

A G E N D A

Regulatory Committee

Date: **Tuesday, 29th June, 2004**

Time: **2.00 p.m.**

Place: **The Council Chamber,
Brockington, 35 Hafod Road,
Hereford**

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

For any further information please contact:

*Pete Martens, Members' Services,
Brockington, 35 Hafod Road, Hereford,
Tel: 01432 260248, Fax: 01432 261809*

e-mail: pmartens@herefordshire.gov.uk

**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Regulatory Committee

To: Councillor R.I. Matthews (Chairman)
Councillor Brig. P. Jones CBE (Vice-Chairman)

Councillors Mrs. S.P.A. Daniels, G.W. Davis, D.J. Fleet, J.W. Hope, T.W. Hunt,
G. Lucas, J.W. Newman, R. Preece, D.C. Taylor and P.G. Turpin

	Pages
1. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2. NAMED SUBSTITUTES (IF ANY)	
To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.	
3. DECLARATIONS OF INTEREST	
To receive any declarations of interest by Members in respect of items on the Agenda.	
4. MINUTES	1 - 4
To approve and sign the Minutes of the meeting held on 19th April, 2004.	
5. PROCEDURAL ARRANGEMENTS	5 - 6
To note the procedural arrangements for the meeting.	
6. PUBLIC ENTERTAINMENTS LICENSING VARIATION TO EXTEND THE OPENING HOURS BEYOND THE HOURS SET BY COUNCIL POLICY FOR O'NEILLS', COMMERCIAL ROAD, HEREFORD, HR1 2BP	7 - 22
To consider an application to vary opening hours for an Annual Public Entertainments Licence that requires a finishing time later than the current policy of 23.30 hours.	
Ward: Central	

7. **PUBLIC ENTERTAINMENTS LICENSING REPORT TO DETERMINE THE OPENING HOURS FOR AN APPLICATION FOR LUCTONIANS RUGBY CLUB KINGSLANDON 16 JULY 2004 IN A MARQUEE AT LUCTONIANS RUGBY CLUB - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982** 23 - 32

To determine whether to grant a finishing time later than the current policy of 0100 hours for an Occasional Public Entertainments Licence.

Ward: Bircher

8. **PUBLIC ENTERTAINMENTS LICENSING REPORT TO DETERMINE THE OPERATING HOURS FOR AN APPLICATION FOR HEREFORDSHIRE YOUNG FARMERS CLUB DANCE ON SATURDAY 9TH JULY 2004 IN A MARQUEE ON LOWER HOPE FARM, ULLINGSWICK** 33 - 40

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9. **PUBLIC ENTERTAINMENTS LICENSING REPORT TO DETERMINE THE OPENING HOURS FOR AN APPLICATION FOR THE BIG CHILL FESTIVAL ON 30TH JULY 2004 - 1ST AUGUST 2004 AT EASTNOR DEER PARK, EASTNOR CASTLE DEER PARK, EASTNOR, NR LEDBURY** 41 - 48

To determine whether to grant a finishing time later than the current policy of 0100 hours Monday to Saturday and 2230 on Sundays for an Occasional Public Entertainments Licence.

Ward: Ledbury

10. **CINEMA LICENSING REPORT TO DETERMINE THE OPENING HOURS FOR AN OCCASIONAL CINEMA LICENCE APPLICATION FOR THE BIG CHILL FESTIVAL ON 30TH JULY 2004 - 1ST AUGUST 2004 AT EASTNOR DEER PARK, EASTNOR CASTLE, NR LEDBURY** 49 - 52

To determine whether to grant a finishing time later than the current policy of 11.30pm Monday to Saturday and no permitted performance on Sunday.

Ward: Ledbury

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YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- 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.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

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- The nearest bus stop to Brockington is located in Old Eign Hill near to its junction with Hafod Road. The return journey can be made from the same bus stop.

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the Regulatory Committee held at the Town Hall, Hereford on 19th April 2004 at 2.00 pm.

Present: Councillor R.I. Matthews (Chairman)
Councillor Brig P. Jones (Vice-Chairman)

Councillors: Mrs S.P.A. Daniels, D.J. Fleet, J.W. Hope, T.W. Hunt,
G. Lucas, J.W. Newman, R. Price, D.C. Taylor, P.G. Turpin

55. APOLOGIES FOR ABSENCE

Apologies were received from Councillor G.W. Davis

56. NAMED SUBSTITUTES

There were no substitutions made.

57. DECLARATIONS OF INTEREST

There were no declarations of interest made.

58. MINUTES

RESOLVED: That the Minutes of the meeting held on 16th March 2004 be approved as a correct record and signed by the Chairman.

