for the playing of music after the hour of 11pm on any night of the week. At present our lives are blighted by the constant din of music being played at very high levels from this establishment & other clubs in the street from Thursday to Sunday until 2am. There is then approx 1 hour of constant fighting, shouting of abusive language & general mayhem from people leaving the drinking houses. It is not uncommon to have to wash down the sick from my front door on a weekend morning. As a business person operating very close to the Pubs & clubs in the street I very strongly oppose any further changes to the licensing hours. I have a Guest house where my

bedrooms face the street. At present I am unable to let 2 double rooms from Thursday to Sunday because the barrage of noise & general disturbance until approx 3am. The Level of music noise the Pub & Club is so bad that I have had clients refuse to pay for their rooms. Due to this I will not let them out. This is at an approx potential loss of £500 / week.

To have the licence extended to other days of the week would as a resident condemn us to no peace at all & as a business make us non viable as the rooms could not be let at all.

To Protect Children from Harm

Signed:
Date:



HEREFORDSHIRE
COUNCIL

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105

Representation Form – Interested Parties Suggested Conditions

Premise: [REDACTED] Ross-on-Wye. HR9 7EA
Your name: [REDACTED]

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

To Prevent Crime and Disorder

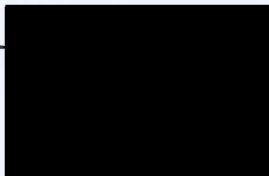
Public Safety

Prevent Public Nuisance

Protect Children from Harm

Signed: [Redacted]

Date: 16/04/2012



If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105

HEREFORDSHIRE COUNCIL
Licensing Act 2003

ELI 3 TB / LICENSING SECTION
RECEIVED
20 APR 2012

Please return this form, and any additional information within the statutory period to:
**The Licensing Section,
County Offices,
PO Box 233,
Bath Street, Hereford,
HR1 2ZF
licensing@herefordshire.gov.uk**

REPRESENTATION FORM - INTERESTED PARTIES

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.
When completing this form please print clearly and legibly.

Your Name: [REDACTED]	Contact Telephone No: [REDACTED]
Address: [REDACTED]	E-mail address: [REDACTED]
ROSS-ON-WYE HR1 7DY.	Please state your interest in the premises you are making a representation about: eg local resident/local business Local resident
Name & Address of premises you are making a representation about: RAGE INN. BROAD STREET ROSS-ON-WYE /	

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing.
A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

To Prevent Crime & Disorder MAIN THING IS VIOLENCE IN THE STREET.
Public Safety NOT ENOUGH SECURITY ON THE DOOR IF A PROBLEM AT THERE OTHER PUB WHO IS GOING TO BE LEFT ON DOOR
To Prevent Public Nuisance NOISE NOISE TO A MINOR. KEEP THE HOURS TO 11-30 EVERYONE OUT NOT AS THEY PLEASE AT MOMENT.
To Protect Children from Harm STOP ALL CLASSES COMING ON TO THE STREET

Signed [REDACTED]
Date: 06-4-12

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105



HEREFORDSHIRE
COUNCIL

Representation Form – Interested Parties
Suggested Conditions

Premise: APPLE INN, Your name: [REDACTED]

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

<p>To Prevent Crime and Disorder KEEP HOURS THE SAME. THE LANDLORD RUNNING OTHER PUB IN TOWN, AND WOULD WAS IT HOPES TO MOVE DANCING AND MUSIC FROM THERE TO APPLE</p>
<p>Public Safety I AM A LORRY/BUS DRIVER AND WILL NOT GET MY SLEEP, IF ALLOWED THEN CAN SEE A PROBLEM WITH TWO PREMISES SIDE SIDE AT KICKING OUT TIME</p>
<p>Prevent Public Nuisance KEEP HOURS THE SAME</p>
<p>Protect Children from Harm IF RESTURANT NO PROBLEM BUT IF MUSIC THEN COULD BE A PROBLEM HAVE CHILDREN ABOUT AT 1-1:30 AM.</p>

Signed: [REDACTED]

Date: 16-4-12

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105

HEREFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM – INTERESTED
PARTIES

23 APR 2012
TO

Please return this form, and any additional information within the statutory period to:
The Licensing Section,
County Offices,
PO Box 233,
Bath Street, Hereford,
HR1 2ZF
licensing@herefordshire.gov.uk

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

When completing this form please print clearly and legibly.

