

**Minutes of the meeting of Licensing Sub-Committee held at
Online Meeting / Conference Room 2 - Herefordshire Council,
Plough Lane Offices, Hereford, HR4 0LE on Monday 24 August
2026 at 2.00 pm**

Present: **Councillors: Bruce Baker, Peter Hamblin and Richard Thomas**

Officers: **Licensing technical officer and Senior Lawyer - Civil Litigation**

56. ELECTION OF CHAIRPERSON

The sub-committee proposed and seconded a motion that Councillor Peter Hamblin as chairperson for the duration of the meeting of the meeting. The motion was put to the vote and was carried.

57. APOLOGIES FOR ABSENCE

No apologies for absence were received.

58. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the meeting.

59. DECLARATIONS OF INTEREST

There were no declarations of interest made.

**60. APPLICATION FOR A VARIATION OF A PREMISES LICENCE IN RESPECT OF MILL
STREET STORES, 4-6 MILL STREET, HEREFORD, HR1 2NY**

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 13 August 2026 and the supplement published on 21 August 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. Four public representations were received from members of the public; one representation was received from a member of the public that the Licensing Authority rejected as it did not address the licensing objectives. The history of licensing applications relating to the premises was outlined; the premises was first licensed in 2006. It was confirmed there was no history of complaints to the licensing authority relating to this premises.

The Sub-Committee heard from a local resident that:

- The licensing process had been daunting for residents, particularly given the volume of information provided by the applicant's representatives.

- There were already two nearby convenience stores within approximately 500 yards of the premises which closed at 9.00pm.
- The premises is located in a predominantly residential area and the owners do not live locally.
- Whilst the police had not objected to the application, the resident had raised queries with them and asked them why they had not raised an objection to the application, the resident understood from discussions with the police that their assessment was based on historical evidence rather than potential future impacts.
- The resident stated that historically the premises had closed at 4pm on a Sunday and 7pm during the rest of the week.
- Concerns had been raised regarding noise and disturbance, particularly from customers arriving by car late in the evening.
- The resident questioned the evidence supporting the applicant's assertion that there was a demand in the night time economy from shift workers and other late-night customers for extended hours.
- Reference was made to the residential character of Mill Street and the potential impact of alcohol sales until 2.00am.
- The resident asked the Sub-Committee to refuse the variation sought.

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

- The resident had generally supported the premises and considered it to provide a useful service to the community. It was noted that wine was currently for sale at the shop contrary to an intention to not serve alcohol over 6%.
- The current permitted hours for the sale of alcohol were understood to be until 8.00pm.
- The resident had observed customers arriving by car later in the day and was concerned that extending the hours could increase noise nuisance, particularly given the way sound carries in the area.

The Sub-Committee then heard from the applicant's representative Bill Donne, that:

- The application sought to extend the hours for off-sales of alcohol from the current terminal hour of 8.00pm to 2.00am.
- The applicant was an experienced operator who operated another convenience store in Worcester and had acquired the premises subject to the application in December 2025 and wished to develop the business.
- The variation application also sought to modernise and strengthen the existing licence conditions, including upgrading the proof of age policy to Challenge 25, updating CCTV requirements and revising staff training requirements.
- No representations had been received from any Responsible Authorities.
- Licensing decisions should be evidence-based and focused on the promotion of the licensing objectives.
- The objections received were speculative in nature and were not supported by evidence of actual problems arising from the operation of the premises.
- The conditions proposed, were appropriate and proportionate to promote the licensing objectives.
- The application would support business growth and allow the premises to respond to customer demand.

The Sub-Committee carefully considered all the representations, reports and evidence before them. They have had regard to their duties under s.4 of the Licensing Act 2003

and considered the statutory Guidance issued under s.182 of the Licensing Act 2003 ('the Guidance') and Herefordshire Council's Statement of Licensing Policy 2020- 2025.

DECISION

The Sub-Committee's decision is to grant the variation application subject to the amendments set out in the reasons below and conditions contained in the appendix.

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, member of the public who made a relevant representation and Mr Donne on behalf of the applicant, Mr Thankarajah.

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

The Sub-Committee recognised that they had to consider two separate elements within the application. Firstly, the proposed extension of hours that the premises would be open to the public and able to undertake licensable activities, specifically the sale of alcohol. Secondly, the proposed amendments to the conditions on the current licence.

The Sub-Committee noted the relevant representations that had been received from members of the public during the consultation period. The representations raised concerns that extending alcohol sales to 02:00am in a predominantly residential area could lead to increased noise, disturbance, anti-social behaviour, litter, and potential impact on the quiet enjoyment of nearby homes, affecting families and children living in the area. Concern was expressed that late-night alcohol sales may attract customers after local pubs close, resulting in street drinking, disorder, and additional pressure on police resources, and questioned whether there is a need for such extended hours. The Sub-Committee noted that the evidence provided was based on the anticipated impact of the variation rather than direct evidence linked to the premises. The concerns raised were broadly directed towards the licensing objectives, particularly the prevention of public nuisance, the prevention of crime and disorder and the protection of children from harm.