59. DRAFT GUIDANCE ISSUE UNDER SECTION 182 OF THE LICENSING ACT 2003

The Head of Environmental Health and Trading Standards presented his report on the likely implications for the Council as a result of the changes to the Liquor Licensing Legislation contained in the Licensing Act 2003. He provided details of the main aims of the act, which included helping to encourage investment and employment opportunities through a thriving night time economy whilst at the same time protecting local residents from noise and nuisance disturbance. He provided the Committee with an update on consultations about the draft policies and the preparation for the introduction of the new licensing arrangements which were likely to take effect in October 2004.

RESOLVED: That the draft guidance issues under Section 182 of the Licensing Act 2003 and contained in the report of the Head of Environmental Health and Trading Standards be received and noted.

60. PROCEDURAL ARRANGEMENTS

The Committee noted the procedural arrangements for hearing appeals to ensure that the laws of natural justice were followed to give a fair hearing for applicants and to the licensing officers.

61. PUBLIC ENTERTAINMENTS LICENSING - APPLICATION FOR A LICENCE BY HEREFORDSHIRE YOUNG FARMERS CLUB COUNTY RALLY 2004 - SATURDAY 22 MAY 2004 AT ARKSTONE COURT, KINGSTONE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Consideration was given to a report in respect of an application from Herefordshire Young Farmers Association for an Occasional Public Entertainment Licence with a finishing time of later than 0100 hours, which was set out in the Council's policies. The Acting Licensing Manager provided the Committee with details of the Council's policies for granting Public Entertainment Licenses and said that the finishing time of not later than 0100 hours was in place to protect the local community and individuals from disturbance by events involving music, singing and dancing. She also advised that the Committee would need to have regard to the implications of any decisions it made which would relate to the provision of the Crime and Disorder Act 1998. She added that the Fire Authority and the Police had no objections to the application and that the Area Environmental Health Manager had also raised none, subject to certain conditions being imposed on the licence if the application was approved.

Miss L Rees and Mr D Carless presented the application by Herefordshire Young Farmers Club for a finishing time of 2:00 am in respect of the County Rally to be held on 22 May 2003 at Arkstone Court, Kingstone. He said that the event had been held at various venues within the County during previous years and that no problems had been encountered. He explained the steps that would be put in place to minimise noise and disturbance and outlined the arrangements for car parking and security, and the likely number of those who would be attending. He also advised that a one-way system would be used for those attending.

At the conclusion of the application Miss L Rees and Mr D Carless and the licensing officers withdrew from the meeting whilst consideration was given to the application. Having considered all the facts in relation to the application, the Committee whilst mindful of the Council's policies took the view that Miss L Rees and Mr D Carless had given satisfactory evidence to suggest that the event would be well supervised in a responsible manner. The Committee decided that the extension of hours should be granted, but only because of the exceptional circumstances involved. The applicant and the licensing officers were invited back to the meeting and were informed of the decision.

RESOLVED: That an Occasional Public Entertainment Licence be granted to Herefordshire Young Farmers in respect of their County Rally on 22 May 2004 between 7a.m. and 2.00am at Arkstone Court, Kingstone, Hereford subject to:

- (a) the applicant fulfilling all conditions imposed by the Police, Fire Authority and the Head of Environmental Health and Trading Standards; and**
- (b) the applicant first agreeing final details of the event with the Head of Environmental Health and Trading Standards, satisfying his requirements regarding car parking, stewarding, minimisation of noise nuisance and providing him with a responsible contact person for the event;**

62. PUBLIC ENTERTAINMENTS LICENSING – APPLICATION FOR A LICENCE FOR RADNOR AND WEST HEREFORDSHIRE HUNT BALL - SATURDAY 12TH JUNE 2004 IN A MARQUEE AT HERGEST CROFT, KINGTON, HEREFORDSHIRE. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Consideration was given to a report in respect of an application from Radnor and West Herefordshire Hunt for an Occasional Public Entertainment Licence with a finishing time of later than 0100 hours, which was set out in the Council's policies. The Principle Trading Standards Officer provided the Committee with details of the Council's policies for granting Public Entertainment Licences and said that the finishing time of not later than 0100 hours was in place to protect the local community and individuals from disturbance by events involving music, singing and dancing. She also advised that the Committee would need to have regard to the implications of any decisions it made which would relate to the provision of the Crime and Disorder Act 1998. She added that the Fire Authority and the Police had no objections to the application and that the Area Environmental Health Manager had also raised none, subject to certain conditions being imposed on the licence if the application was approved.

Mr M Williams presented the application by Radnor and West Herefordshire Hunt for a finishing time of 2:00 am in respect of the Hunt Ball to be held on Saturday 12th June 2004 at Hergest Croft, Kington. He said that the event had been held at various venues within the County during previous years and that no problems had been encountered. He explained the steps that would be put in place to minimise noise and disturbance and outlined the arrangements for car parking and security, and the likely number of those who would be attending.