Your Name: [Redacted]	Contact Telephone No [Redacted]
Address: [Redacted] Ross on Wye HR9 7DB	E-mail address: [Redacted]
Please state your interest in the premises you are making a representation about: Local resident	
Name & Address of premises you are making a representation about: Eagle Pub. Broad St. Ross on Wye.	

DATA PROTECTION ACT 1998. Please indicate by ticking here ... if you are not content for your personal details to be circulated as necessary prior to any hearing.

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

<p>To Prevent Crime & Disorder The pub has a previous history of disorder when it had a late license. It has improved recently because 1). It is managed better 2). Door staff and 3). It closes at a reasonable 'pub' hour. There are 2 late night venues close by and adding another with a 1am license adds to the late night problems experienced by residents, and in the streets nearby. We had/have noise nuisance, fighting & vandalism. There are regular police attended incidents, involving ambulances as well. I am often troubled by the noise and disturbances. There were many incidents before with the Eagle's late license: which is well documented by environmental health and licensing. This has improved recently with the pub closing at an earlier time, so I would not be happy with a 1am late license.</p>
<p>Public Safety <i>During current closing times customers disperse before the night club</i> Closing at 1am contributes to the increase in drunk customers that congregate outside in the streets. It is currently an issue when the other 2 late night venues close. It often spill over into the adjacent streets.</p>
<p>To Prevent Public Nuisance <i>During normal pub nights and live events:</i> Noise from departing customers and those using the beer garden as a smoking area can currently be heard in neighbouring houses and gardens up until closing time. (This is only just tolerable due to the earlier closing time). The outside speakers do cause a nuisance because they are/were wall mounted and play piped music all day from opening to closing time and can be heard along the rear gardens and street. This would be unbearable if it continued till 1am.</p>
<p>To Protect Children from Harm Not applicable</p>

Signed: [Redacted]
Date: 20/04/12

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105

**Representation Form – Interested Parties
Suggested Conditions**

Premise: Eagle Pub Your name: [REDACTED]
Brad St Ross on Wye

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

<p>To Prevent Crime and Disorder Door staff to continue to manage entry and re-entry to the pub. 12 midnight closing to avoid conflict with the 2 other nightclub venues. Keeping the Eagle as 'a pub' with a fairer and more acceptable late license for residents nearby, which will still allow for live music events.</p>
<p>Public Safety Door staff: as above. 12 midnight closing time to reduce the amount of noisy pub customers gathering outside or dispersing through the streets.</p>
<p>Prevent Public Nuisance No outside speakers linked to the Cd 'juke box'. 12 midnight closing to reduce the noise nuisance to residents and other businesses. Staff to encourage customers to use the beer garden more considerably especially at night.</p>
<p>Protect Children from Harm</p> <p align="center">N/A</p>

Signed: [REDACTED]

Date: 20/4/12

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105

HEREFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM – INTERESTED
PARTIES

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

When completing this form please print clearly and legibly.

Please return this form, and any additional information within the statutory period to:
The Licensing Section,
County Offices,
PO Box 233,
Bath Street, Hereford,
HR1 2ZF
licensing@herefordshire.gov.uk

Your Name: [REDACTED]	Contact Telephone No. [REDACTED]
Address: [REDACTED] ROSS-ON-WYE HR9 7EA	E-mail address: [REDACTED] Please state your interest in the premises you are making a representation about: EAGLE INN
Name & Address of premises you are making a representation about: EAGLE INN BROAD ST. ROSS-ON-WYE HR9 7EA	

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing.

