

**MINUTES of the meeting of Regulatory Sub Committee held at Grand Jury Room, Shirehall, St Peter's Square, Hereford, HR1 2HX on Monday 13 October 2014 at 12.00 pm**

**Present:** Councillor A Seldon (Chairman)  
Councillor (Vice Chairman)

**Councillors:** JW Hope MBE, Brig P Jones CBE Hope MBE

**In attendance:** Councillors

**Officers:** Mike Jones and Adrienne Poole

**1. ELECTION OF CHAIRMAN**

Nominations for a Chairman of the Licensing Committee were sought and it was;

Resolved:

To elect Councillor Alan Seldon as Chairman for this meeting

**2. APOLOGIES FOR ABSENCE**

Apologies were received from Cllr Vaughan-Powell

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

Cllr Hope was named as a substitute

**4. PROCEDURE FOR THE MEETING**

The Chairman explained the procedure to be followed at the hearing

**5. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman gave details of the exits to be used in the event of an emergency

**6. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**7. APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003 IN RESPECT OF WOK & RICE., 59B COMMERCIAL ROAD, HEREFORD, HR1 2BP**

The Licensing officer Adrienne Poole introduced the purpose and scope of the application, the premises to which it related and the key issues for consideration. In addition, the Licensing officer drew attention to the representations that had been received

In accordance with the procedures outlined by the Chairman, the Applicant and the Responsible Authority were given an opportunity to address the sub-committee

Fred Poole Licensing Officer representing Herefordshire Council responsible authority outlined the objections.

- The reasons for objection is that the premises are situated in the Cumulative Impact area
- The application if granted will not help the dispersal of people from pubs and clubs
- Set of conditions offered are unenforceable

The Licensing Authority presented a list of suggested conditions for the committee to consider.

The applicants Mr. Abdul Ahad Haque and Mr. Manumur Rashid, stated that the premises has been trading for a few month and to date has not experienced any disturbances.

The Sub Committee then retired to consider the application at 12:25

The Hearing reconvened at 12:35

Having carefully considered those matters brought before them, the Sub-Committee determined the application as follows, with a view to promoting 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, as set out in the guidance issued under Section 182 of the Licensing Act 2003, and the Council's Licensing Policy:

The Licensing Panel of the Council's Regulatory Sub-Committee are mindful to approve the application given that the Sub-Committee believe that the application would not add to issues of Crime and Disorder and that the applicants have demonstrated this to the satisfaction of the Sub-Committee. Notwithstanding the Premises being situated with the Herefordshire City's Cumulative Impact Zone.

The Sub-Committee considered that the refusal of the application would be disproportionate (case of Luminar v Wakefield City Council refers).

The Sub –Committee have decided that the licensing objectives, are best promoted by granting the Application subject to the following conditions which we consider appropriate.

1. 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. 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 (provided that the police will allow reasonable time for the recording to be obtained in the event that the request for recordings is made at a time when the premises are closed. The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. 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.
2. An incident log must be kept at the premises, and made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), an authorised Herefordshire Trading Standards Officer or the Police, which must record the following:
  - a) The date and time of the incident
  - b) A general description of the incident
  - c) A description of offenders and or person involved (with name if possible)
  - d) The member of the staff dealing with the incident

- e) Any faults in the CCTV system
  - f) Any visit by a relevant authority or emergency service
3. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exists to the premises requesting the public to respect the needs of local residents and to leave the premises quietly.
  4. The premises licence holder shall provide 2 additional refuse (litter) containers to be located outside the premises. Such containers shall be secured and shall be sited at a location agreed with Herefordshire Council Highways Department or their agent. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exists to the premises requesting the public to respect the area and ensure that litter is disposed of properly and in appropriate litter bins.
  5. The Premises Licence holder will ensure that the area immediately outside the premises is checked for litter at least once every 30 minutes, during operating hours and that any litter found is disposed in refuse sacks or bins.
  6. All staff shall wear clothing which identifies them as members of staff of the premises.
  7. The Premises Licence Holder and staff will not permit alcohol to be consumed on the premises.
  8. The premises licence holder shall ensure that all staff are trained in conflict resolution within one month of being employed at the premises and 6 monthly thereafter. Such training records shall be written down and shall be produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) on demand.

The meeting ended at Time Not Specified

**CHAIRMAN**