

AGENDA

Regulatory Sub Committee

Date: **Wednesday 24 June 2015**

Time: **1.30 pm**

Place: **Committee Room 1, The Shire Hall, St Peter's Square,
Hereford, HR1 2HX**

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

For any further information please contact:

Clive Lloyd, Governance Services

Tel: 01432 260249

Email: clive.lloyd@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format, please call Clive Lloyd, Governance Services on 01432 260249 or e-mail clive.lloyd@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Regulatory Sub Committee

Membership

**Councillor DW Greenow
Councillor MD Lloyd-Hayes
Councillor PJ McCaull**

AGENDA

	Pages
1. ELECTION OF CHAIRMAN To elect a Chairman for the hearing.	
2. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the agenda.	
3. TO CONSIDER AN APPLICATION FOR A NEW PREMISES LICENCE IN RESPECT OF 'FLANESFORD PRIORY, GOODRICH, ROSS ON WYE, HR9 6HZ' - LICENSING ACT 2003. To consider an application for a new premises licence in respect of 'Flanesford Priory, Goodrich, Ross on Wye, HR9 6HZ' – Licensing Act 2003.	9 - 52

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- 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.
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HEREFORDSHIRE COUNCIL

SHIRE HALL, ST PETERS SQUARE, HEREFORD HR1 2HX.

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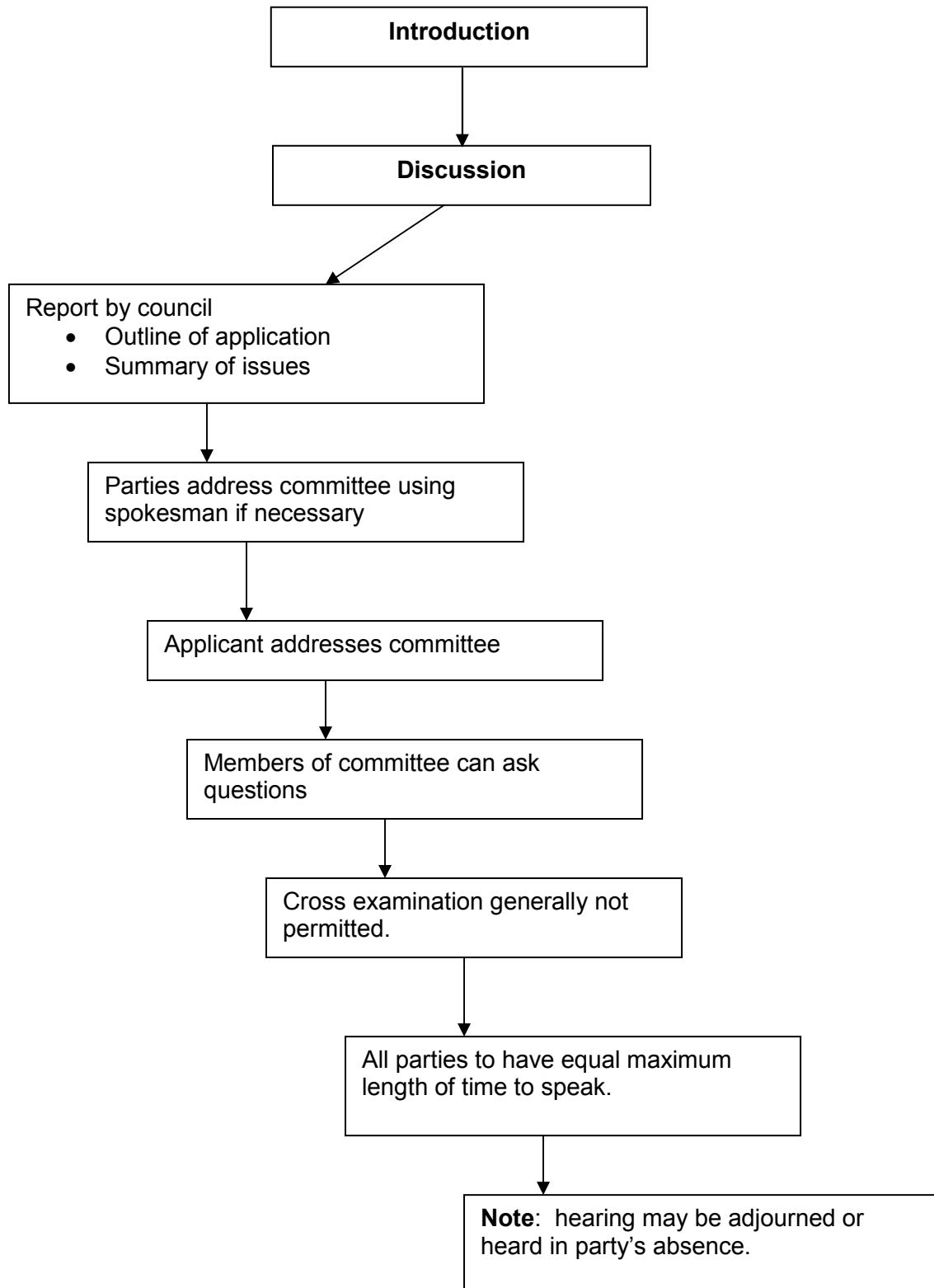
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Licensing Hearing Flowchart