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

To Prevent Crime & Disorder ON NUMEROUS OCCASIONS I HAVE WITNESSED PEOPLE EXITING EAGLE INN BEING VIOLENT, EXTREMELY LOUD & ABUSIVE. I HAVE WITNESSED DOORMEN THROWING PEOPLE OUT WHO THEN WANT TO ARGUE IN THE STREET.
Public Safety PEOPLE WHO ARE INTOXICATED DO CAUSE A PROBLEM WHEN EXITING THE EAGLE. SOMETIMES THEY ARE UNRULY AND START TROUBLE WITH PASSERS BY ALSO STAGGER INTO THE ROAD CAUSING HAZARD THERE.
To Prevent Public Nuisance ON A WEEKEND MANY YOUNGER DRINKERS ARE OUT AND CAUSE A HUGE DISRUPTION & DISTURBANCE IN THE STREET. I HAVE WITNESSED VANDALISM TO CARS, THE MALTINGS AND SHOP WINDOWS.
To Protect Children from Harm ON THE ODD OCCASION I HAVE WITNESSED UNDERAGE DRINKERS IN THE PUB AND IN THE GARDEN.

Signed [REDACTED]
Date: 20-4-12

ELI REPRES - 1 Representation Form - Interested Parties

If you have any queries about this form or are unsure of when the statutory period ends please contact the **Licensing Helpline** on 01432 260105



**Representation Form – Interested Parties
Suggested Conditions**

Premise: EAGLE INN Your name: [REDACTED]

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

<p>To Prevent Crime and Disorder</p> <p>LIMIT DRINKING TIMES AND LATE LICENSES. DISCOURAGE THE YOUNGER CUSTOMERS ASSIGN CAPABLE ZERO TOLERANCE DOORMEN FOR BROADST & BEER GARDEN MOVE DRUNKS ON FROM BROAD ST.</p>
<p>Public Safety</p> <p>DO NOT PROMOTE DRINKING AT UNREASONABLE HOURS. DISCOURAGE UNRULY YOUNGSTERS WHO CANNOT HANDLE DRINKING. MORE POLICE PRESENCE. SOUNDPROOFING</p>
<p>Prevent Public Nuisance</p> <p>SOUND PROOFING EAGLE INN TURNING DOWN VOLUME & THINK ABOUT RESIDENTS OF BROAD STREET GET ENVIRONMENTAL DEPT TO LIMIT VOLUME LEVELS AND DEAL WITH CONSTANT DISRUPTION</p>
<p>Protect Children from Harm</p> <p>STRICTER I.D. PROCESS. STOP PROMOTING THE SALE OF ALCOHOL</p>

Signed [REDACTED]

Date: 20-4-12

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105

PRIVATE

I have reported incidents to Police and Enviro on a number of occasions in regards to noise and disturbance levels from the Eagle Inn. It seems to fall on deaf ears!

I hear customers exiting Eagle Inn every night. I hear the door being slammed shut and them locking up.

I hear the customers outside the Eagle Inn who come outside to smoke in Broad Street, I also hear the customers going outside into the garden to smoke. Sometimes these smokers are extremely loud and the majority of times a handful of them are very obnoxious by cursing and swearing.

I have witnessed fights in the street and also fights in the beer garden.

I am disturbed most nights. I am unable to go to bed as I know I will be up and down like a yo-yo when there is shouting and banging. My children have been disturbed from their sleep and also witnessed some atrocious incidents out of the window as a result of drinkers exiting the Eagle Inn.

The weekends & bank holidays are the worst. Also when they have a late license I know there will be no sleep until at least 2/3am. I hate the weekends & Bank Holidays. Some drinkers exiting Eagle Inn at whatever time hang around Broad Street, why aren't they moved on?

When they have live bands on, who regulates the volume? it is ridiculously loud, environmental tell me the check it from time to time, I don't believe them. I am told I am not supposed to hear the music from The Eagle Inn but sometimes it is booming out.

I still have to work and raise a family, what quality of life is this? For years I have attended meetings contacted every one who can assist with this problem but to no avail. Who is thinking of me and my family? I employ local people; support local events contribute to local schools etc. I pay my taxes and yet I get no support regarding this. When will any of this be properly regulated?