The Sub-Committee noted that advice had been sought from Herefordshire Council's legal department as to whether the representations should be accepted as relevant and that reference had been made to the Guidance, which advises that authorities should generally give those making representations the benefit of the doubt when determining whether a representation is relevant, provided it is not frivolous, vexatious or otherwise excluded. The representations that were accepted were not considered to be frivolous or vexatious or otherwise excluded.

The Sub-Committee agreed that the representations were borderline and accepted that discretion had been applied by the Licensing Authority, in line with the Guidance, to accept them. The Sub-Committee understands the concerns being raised by members of the public and the reasons why the representations had been made.

The Sub-Committee listened carefully to the evidence provided by the member of the public in attendance at the hearing, summarised earlier in this Decision Notice. The Sub-Committee appreciated the time, effort and care the member of the public had invested in contributing to this process and presenting evidence to the Sub-Committee. The Sub-Committee believed the concerns being raised were genuine and motivated by a strong desire to preserve the locality in the immediate vicinity of the premises.

Overall, it was the Sub-Committee's opinion that the representations were focused on what 'may' or 'might' happen in the future, rather than providing evidence of issues that had occurred; the weight they placed on this evidence needed to reflect this. Indeed, on this point, the Sub-Committee noted that no complaints had been received in relation to this Premises nor had any representations been received from the Responsible Authorities. In weighing the evidence, the Sub-Committee were mindful of the Guidance, which identifies each responsible authority as an expert in their respective field, and that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective.

The Sub-Committee then considered the submissions made by Mr Donne on behalf of the Applicant. The Sub-Committee understood the rationale behind the application and why it was deemed necessary for the development of the business. The Sub-Committee considered whether granting the application would undermine the licensing objectives and noted Mr Donne'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 noted that it was Mr Donne's submission that the Applicant had relevant experience in operating this kind of business and that the premises is, and will be, operated responsibly and would not seek to undermine the licensing objectives.

The Sub-Committee balanced the evidence of all parties and determined that the application should be granted as applied for in respect of the extended hours of operation until 2am.

However, when considering the second element of the application and the proposed amendments to the current licence conditions, the Sub-Committee disagreed with Mr Donne's submission that the Applicant's proposed amendments to the licence would make the licence more robust. The Sub-Committee were of the view that the conditions proposed by the Applicant lacked detail and did not reflect the changes to the operational hours of the premises set out in the application.

The Sub-Committee evaluated the amendments to the conditions proposed by the Applicant, against the current conditions on the licence and the model conditions attached to Herefordshire Council's Statement of Licensing Policy 2020-2025 ('Model Conditions').

The Sub-committee noted that the application proposed amendments to the current conditions dealing with:

- the installation, operation and maintenance of CCTV at the premises,
- training of staff engaged in the sale of alcohol,
- keeping of an incident log to record crimes, complaints, incidents, faults in the CCTV and visits by a relevant authority/emergency service,
- operation of a Challenge 21 policy and
- a written refusals register.

The Sub-Committee formed the view that neither the Applicant's proposed conditions nor the current conditions on the licence were appropriate in view of the extended hours of operation and the Premises being open to the public and able to sell alcohol until 2am, 7 days a week.

The Sub-Committee determined that because the hours the premises would be in operation, undertaking licensable activities, had increased significantly and taking into account the representations made by members of the public against the granting of the application, it was appropriate to update the conditions on the licence. The Sub-Committee determined to amend the wording of the conditions offered by the Applicant, to the wording contained in the Model Conditions.

It was the view of the Sub-Committee that the wording and structure of the relevant Model Conditions was more comprehensive and contained important detail better suited to promote the licensing objectives for a premises with this type of extended operation. The Sub-Committee's preferred conditions are an augmentation of the conditions proposed by the applicant.

In making this decision, the Sub-Committee was mindful of the cited case law and guidance. The Sub-Committee consider that this decision is proportionate in light of the application it has had to consider.

The Sub-Committee would strongly advise members of the public that should the premises licence conditions not be complied with, the residents inform the Applicant and the appropriate responsible authority, for example the Police, Environmental Health or Licensing Department, so that concerns are properly documented and evidenced.

If conditions are not complied with or the premises are undermining one or more of the licensing objectives, members of the public have the right to call for a review of the premises licence.

61. APPLICATION FOR A GRANT OF A PREMISES LICENCE IN RESPECT OF LOUNGE, UNITS 4-5 THE MALTINGS SHOPPING CENTRE, ROSS ON WYE, HEREFORDSHIRE. HR9 7YB

The application had been withdrawn following the added conditions of the responsible authorities being agreed and in line with the submitted amended plans, that remove the outside licensable area on Broad Street.

The meeting ended at 3.00 pm

Chairperson