Meeting:	Regulatory Sub-Committee
Meeting date:	24th JUNE 2015
Title of report:	TO CONSIDER AN APPLICATION FOR A NEW PREMISES LICENCE IN RESPECT OF 'FLANESFORD PRIORY, GOODRICH, ROSS on WYE, HR9 6HZ' – LICENSING ACT 2003.
Report by:	LICENSING OFFICER

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Ross on Wye West

Purpose

To consider an application for a new premises licence in respect of 'Flanesford Priory, Goodrich, Ross on Wye, HR9 6HZ' – Licensing Act 2003.

Recommendation

That:

The 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 appropriate 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.

Options

1. There are a number of options open to the Sub-Committee:
 - 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,
 - c) Grant the licence subject to modified conditions to that of the operating schedule where the committee considers it appropriate for the promotion of the licensing objectives and add mandatory conditions set out in the Licensing Act 2003,
 - d) To exclude from the scope of the licence any of the licensable activities to which the application relates,
 - e) To refuse to specify a person in the licence as the premise supervisor, or
 - f) To reject the application.
 - g) Adjourn the matter, to a set date, if the committee feel that to do so would be in the public interest

Reasons for Recommendations

2. Ensures compliance with the Licensing Act 2003.

Key Considerations

3. **Licence Application**
The application for a new premises licence has received representation and is brought before the committee for determination.
4. The details of the application are:

Applicant	Nigel Roper Home Farm, Pencraig, Goodrich, Ross on Wye, HR9 6HR	
Solicitor	N/K	
Type of application: New	Date received: 1st May 2015	28 Days consultation ended 29th May 2015

5. **Summary of Application**
The application requests a new premises licence to allow the following licensable activities, during the hours shown as follows:
Live Music & Recorded Music

All days 12:30 – 00:00 (both indoor and out)

Late Night Refreshment (Indoors)
All days 23:00 – 00:00
Sale/Supply of alcohol
All days 12:00 – 00:00
Hours premises open to the public
All days 12:00 – 00:00

Non Standard Timings: Nil

6. Summary of Representations

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

Representations have been made by:

Four (4) of the Responsible Authorities (Police, Environmental Health, the Licensing Authority and Trading Standards)

All representations by the responsible authorities have been agreed and the conditions to be placed on the licence are shown at Appendix 1.

Seven (7) representations have been made by members of the public of these only two have been considered relevant.

7. The matter is therefore brought before Committee for determination.

Community Impact

8. Any decision is unlikely to have any impact on the local community.

Equality duty

9. There are no equality or human rights issues in relation to the content of this report.

Financial implications

10. There are unlikely to be any financial implications for the authority at this time.

Legal Implications

11. 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.

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: -

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

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

so but will need to give full reasons for their actions.

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.

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.