I have been told the Eagle license time means to stop serving! I then have to allow half an hour for customers to finish their drinks and then leave the premises. So if I am disturbed now at the current set times why does this need extending resulting in my family and I having even less sleep.

Why do we need to encourage and promote drinking here in Ross-on-Wye, who gains from this? Only one person trying to make more money!

It is ongoing until you have lived in Broad Street and experienced it you will never understand it. It is chronic this is something that goes on and on.

It is like a dream come true when there is the odd night when the Eagle has virtually no customers and it is quiet and peaceful.

If you live in Broad Street and you hear a disturbance, shouting, banging, screaming, fighting etc. You are going to check what's going on.





**HEREFORDSHIRE COUNCIL
Licensing Act 2003**

**REPRESENTATION FORM – INTERESTED
PARTIES**

Please return this form, and any additional information within the statutory period to:
**The Licensing Section,
County Offices,
PO Box 233,
Bath Street, Hereford,
HR1 2ZF
licensing@herefordshire.gov.uk**

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.
When completing this form please print clearly and legibly.

Your Name: [REDACTED]	Contact Telephone No. [REDACTED]
Address: [REDACTED] Ross-on-Wye HR9 7EA	E-mail address: [REDACTED]
	Please state your interest in the premises you are making a representation about: Local resident
Name & Address of premises you are making a representation about: The Eagle, 23 Broad Street, Ross-on-Wye	

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

To Prevent Crime & Disorder

As residents of Broad Street we regularly see crime and disorder occurring on Broad Street Friday, Saturday and Sundays, between the hours of 1.1pm and 3am – typically fuelled by alcohol. This is the result of an existing late license situation on Broad Street/Brookend Street and people walking between The Eagle, The Charles II pub and Jaquelines Night Club.

We have had to wash our front door down a number of times as it was covered in blood from fights that have occurred outside. In addition, my wife was accosted by a drunk man midday on a Sunday outside our front door and has experienced drunken men violently banging our shop window (we live above the shop we run) and making obscene gestures whilst working in the shop on a Saturday night. Whilst it is not possible to say that these people came from The Eagle pub, as we didn't see them exit the pub before committing the disorder just described, the volume of people travelling between the pubs described in paragraph 1 means it is highly likely that some of this is attributable to The Eagle.

To grant The Eagle a late license 7 days a week will only result in similar crime and disorder being a constant, rather than focused at the weekends. We believe as residents on Broad Street the situation is currently unacceptable and any extension will make the situation even more intolerable with consequences for the overall reputation of Ross as a safe and relaxing place to visit and live and for the value of properties in the area.

Unless the late license holder is able to not only regulate and control the amount of alcohol consumed by their clients on their premises AND able to provide security (every night) to manage and control the crime and disorder that results on the streets outside and to the left and right of their premises as a consequence of their clients consuming too much alcohol, AND being unable to get patrons to disperse to their homes on leaving, rather than continuing to loiter in the area afterwards, then we cannot see how this late license will result in anything other than an increase in crime and disorder for Broad Street.

Public Safety

Due to the instances described above and despite being residents of Broad Street we are not comfortable to walk out on Broad Street in the evening at the weekends because of the alcohol fuelled people walking around, singing loudly, shouting, standing around in groups blocking pavements and roads, running out in front of cars, hurling abuse to each other from the top of Broad Street right down to Brookend Street, fighting, hooting their car horns whilst sat in their parked cars on Broad Street etc.

The location of The Eagle means it is a central meeting point for people to congregate outside, and the location of our flat (close to The Eagle) means the trouble that happens, happens outside our residence.

If we as residents are uncomfortable to do this then we cannot imagine what tourists and visitors to Ross will feel. This proposed late license would only in our view exacerbate the existing public safety issues.

To Prevent Public Nuisance

As described above, the location of The Eagle means it is frequently a meeting point where people gather outside, and, fuelled by alcohol, trouble happens.

The current situation on Broad Street, with The Eagle and other pubs is unacceptable, to add to this – and to allow the late license 7 days a week would only serve to increase public nuisance (noise, abuse, safety, fighting) and be an even greater drain on the existing limited police resources (who we feel do a great job at trying to control, manage and disperse situations that occur, however have themselves recently experienced injuries whilst trying to do this).



