

**Minutes of the meeting of Licensing sub-committee held at
Committee Room 1, The Shire Hall, St Peter's Square, Hereford,
HR1 2HX on Friday 30 August 2019 at 10.00 am**

Present: Councillor Alan Seldon (chairperson)
Councillors: Polly Andrews and Toni Fagan

Officers: Emma Bowell, Alice McAlpine and Fred Spriggs

43. APOLOGIES FOR ABSENCE

No apologies for absence were received.

44. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the meeting.

45. DECLARATIONS OF INTEREST

There were no declarations of interest made by members of the committee.

The legal advisor to the committee stated that she had acted for Herefordshire Council on the purchase of property off Venns Lane, Hereford that included Gardner Hall. She had had no further involvement with the site.

46. REVIEW OF A PREMISES LICENCE IN RESPECT OF: 'RNCB, THE POINT 4 AND GARDNER HALL, VENNS LANE, HEREFORD. HR1 1DT CALLED BY HEREFORDSHIRE COUNCIL AS THE LICENSING AUTHORITY' - LICENSING ACT 2003

Members of the licensing sub committee from the council's planning and regulatory committee considered the above application, full details of which appeared before the Members in their agenda and the supplement issued on 30 August 2019.

Prior to making their decision, the members heard from Emma Bowell, Technical Licensing Officer, Fred Spriggs on behalf of the Licensing Authority as the applicant for the review and the designated premises supervisor.

The Licensing Authority explained the reasons for requesting the review of the premises licence, namely that:

- Since the licence was granted in August 2011 the premises, specifically that part known as Gardner Hall, had been subjected to noise complaints;
- On Saturday 29 June 2019, the out of hours noise team received a number of complaints from residents of Admirals Close, Hereford. The officers who attended were satisfied that a Statutory Noise Nuisance took place.

The sub committee heard that an application to vary the licence had been received during the review period, which removed Gardner Hall from the licence. In view of this being approved, the Licensing Authority was satisfied that the objective of the review had been met.

The designated premises supervisor addressed the sub committee and apologised for the nuisance that had occurred. He explained that following the removal of Gardner Hall from the licence the only licensable activity would be the running of the student bar at the Point 4 and this was not open to the public. External hirers would be required to arrange their own temporary event notice for any future events that involved licensable activities.

DECISION

The decision of the licensing sub committee was to allow the licence to remain in place with the variation as granted to remove Gardner Hall and subject to the conditions from Trading Standards as follows:

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 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. No person shall be authorised to sell or supply alcohol until this training is completed. Refresher training will be conducted at 12 monthly intervals. 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 or electronic 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. It will be collected and reviewed on a weekly 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 sale area advertising the scheme operated.

REASONS

The committee had taken into account all the statements from the parties present and the representation received. The sub committee noted the contrition shown by the designated premises supervisor regarding the disturbance to neighbouring residents. The sub committee also noted that the ongoing licence would apply to the Point 4 only, which had not been subjected to any noise complaints. On the basis of the evidence heard, the approval of the variation to the ongoing licence and subject to the conditions from Trading Standards being agreed the sub committee were satisfied that no further action was required.

The meeting ended at 10.30 am

Chairperson