Right of Appeal

12. Schedule 5 gives a right of appeal which states:

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).

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.

Risk Management

14. There is little risk associated with the decision at this time as the legislation allows a right of appeal to the Magistrates Court.

Consultees

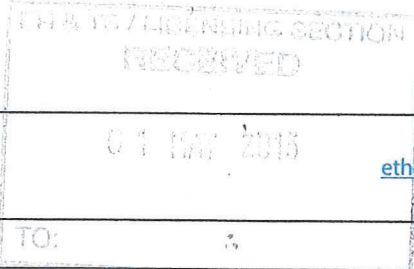
13. All responsible authorities and members of the public living within Herefordshire.

Appendices

- a. Application Form
- b. West Mercia Police and Local Authority Representations
- c. Environmental Health Representation
- d. Public Representations
- e. Summary of agreed conditions

Background Papers

None.



* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Nigel

* Family name

Roper

* E-mail

[Redacted]

Main telephone number

Other telephone number

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country



Section 2 of 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name	Flanesford Priory
Street	Goodrich
District	
City or town	Ross-on-Wye
County or administrative area	Herefordshire
Postcode	HR9 6HZ
Country	United Kingdom

Further Details

Telephone number	01600 890506
Non-domestic rateable value of premises (£)	20,750

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 19

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country



Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number



Add another applicant

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start?

/ /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end

/ /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Self catering apartments, wedding and functions venue where most guests for the weddings and functions are residents is set back from the main road in a rural location. The Glebe Room and Marquee are positioned at the back of the property between the farmhouse and the farm buildings.

Continued from previous page...

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

Yes

No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

Yes

No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes

No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes

No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the performance of live music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Musicians provide their own equipment therefore music played will be amplified and unamplified.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Continued from previous page...

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

- Yes No

Section 13 of 19

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

Start

End

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

Start

End

End

WEDNESDAY

Start

Start

End

End

THURSDAY

Start

Start

End

End

Continued from previous page...

FRIDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on
the premises select on, if the sale of alcohol
is for consumption away from the premises
select off. If the sale of alcohol is for
consumption on the premises and away
from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Enter the contact's address

Building number or name
Street
District
City or town
County or administrative area
Postcode
Country
Personal Licence number (if known)
Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19

ADULT ENTERTAINMENT

Continued from previous page...

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 18 of 19

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

This location is a remote, rural premises and at least a couple of hundred metres from any other premises not occupied by a member of staff or family. This makes maintaining public safety and the prevention of crime relatively easy. The premises is only open to invited people or people who are already residing on site. This means the nuisance is controlled and highly unlikely.

Training of all staff so that they are aware of the premise license and the requirements to meet the four licensing objectives BIIAB Level 1 to be undertaken by bar staff

Clear 'Challenge 25' information to prevent the supply of alcohol to under-age drinkers. Refusal of Sale Log to be kept

An Incident Log Book to be kept

First Aiders and Fire Wardens always on site

b) The prevention of crime and disorder

The licensed premises will be open only to people invited by the person or persons holding or representing the person holding the function or staying in the apartments. By restricting the people at a function in this manner crime and disorder is highly unlikely. By ensuring all staff working at the premises are trained to recognise intoxication and trained to diffuse conflict, disorder will be reduced to an intended level of 'no incidents'.

Having spoken with West Mercia Police they have confirmed that through the freedom of information, 'that there are NO incidents or crimes recorded in the area and there is no local 'Pub Watch' scheme operating in these areas.'

An 'Incident Log Book' will be kept and will be available to relevant authorities upon request.

Where issues of crime and disorder are suspected or identified then early liaison with West Mercia Police will be sought.

c) Public safety

The premises will only be open to the public who have been invited to the specific function or who are temporarily residing in one of the apartments. By the nature of the business and its rural location there is very limited risk to public safety. By ensuring a suitably experienced and trained member of staff is on site during open hours that person will ensure overall safety is provided.

Training and implementation of underage ID checks - Challenge 25

An 'Incident Log book' and 'Refusal of Sale Log Book' will be kept and will be available to relevant authorities upon request

All fixtures and fittings within the premises will be maintained at all times in good order and in a safe condition.