To Protect Children from Harm

Not applicable – as children are not usually on the streets late at night, however were they to be, or could observe or hear the fights that happen, then this would certainly upset them.

Signed:
Date:

If you have any queries about this form
or are unsure of when the statutory
period ends please contact the
Licensing Helpline on 01432 260105

**Representation Form – Interested Parties
Suggested Conditions**

Premise: The Eagle, Broad Street, Ross-on-Wye
Your name: To remain anonymous

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

To Prevent Crime and Disorder

Do not issue the late license.

Security to be on doors at all times, and responsible for the dispersal of their clients to their homes without loitering in the area on leaving.

Limit the amount of alcohol consumed by clients – already a requirement and responsibility for any premises licence holder (but which is currently clearly not being implemented by some existing license holders in Ross).

24 hour CCTV provided by the license holder must be able to cover the whole of Broad Street, be provided on request to the police and be of sufficient quality that prosecutions can be brought to bear on all public safety issues, public nuisance and crime and disorder incidents occurring in the area.

Public Safety

Do not issue the late license.

Patrons/clients must disperse to their homes on leaving the premises. Security must assist with this.

24 hour CCTV provided by the license holder must be able to cover the whole of Broad Street, be provided on request to the police and be of sufficient quality that prosecutions can be brought to bear on all public safety issues, public nuisance and crime and disorder incidents occurring in the area.

Prevent Public Nuisance

Sound proofing of venue (double doors, thickly insulated and one door should be closed before the outside door is opened so no sound comes out, plus double glazed windows – neither to be opened after 9pm at night, regardless of how hot the weather is so as not to disturb residents in the area).

Sound levels should be regularly spot checked to ensure they do not exceed permitted levels and do not disturb residents. Sound levels should be a key consideration in the issue of any late licence.

24 hour CCTV provided by the license holder must be able to cover the whole of Broad Street, be provided on request to the police and be of sufficient quality that prosecutions can be brought to bear on all public safety issues, public nuisance and crime and disorder incidents occurring in the area.

Protect Children from Harm

Signed:

Date: 20th April 2012

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105

ELI & TO LICENSING SECTION
RECEIVED

20 APR 2012

HEREFORDSHIRE COUNCIL
Licensing Act 2003

TO:

**REPRESENTATION FORM – INTERESTED
PARTIES**

Please return this form, and any additional information within the statutory period to:
**The Licensing Section,
County Offices,
PO Box 233,
Bath Street, Hereford,
HR1 2ZF
licensing@herefordshire.gov.uk**

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

When completing this form please print clearly and legibly.

Your Name: [Redacted]	Contact Telephone No.: [Redacted]
Address: [Redacted]	E-mail address: [Redacted]
Ross-on-Wye Herefordshire HR9 7EE	Please state your interest in the premises you are making a representation about: eg local resident/local business LOCAL RESIDENT
Name & Address of premises you are making a representation about: Eagle Inn 23 Broad St, Ross-on-Wye	

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

To Prevent Crime & Disorder
Public Safety
To Prevent Public Nuisance We are objecting on the grounds of noise as in our covering letter
To Protect Children from Harm

Signed: [Redacted]
Date: [Redacted]

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105



Ross-on-Wye,
HR9 7EE

Dear Sirs,

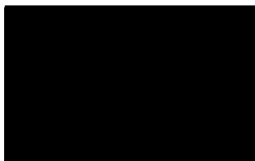
Ref: Premises Licence application Eagle Inn, 23 Broad St.
Ross-on-Wye.

We would like to object to the application for an extension of the above licence.

We have already had dealings with the Environmental health department with regards to these premises. The owners state in their 'prevention of Public nuisance' statement they will keep windows closed to prevent noise. This building is of a brick built construction with single glazed windows, no amount of window or door shutting will prevent noise. When they have live music now we can hear it through our double glazed windows and well insulated building which is at least 500 yards away.

