

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

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| PREMISES | The Steiner Academy Hereford |
| APPLICANT'S NAME | The Steiner Academy Hereford |
| APPLICATION TYPE | New Premises Licence |
| PANEL MEMBERS | Councillor JW Hope MBE (Chairman) Councillor PL Bettington Councillor Brig. P Jones CBE |
| DATE OF MEETING | 16 October 2012 (adjourned to 26 October 2012) |

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 Bella Brown, representing the Much Dewchurch Society, and Janet Bright, a neighbouring resident, as well as Wendy Cotton and Niki Nakamura, representing the Steiner Academy.

Having carefully considered those matters brought before them, the Committee were of the opinion that the application should be **granted with immediate effect subject** to the conditions appearing below. In reaching their decision, the Members had full regard to both the provisions of the Licensing Act 2003 and the Council's Licensing Policy. The Members imposed conditions in order to promote the four licensing objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

HOURS OF LICENSABLE ACTIVITY (INDOORS ONLY)

| | Plays, Films, | Live Music, Recorded Music, Performances of Dance (or anything similar) | Open to the Public |
|------------------|---------------|---|--------------------|
| Monday | 1600 - 2230 | 1600 - 2230 | 1600 - 2230 |
| Tuesday | 1600 - 2230 | 1600 - 2230 | 1600 - 2230 |
| Wednesday | 1600 - 2230 | 1600 - 2230 | 1600 - 2230 |
| Thursday | 1600 - 2230 | 1600 - 2230 | 1600 - 2230 |
| Friday | 1600 - 2230 | 1600 - 2230 | 1600 - 2230 |
| Saturday | 0800 - 2230 | 0800 - 2230 | 0800 - 2230 |
| Sunday | - | - | - |

NON STANDARD TIMINGS

| | Plays, Films, | Live Music, Recorded Music, Performances of Dance (or anything similar) | Open to the Public |
|------------------------|---------------|---|--------------------|
| School Holidays | 0800 - 2230 | 0800 - 2230 | 0800 - 2230 |

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CONDITIONS

- PN1 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.
- PN2 All doors and windows at the premises shall be kept closed after 2100 hours except during immediate access and egress.
- PN3 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 condition; '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.
- PN4 Where regulated entertainment is provided, the premises licence holder or a responsible person nominated by them 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. Such record shall be made available on demand of an authorised person (as defined by Section 13 of the Licensing Act 2003) or police.
- PN5 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.
- PN6 Any courtyard/garden shall not be used in the connection with licensable activities.
- PN7 Outside lighting, including flashing lights shall not cause a nuisance to nearby properties, unless written consent has been obtained from the police to the effect that such lighting is necessary to promote the crime prevention objective.
- PN8 A notice in at least Ariel 48 bold font shall be displayed at the entrance to the Academy stating 'In the event of any problems associated with events at these premises please telephone 01234 56789'. The premises licence holder shall ensure that this number is monitored at all times whilst the premises are being used for licensable activities.

NOTES

Whilst an application was made for facilities for music and dancing or anything similar this is no longer licensable under the Licensing Act following the introduction of the Live Music Act 2012.

The applicants removed Bank Holiday Mondays from their application.

APPEAL INFORMATION

Under Schedule 5 Section 2, the applicant or any party making representation may appeal against the decision. Section 9 states that such an appeal must be made to the Magistrates Court within a period of 21 days from the date that the applicant is notified in writing of the decision.

Should you wish to appeal this decision then it is recommended that you obtain your own legal advice or contact the Magistrates Court at Bath Street, Hereford.