Members of staff are trained in First Aid and Fire Marshalling. First Aid kits are kept on site

d) The prevention of public nuisance

Continued from previous page...

From the licensed premises sound can carry along the valley. It is the intent of those running and supervising events at the premises that any noise nuisance be limited and that all sound equipment will be turned off within the limits of the license. It is unusual for guests at events to leave on foot and as such the potential for public nuisance when people leave is very unlikely.

Noise will be monitored throughout the event and a record kept and will be available to relevant authorities upon request. Notices will be displayed at the exit asking guests to leave the premises quietly and respect any nearby residents.

e) The protection of children from harm

Within the premises the sale of alcohol and consumption of alcohol by children will not be permitted. Staff will be encouraged to clarify the ages of any young person purchasing alcohol using the 'Challenge 25 Scheme'. Training to bar staff will be provided through the BIIAB level 1 course to be undertaken. Some members of staff have been trained in Child Safeguarding and this knowledge can be cascaded down to all staff. Due to the nature of the type of entertainment on site, the location and the use of the premises it is highly unlikely that any child would be unsupervised by a parent or guardian whilst on the premises. It is believed unlikely that a child or young person would be put at risk.

An 'Incident Log Book' will be kept on site and will be available to the relevant authorities upon request.

Section 19 of 19

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee.

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time.

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00

Continued from previous page...

Capacity 80000-89999 £56,000.00
Capacity 90000 and over £64,000.00

* Fee amount (£)

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name
Street
District
City or town
County or administrative area
Postcode
Country

DECLARATION

* I/we understand 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name
* Capacity
Date (dd/mm/yyyy)

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/herefordshire/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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



HEREFORDSHIRE
COUNCIL

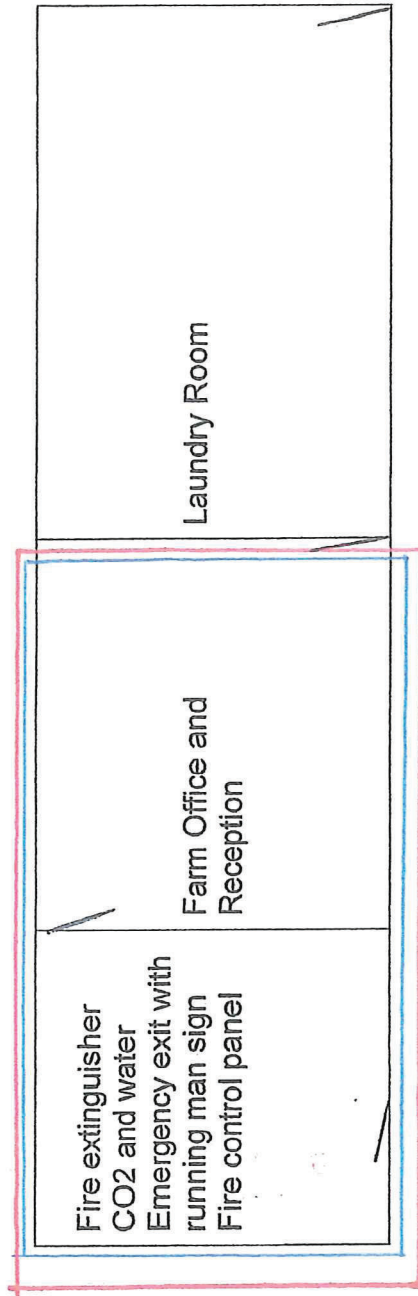
**Form of consent given by the person whom the applicant wishes to be the
premises supervisor**

I, Nigel Roper hereby consents to being named as the premises supervisor in a new licence granted under paragraph 4 of Schedule 8 to the Licensing Act 2003 to Flanesford Priory in respect of the application to convert an existing justices' licence held by the applicant for Flanesford Priory, Goodrich, Ross on Wye HR9 6HZ if that application is successful.