This end of the town suffers from more than its share of noise and disturbance with 5 premises that do takeaway food that open long hours and 2 other licensed premises one of which is next door to the above that opens long hours and plays loud music and the other one has private parties with loud music.

Yours faithfully,



Poole, Ady

From: Mooney, James [james.mooney@westmercia.pnn.police.uk]
Sent: 28 March 2012 08:10
To: Licensing; Spriggs, Fred
Cc: Poole, Ady
Subject: Eagle Inn, Ross on Wye

NOT PROTECTIVELY MARKED

West Mercia Police are in receipt of an application for the Eagle Inn, Broad Street, Ross on Wye.

The application seeks to extend the licensed hours for all licensable activities.

West Mercia Police do not object to this applicant. We are of the opinion that the existing conditions attached to the current premises licence are suitable and sufficient to promote the licensing objectives. We note that the applicant has indicated on the application papers that they would promote Challenge 21 as the age verification standard. The current premises licence includes age 'Challenge 25' - West Mercia Police are of their opinion that this is the correct age verification standard for this premises when considering its history of last over the last 5 years.

These are the minimum conditions West Mercia Police would seek to see attached to this premises licence

Regards

Jim Mooney
Police Licensing Officer - South Hub
Territorial Policing Unit - Herefordshire
West Mercia Police
01432 347102 (direct line)
07792 366 462 (work)
herefordandworcesterlicensing@westmercia.pnn.police.uk

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West Mercia Police monitors all e-mail activity and content.

This communication is confidential and intended for the addressee(s) only.

Please notify the sender if received in error.

Unauthorised use or disclosure of the content may be unlawful.

Opinions expressed in this document may not be official policy.

Thank you for your co-operation.

Poole, Ady

From: Hough, David
Sent: 26 March 2012 11:56
To: Licensing
Subject: FW: Application to vary the premise licence for The Eagle Inn 23 Broad Street Ross on Wye

From: Hough, David
Sent: 26 March 2012 11:37
To: 'maria.gooding@live.co.uk'
Subject: Application to vary the premise licence for The Eagle Inn 23 Broad Street Ross on Wye

Dear Mrs Gooding

As an authorised body under the Licensing Act 2003, Herefordshire Council Environmental Health and Trading Standards have received details of the application for a premise licence in respect of The Eagle Inn 23 Broad street Ross on Wye.

As a Service we need to ensure that steps are taken to prevent alcohol being sold to children/persons under the age of eighteen. I note from your application that you have a stated the steps you will take to promote the four licensing objectives therefore the following conditions are suggested to be included in the licence. To agree condition 1, I will need to see and agree your training.

1. All staff engaged in the sale of alcohol to be trained in Responsible alcohol retailing to the minimum standard of BIIAB level 1 or any equivalent training agreed by Herefordshire Council Trading Standards within 1 month of commencing employment at the premises. (Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence). With retraining every 6 months. Training records shall be kept on the premises and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand

2. A written register of refusals will be kept including a description of the people who have been unable to provide required Identification to prove their age. Such records shall be kept for a period of 12 months and will be collected on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

3. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.

If you agree to these conditions could you email me stating your agreement and copy the email to licensing@herefordshire.gov.uk

Or

Please contact me to discuss this matter .

Regards

David Hough

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

PREMISES	The Eagle Inn
PREMISE LICENCE HOLDER	Enterprise Inns PLC
APPLICANT'S NAME	West Mercia Police
APPLICATION TYPE	Review of Premises Licence
PANEL MEMBERS	Councillor JW Hope MBE (Chairman) Councillor SPA Daniels Councillor JHR Goodwin
DATE OF MEETING	7 March 2011

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 Mooney, representing West Mercia Police, Ms Munoz and Mr Joyce, two local residents speaking in support of the review, and Ms Johnson, the legal advisor representing Enterprise Inns.

Having carefully considered those matters brought before them and in reaching their decision, the Members had full regard to the provisions of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006), the Council's Licensing Policy, the representation made by Enterprise Inns and the representation made by the West Mercia Police. The Members made the following decisions in order to promote the licensing objective of the prevention of crime and disorder.

