

**Minutes of the meeting of Licensing Sub-Committee held at
Online meeting / Conference Room 2 - Herefordshire Council,
Plough Lane Offices, Hereford, HR4 0LE on Wednesday 1 April
2026 at 10.00 am**

Present: Councillor Polly Andrews (chairperson)
Councillor (vice-chairperson)

Councillors: Dave Davies and Peter Hamblin

In attendance: Councillors

Officers: Licensing technical officer and Senior Lawyer - Civil Litigation

48. APOLOGIES FOR ABSENCE

No apologies for absence were received.

49. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the meeting.

50. DECLARATIONS OF INTEREST

There were no declarations of interest made.

**51. APPLICATION FOR A VARIATION OF A PREMISES LICENCE IN RESPECT OF
ALLPAY LIMITED, FORTIS ES FIDES, WHITESTONE BUSINESS PARK,
WHITESTONE, HEREFORD, HR1 3SE - 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 published on 24 March 2026.

Prior to making its decision the senior licensing officer presented the report which outlined the options available to the Sub-Committee. No representations were received from the responsible authorities. Three public representations were received from members of the public and one from the Parish Council. The representations were considered to be borderline but were accepted as relevant by the licensing authority. One public representation has been withdrawn following the publication of the agenda. The history of licensing applications relating to the premises was outlined; the premises was first licensed in 2001. It was confirmed there was no history of complaints

The Sub-Committee heard from local resident Jonathan Beech that:

- He was very concerned about loud noise affecting neighbours and local residents.
- There was a nursing home locally that would be affected by noise from the site.
- Local residents who worked nighttime hours locally would be adversely affected by an 8 a.m. start.

- An 8 a.m. start was considered unacceptable.

The Sub-Committee then heard from the applicant's representative Mr Neil Styles that:

- The live music act allowed for live or recorded music from 8 a.m.; the current application would ensure the permission for regulated entertainment would also be contained in the premises licence.
- The application would allow for the café and shop to open earlier in the day to catch extra morning trade.
- The outdoor areas were not being increased in size but the boundary defined in the application helped to clarify what constituted the outdoor area.
- All alcohol sales will be from an internal bar and drinks taken outside would be within the licensable area therefore representations relating to this element were irrelevant.
- There was no difference in the change of use for the site, that would be a planning matter, just a change to the hours of operation.
- There was no likelihood of anti-social behaviour ASB or nuisance caused. The licence holder did not want to cause any issues for the local area or neighbours.
- There had been no issues with the premises and therefore there had been no representations from the responsible authorities.

The Sub-Committee then heard from the representative of the premises licence holder (Allpay Ltd) Mr Tyrell that:

- There was a café, restaurant and shop on the site which was located on an industrial park.
- The application sought to move the opening time forward to ensure shop could operate and sell alcohol from 8 a.m. to take advantage of extra trade.
- There was one neighbour to the outdoor space who had withdrawn his representation once a meeting with the applicant and a site visit had been undertaken.
- The premises was a respectful business and would not expect any anti-social behaviour. There was security, with Security Industry Authority accreditation, on site at all opening times and there had been no issues in the past.

Following questioning by the Sub-Committee, it was confirmed that:

- It was unlikely that 500 people would attend an event at the premises.
- The café was open every day of the week.

The Sub-Committee carefully considered all the representations, reports and evidence before them. They have had regard to their duties under S4 of the Licensing Act and considered guidance issued under s182 of the Licensing Act 2003 and Herefordshire Council's Statement of Licensing Policy 2020 - 2025.

DECISION

The Sub-Committee's decision is to grant the variation application as applied for.

REASONS

The Sub-Committee has fully considered the detailed report by the Senior Licensing Officer, the application and written representations in the report pack, as well as the

evidence presented at the hearing by the Licensing Authority, Mr Styles and Mr Tyrell on behalf of the applicant and Mr Beech, a member of the public.

The Sub-Committee has taken into account the relevant policy and guidance.

The Sub-Committee noted the relevant representations that had been received from a member of the public and Withington Group Parish Council and that these representations were considered to be borderline. The Sub-Committee agreed that the representations were borderline and accepted that discretion had been applied by the Licensing Authority, in line with the statutory guidance, to accept them. The Sub-Committee understands the concerns being raised by the public representative and the Parish Council and the reasons why the representation had been made. The Sub-Committee noted that a further representation had been withdrawn following engagement with the applicant.

Overall, it was the Sub-Committee's opinion that the representations were very general in their nature and were speculative, focussing on what 'may' or 'might' happen in the future, rather than providing

evidence of issues that had occurred. Indeed, on this point, the Sub-Committee noted that no complaints had been received in relation to this Premises Licence nor had any representations been received from the Responsible Authorities.

The Sub-Committee then considered the submissions made by Mr Styles and Mr Tyrell on behalf of the applicant. The Sub-Committee understood the rationale behind the application and why it was necessary for the development of the business. The Sub-Committee considered whether to grant the application would undermine the licensing objectives and noted Mr Styles's submission that there was no history of complaints related to this premises and there were no representations from the Responsible Authorities. Further to this, the Sub-Committee was reassured by Mr Tyrell that the premises is operated responsibly and would not seek to undermine the licensing objectives.

The Sub-Committee balanced the evidence of all parties and were clear in their view that the application should be granted as applied for.

The meeting ended at 10.41 am

Chairperson