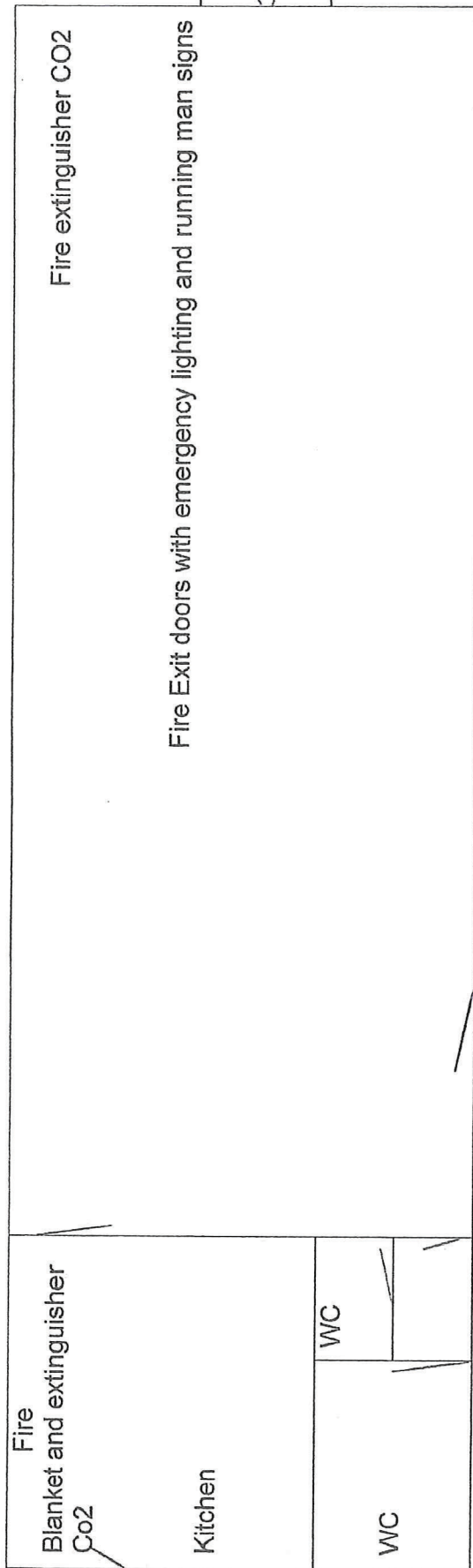
Dated 30-4-15

Farm Office and Reception



The sale of alcohol from Reception will be primarily for Guests staying in the self catering apartments; this will consist of local wines, beers, ciders and spirits.

Glebe Room (Function Room)
 Licensed for Civil Ceremonies



All the apartments are fitted with fire alarms, smoke detectors, fire exit routes are displayed and fire extinguishers as per fire risk assessment. Emergency lighting and running man signs are displayed at the appropriate exits.

Representation made by the Local Authority

I am an officer authorised under the Licensing Act 2003.

I refer to the application made for a new premises licence in respect of the 'Flanesford Priory, Goodrich, Ross on Wye, HR9 6HZ'.

The Licensing Authority seeks the following conditions that should be attached to the licence.

General

1. The premises shall not be open to the general public. The premises shall only be open to person(s) and their guests who are involved in a pre-booked event.

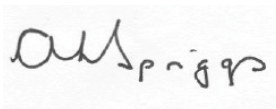
Public Safety

2. First aid
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. Such kit shall contain:
1 x Guidance Leaflet
60 x Washproof Plasters
6 x Eye Pads with Bandage
8 x Triangular Bandages
12 x Safety Pins
16 x Assorted Sterile Dressings
20 Moist Wipes
3 Pairs Disposable Gloves
3. An accredited First aid trained person must be on duty at all times when the premises operate for licensable activities. [An accredited First Aid trained Person is defined as a person who holds a current certificate in first aid at work (FAW) issued by a training organisation approved by the Health & Safety Executive (HSE) or a current certificate in emergency first aid at work (EFAW) issued by a training organisation approved by the HSE or by a recognised awarding body of Ofqual or the Scottish Qualifications Authority or any other equivalent qualifications accepted by the Licensing Authority]
4. Electrical & Gas Installations
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 person' (as defined by Section 13 of the Licensing Act 2003) or Police on demand.
5. Special Effects
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 prior notification to the Licensing Authority. Notification, together with a detailed description of the method of use, shall be made to the Licensing Authority not less than 14 days prior to the day on which the laser equipment is to be used.