- 1 That the hours for licensable activity be amended.
- 2 That additional conditions be attached to the licence.

REASONS

- 1 To promote the licensing objectives and in particular the prevention of crime and disorder and public safety.
- 2 Members felt that having regard to all of the representations made that both the imposition of these conditions and the amendments to the licensing hours were proportionate.

HEREFORDSHIRE COUNCIL
**REGULATORY COMMITTEE DECISION NOTICE
(THE LICENSING ACT 2003)**
HOURS OF LICENSABLE ACTIVITY

	Live Music,	Recorded Music	Late Night Refreshment	Sale of Alcohol	Open to the public
Monday	1000 - 2300	1000 - 2330	2300 - 2330	1000 - 2300	1000 - 2330
Tuesday	1000 - 2300	1000 - 2330	2300 - 2330	1000 - 2300	1000 - 2330
Wednesday	1000 - 2300	1000 - 2330	2300 - 2330	1000 - 2300	1000 - 2330
Thursday	1000 - 2300	1000 - 2330	2300 - 2330	1000 - 2300	1000 - 2330
Friday	1000 - 2330	1000 - 0000	2300 - 0000	1000 - 2330	1000 - 0000
Saturday	1000 - 2330	1000 - 0000	2300 - 0000	1000 - 2330	1000 - 0000
Sunday	1000 - 2230	1000 - 2330	2300 - 2330	1000 - 2300	1000 - 2330

ADDITIONAL CONDITIONS

- Any musical amplification system/equipment located at the premises, prior to use, shall be wired through a sound limiting device located in a separate and remote lockable cabinet. The level shall be pre-set by a responsible person in charge of the premises to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person.
- The following conditions were also agreed:

Prevention of Crime and Disorder

1. On Fridays and Saturdays, Two (2) SIA Licensed Door staff shall be employed at the premises from 2100 hrs until the termination of licensable activities. When employed externally Door staff shall wear hi-viz reflective jackets. When employed internally they shall be readily identifiable as door staff.
2. The DPS will employ SIA doorstaff at other times when risk assessment dictates door supervision to be necessary.
3. The Premises Licence Holder or DPS or a person nominated by them in writing for the purpose, shall maintain a register of door supervisors which shall be kept on the premises showing the names and addresses of the door supervisors, their badge numbers and shall be signed by the door supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by Officers of the Fire Authority, Police or Licensing Authority.

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

4. An incident log must be kept at the premises, and made immediately available on request to an authorised officer of the Council or the Police, which must record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service

5. CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition.

Cameras shall encompass all ingress and egress to the premises, fire exits, outside areas, and all areas where the sale/ supply of alcohol occurs. Equipment MUST be maintained in good working order , be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand. The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format EITHER DISC or VHS to the Police/Local Authority on demand.

The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Police on contact number 0300 333 3000 immediately.

6. All staff shall be trained within 2 weeks of taking up employed and six monthly thereafter. The training shall included:
 - Drugs Awareness
 - Conflict resolution
 - Selling to under age person
 - Selling to drunks

Such training will be recorded and records shall be kept at the premises which will be produced to an authorised officer the licensing authority or the police on demand.

7. A Personal licence Holder shall be on duty at all times when the premises operate for licensable activities.

HEREFORDSHIRE COUNCIL**REGULATORY COMMITTEE DECISION NOTICE
(THE LICENSING ACT 2003)****Public Safety**

8. The DPS and all other staff shall ensure that no vessels are taken off the premises by customers.
9. All staff shall wear a clothing which identifies them as members of staff of the premises.
10. The capacity limit for the premises shall be in accordance with that set within the Fire Risk assessment.
11. A system shall be place which is capable of showing the number of persons on the premises at any one time. This number shall be given immediately on demand to an officer from the Licensing Authority or police.
12. Cylinders or containers of gas under pressure, other than Cellar Gases¹, shall not be used on the premises except with the prior consent of the Licensing Authority.