Prevention of Public Nuisance

6. The Premises Licence Holder or DPS must immediately comply with any request to adjust noise levels/ frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.
7. All doors and windows at the premises shall be kept closed after 2200 hours Sunday to Thursday and 2300 Friday and Saturday, except during immediate access and egress.
8. 'Noise' from the premises must not be 'audible or discernible' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. 'In this conditions; 'Noise' -is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. Audible or discernible' -is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed premises'.
9. Prominent, clear and legible signage (in not less than 32 font bold) 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.
10. No regulated entertainment shall be provided outside after 2200 hours Sunday to Thursday and 2300 hours on a Friday & Saturday.
11. Where regulated entertainment is provided, the premises licence holder or DPS or a responsible person nominated by either in writing will monitor noise emanating from the premises at least once an 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 an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police.
12. 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).

If the applicant agrees these comments and conditions I will withdraw my representation.



Fred Spriggs
Licensing Officer

NOT PROTECTIVELY MARKED

West Mercia Police are in receipt of an application for a premises licence for a location known as **Flansford Priory, Goodrich, Nr., Ross on Wye**. The application seeks to undertake the licensable activities of the sale/supply of alcohol and regulated entertainment. It further seeks to specify the designated premises supervisor as Nigel Roper.

West Mercia Police do not object to this application, but would seek to promote the licensing objectives by applying the following conditions that are proportionate, achievable and enforceable.

1. 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) or the Police, which must record the following:
 - (a) all ejections of patrons
 - (b) any complaints received
 - (c) any refusal of the sale of alcohol
 - (d) any visit by a relevant authority or emergency service

2. All bar staff engaged in the sale of alcohol to be trained in Responsible Alcohol Retailing to the minimum standard of BIIAB level 1 or any other training recognised and agreed with Trading Standards. (All existing staff shall be trained within one month of the date that this condition appears on this licence. All new staff shall be trained within one month of taking up employment. All staff shall be re-trained twelve monthly thereafter. Training records shall be kept on the premises which shall show the name of the training course attended, the date of the training, the name of the person undertaking the training and shall be produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) 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 an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police 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.

4. A written register of refusals detailing a description of the people who have been unable to provide required Identification to prove their age or an electronic register, detailing the age, challenges made regardless of ID being produced. 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.

These are the minimum conditions West Mercia Police would wish to see applied to any premises licence granted to this location

Jim Mooney (on behalf of Inspector Barnett)
Harm Reduction/Community Safety Dept.,
Licensing & Harm Reduction Coordinator,
Policing Unit - Herefordshire,
West Mercia Police.

DDI 01432 347102
Switchboard '101' x 4702
james.mooney@westmercia.pnn.police.uk
[In Herefordshire we protect people from harm](#)

View our new Warwickshire Police and West Mercia Police websites at:
www.warwickshire.police.uk and www.westmercia.police.uk

Dear Mr Roper

As an authorised body under the Licensing Act 2003, Herefordshire Council Environmental Health and Trading Standards have received details of your application for a premise licence for **Flanesford Priory, Goodrich, Ross On Wye HR9 6HZ**.

Trading Standards have the responsibility for enforcing the Licensing Act 2003 in respect of sales of alcohol to anyone under the age of eighteen.

After looking at your application under the section protection of children from harm we would seek to include the following conditions on the premise licence

- 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 course approved 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. 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 you agree and copy the email to licensing@herefordshire.gov.uk

Or

If you wish to discuss this matter further please do not hesitate in contacting me on 01432 260163, lwilson@herefordshire.gov.uk

Kind regards

Miss Leah Wilson | BSc DTS MTSI | Trading Standards Officer |
Trading Standards & Animal Health | Economy, Communities & Corporate
Directorate | Herefordshire Council | Blue School House, PO Box 233, Hereford HR1
2ZB

Tel: 01432 260163 | Fax: 01432 261982 | Email: lwilson@herefordshire.gov.uk |
GCSX: lwilson@herefordshire.gcsx.gov.uk

Council's Homepage www.herefordshire.gov.uk

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If you have received this e-mail in error, please notify the IT Service Helpdesk at the Herefordshire Council, telephone 01432 260160.

MEMORANDUM

To : **LICENSING OFFICER**

From : **Josie Warren-McCauley**

Tel : **01432 260158** My Ref : **JWM/176922/EB/PRO1670**

Date : **5 May 2015** Your Ref :

**LICENSING ACT 2003
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE
Flanesford Priory Goodrich, Ross-on-Wye, Herefordshire., HR9 6HZ**

Having assessed the above application, I would like to make the following representation:

Representation	Industry Guidance
PREVENTION OF CRIME & DISORDER	
PUBLIC SAFETY	
PREVENTION OF PUBLIC NUISANCE <ul style="list-style-type: none"> • Noise or vibration shall not emanate from the premise so as to cause a nuisance • Live or recorded music shall be restricted to the area marked on the premise plan 	
PROTECTION OF CHILDREN FROM HARM	

REFERENCES

Please Reference the industry guidance from which your representation has been sourced.

**JOSIE WARREN-MCCAULEY
TECHNICAL OFFICER
HEREFORDSHIRE COUNCIL**

**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]
	Please state your interest in the premises you are making a representation about: eg local resident
Name & Address of premises you are making a representation about: Flanesford Priory, Goodrich, HR9 5QT.	

DATA PROTECTION ACT 1998. Please indicate by ticking here ...X.. 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 Several years ago a lady staying at the Priory stumbled and fell into the path of a car travelling down the road from Goodrich having been drinking. With the proposed extension of licence, it is possible that this unfortunate accident may happen on a more frequent basis. With intoxicated young people about, Kerne Bridge itself may become a target for revellers jumping off into the river Wye, or falling over the low walls of the bridge
To Prevent Public Nuisance We are currently inflicted with loud music coming from Flanesford Priory, The Inn on The Wye and Bishopswood Village Hall. Living within the sides of the valley even low levels of sound travel vast distances, being amplified by the echo effect within the valley. This is an area of ANOB and over the 21 years I have been living here, what was a pleasant area to live in has become blighted by noise pollution. With the possibility of this now being able to last until 3.00am life will become intolerable. [REDACTED]

To Protect [REDACTED]
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



Representation Form – Interested Parties Suggested Conditions

Premise: Flanesford Priory [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 For no extension to be granted
Prevent Public Nuisance For no extension to be granted
Protect Children from Harm

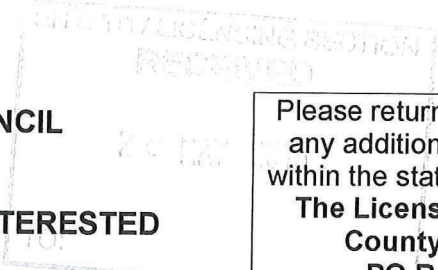
Signed: [REDACTED]

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

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: Ms Janet Sheldon	Contact Telephone No. 01600 890630
Address: Kerne View Castle Lane Goodrich Ross on Wye HR9 6HY	E-mail address: janetsheldon123@btinternet.com
	Please state your interest in the premises you are making a representation about: Local resident <input type="checkbox"/> local resiLocal dent/local business <input type="checkbox"/>
Name & Address of premises you are making a representation about: Flanesford Priory, Goodrich, HR9 6HZ	

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 My home at Kerne View directly overlooks Flanesford Priory and is about 350m away and about 35m above it. I am objecting to the application for music indoors and outdoors, plus sale of alcohol, from midday to midnight 365 days a year on the grounds that this would cause frequent and unacceptable noise pollution nuisance in a rural valley within an ANOB. Currently, events are fairly infrequent and usually terminate by midnight. Whilst the noise generated by these events is a nuisance, it is fairly reasonable to allow occasional disturbance given the nature of the business at Flanesford Priory. This application would allow the potential for a substantial increase in noise nuisance on a regular basis which would be totally unacceptable to residents living within the area who can hear the noise. Music noise from current events travels along the valley and is heard by many residents.