First aid

13. A HSE Compliant Industrial High Response First Aid Kit for 21-50 people shall be kept fully stocked at the premises and kept behind the bar.

Electrical & Gas Installations

14. All electrical wiring and distribution systems shall be tested at least once a year and signed off by a competent person whose name is shown within the Local Authority Building Control Part P Competent Persons Register (<http://www.competentperson.co.uk/search.asp>). The sign off certificate shall be produced to an authorised Licensing Authority officer or Police on demand.
15. All portable electrical equipment shall be powered through a sensitive earth leakage protection system (residual current device) having a rated residual operating current not exceeding 30 milliamps and a maximum operating limit of 30 milliseconds.
16. The residual circuit device shall be tested at lease once a week and a record of this check shall be kept at the premises.
17. Any and all gas appliances (except cellar gas) used in the premises must be tested at least once a year and signed off by a competent person whose name appears within the current Gas Safety register (GSR). The sign off certificate shall be produced to an authorised Licensing Authority officer or Police on demand.

Hypnotism

18. The Licensed premises shall not be used for any exhibition, demonstration or performance of hypnotism without the express written consent of the Licensing Authority and in accordance with any conditions attached to such consent. The

¹ Cellar Gases are those gases that are used in connection with beers, lagers and the like.

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

special conditions relating to the regulation of exhibitions, demonstrations or performances of hypnotism are available on request.

Maintenance, Repair and Cleanliness

19. All parts of the premises and all fixtures and fittings therein including seating, door fastenings, notices, floors, carpets and furniture shall be kept clean and maintained in good order.

Special Effects

20. The installation and use of laser beams, pyrotechnics or real flames, explosive or highly flammable or smoke producing agent, for any purpose shall not be permitted without specific written consent of the Licensing Authority. Application for consent, together with a detailed description of the method of use, should be made to the Licensing Authority not less than 14 days prior to the day on which the laser equipment is to be used.

21. Strobe lights shall be operated on a fixed rate of not more than four flashes per second. Where more than one strobe light is used, the flashes shall be synchronised. In any case, such lights shall not be installed without the prior written approval of the Licensing Authority.

22. The use of foam shall not be permitted unless with the prior written approval of the Licensing Authority.

Disabled people

23. When disabled people are present, arrangements must exist to enable their safe evacuation in the event of an emergency. Details of the arrangements shall be recorded in writing and shall be made immediately available to the Licensing Authority or Police on demand.

24. Disabled people on the premises must be made aware of the evacuation procedure.

Prevention of Public Nuisance

25. All windows will be kept shut after 23:00.

26. Recorded music volume will be reduced to background levels during the wind down period.

27. Prominent, clear and legible signage (in not less than 32 bold font) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

28. The courtyard garden shall not be used after 23:00 hours.

29. The premises licence holder or DPS or nominated responsible person (in writing) shall ensure that noise and vibration does not emanate from the

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

premises so as to cause a nuisance to any person residing in any noise sensitive dwelling.

30. Where regulated entertainment is provided, a responsible person will monitor noise emanating from the premises at least once a hour to ensure that no noise nuisance is being caused and where there is shall cause the noise to be reduced. A written record shall be kept on the premises detailing the name of the person carrying out the monitoring the monitoring locations, the date and time and the result obtained. Such record shall be made available on demand of the local authority or police.

Protection of Children

31. No person under the age of 18 shall be permitted on the premises unless dining and accompanied by an adult aged 21 or over.
32. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Licensing Authority or Police. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.
33. No adult entertainment or services or activities must take place at the premises (Adult Entertainment includes, but is not restricted to, such entertainment or services which would generally include topless bar staff, striptease, lap-table, or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language).

** Subject to Section 52(11) which states that a determination under this section does not have effect:
(a) until the end of the period given for appealing against the decision, or
(b) if the decision is appealed against, until the appeal is disposed of.*

There is a right of appeal under Schedule 5 Paragraph 8a, which must be made to a magistrates court within 21 days of this decision. It is recommended that you obtain your own legal advise or contact the Magistrates Court at Bath Street, Hereford, if you do wish to appeal this decision.