To allow the potential for such music on a more frequent basis is unreasonable. Events take place in marquees, so there is no sound proofing. Outdoor music is played at times and this is even worse in terms of noise pollution, especially when amplification is used.

Section 5 of the application advises 'most guests for the weddings and functions being residents' ie staying overnight at Flanesford Priory. My house overlooks the car park and I have observed that the number of cars parked at the beginning of events is always considerably reduced by early the following morning, so the majority do not appear to be staying overnight. The Flanesford Priory website indicates that there is accommodation for 41 people. Judging by the number of cars parked at events and the size of the marquees, many events appear to have considerably more than 41 guests. Hence, there may also be more frequent traffic noise on a more regular basis from guests leaving.

To Protect Children from Harm

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: Flanesford Priory Your name: Ms Janet Sheldon

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 Instead of having a full 365 days a year licence, the applicant should continue with the current licensing arrangement for events with the restriction that each event should generally cease at midnight. This level of activity will continue to be annoying but is acceptable.
Protect Children from Harm

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

APPENDIX E

GENERAL

1. The premises shall not be open to the general public. The premises shall only be open to person(s) and their guests who are involved in a pre-booked event.

CRIME AND DISORDER

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) or the Police, which must record the following:
 - (a) all ejections of patrons
 - (b) any complaints received
 - (c) any refusal of the sale of alcohol
 - (d) any visit by a relevant authority or emergency service
3. 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 course approved 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. 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.
4. 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.
5. 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 an authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police 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.

Public Safety

6. First aid
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. Such kit shall contain:
 - 1 x Guidance Leaflet
 - 60 x Washproof Plasters
 - 6 x Eye Pads with Bandage
 - 8 x Triangular Bandages
 - 12 x Safety Pins
 - 16 x Assorted Sterile Dressings
 - 20 Moist Wipes
 - 3 Pairs Disposable Gloves
7. An accredited First aid trained person must be on duty at all times when the premises operate for licensable activities. [An accredited First Aid trained Person is defined as a person who holds a current certificate in first aid at work (FAW) issued by a training organisation approved by the Health & Safety Executive (HSE) or a current certificate in emergency first aid at work (EFAW) issued by a training organisation approved by the HSE or by a recognised awarding body of Ofqual or the Scottish Qualifications Authority or any other equivalent qualifications accepted by the Licensing Authority]
8. Electrical & Gas Installations
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 person' (as defined by Section 13 of the Licensing Act 2003) or Police on demand.
9. Special Effects
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 prior notification to the Licensing Authority. Notification, together with a detailed description of the method of use, shall be made to the Licensing Authority not less than 14 days prior to the day on which the laser equipment is to be used.

Prevention of Public Nuisance

10. The Premises Licence Holder or DPS must immediately comply with any request to adjust noise levels/ frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.
11. All doors and windows at the premises shall be kept closed after 2200 hours Sunday to Thursday and 2300 Friday and Saturday, except during immediate access and egress.

12. 'Noise' from the premises must not be 'audible or discernible' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. 'In this conditions; 'Noise' -is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. Audible or discernible' -is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed premises'.
13. Prominent, clear and legible signage (in not less than 32 font bold) 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.
14. No regulated entertainment shall be provided outside after 2200 hours Sunday to Thursday and 2300 hours on a Friday & Saturday.
15. Where regulated entertainment is provided, the premises licence holder or DPS or a responsible person nominated by either in writing will monitor noise emanating from the premises at least once an 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 an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police.
16. Noise or vibration shall not emanate from the premise so as to cause a nuisance
17. Live or recorded music shall be restricted to the area marked on the premise plan
18. 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).