At the conclusion of the application Mr M Williams and the licensing officers withdrew from the meeting whilst consideration was given to the application. Having considered all the facts in relation to the application, the Committee whilst mindful of the Council's policies took the view that Mr M Williams had given satisfactory evidence to suggest that the event would be well supervised in a responsible manner. The Committee decided that the extension of hours should be granted, but only because of the exceptional circumstances involved. The applicant and the licensing officers were invited back to the meeting and were informed of the decision.

RESOLVED: That an Occasional Public Entertainment Licence be granted to Radnor and West Herefordshire Hunt in respect of their Hunt Ball on Saturday 12th June, 2004 between 7.30 pm and 2.00am at Hergest Croft, Kington subject to:

- (a) the applicant fulfilling all conditions imposed by the Police, Fire Authority and the Head of Environmental Health and Trading Standards; and**
- (b) the applicant first agreeing final details of the event with the Head of Environmental Health and Trading Standards, satisfying his requirements regarding car parking, stewarding, minimisation of noise nuisance and providing him with a responsible contact person for the event;**

63. LICENCE FEES FOR PLEASURE BOATS

The Acting Licensing Manager presented a report of the Head of Environmental Health and Trading Standards suggesting a review to the proposed fees for Pleasure Boat Licences. She explained that in previous years the licence fee had reflected the cost of the Council having to pay for the Boat Inspector to inspect the boats of applicants. This cost would in future be covered by the applicants and she suggested that the license fees should therefore be adjusted to reflect the lower costs to the Council.

RESOLVED: That the licence fees for pleasure boats be as follows:

Boatman licence £85

Boat(s) licence £85

64. ZOO LICENSING – REVISED STANDARD LICENCE CONDITIONS – ZOO LICENSING ACT 1981

A report was presented by the Acting Licensing Manager suggesting the implementation of standard licence conditions which could be attached to a Zoo licence within Herefordshire. She explained the powers available to the Council under the provisions of the Zoo Licensing Act 1981 and the consultations that had been undertaken about the proposals.

RESOLVED: That the licence conditions set out in the report of the Head of Environmental Health and Trading Standards be approved and adopted.

65. ZOO LICENSING – TO CONSIDER DELEGATING POWERS TO THE HEAD OF ENVIRONMENTAL HEALTH AND TRADING STANDARDS – ZOO LICENSING ACT 1981

The Acting Licensing Manager presented the report of the Head of Environmental Health and Trading Standards suggesting delegated powers that could be granted to the Head of Environmental Health and Trading Standards to determine Zoo Licenses. She outlined the matters that needed to be taken into consideration by local authorities when dealing with applications for licenses under the provisions of the Zoo Licensing Act 1981. She also explained the powers available to the Council in respect of enforcement of licence conditions and Closure Orders together with the appeals that could be lodged by persons aggrieved in respect of licence applications. She also explained the powers that could be delegated to the Head of Environmental Health and Trading Standards to grant or refuse a licence for a Zoo Licence and the circumstances under which application would be referred to the Committee.

RESOLVED: That delegated powers be granted to the Head of Environmental Health and Trading Standards to grant or refuse licenses for zoos under the provisions of the Zoo Licensing Act 1981.

The meeting ended at 2.50 pm.

CHAIRMAN

REGULATORY COMMITTEE
LICENSING APPEAL PROCEDURE

1. Introduction by Clerk to the Panel.
2. Licensing Officer outlines the case.
3. Applicant (or his solicitor) sets out his case.
4. Questions asked by the Panel or Licensing Officer or Applicant.
5. Applicant (or his solicitor) asked if he would like to make further comment or representation, or if he requires time to comment or investigate (if so, Chairman defers application).
6. In dealing with each application, the applicant (and any representative) should also withdraw should be asked to withdraw when they have finished their presentation. All officers, other than the Clerk to the Panel, should also withdraw. It would be preferable for the applicant and officers to await the decision at different locations.
7. If either the applicant or the officer are needed to furnish additional information, they should all be invited back before the Panel. When the additional information has been furnished, they should all be asked to leave again.
8. The Panel can then reach a decision in the usual way, but in the absence of parties.
9. The applicant and officers will then be invited to return. The Chairman will announce the decision. The Chairman should also say that the decision will be communicated in writing in due course, and that the applicant will be informed of any right of appeal (if the decision is a refusal).
10. When the first applicant is finished, that applicant should leave. Deal with the second application the same way.

**PUBLIC ENTERTAINMENTS LICENSING VARIATION
TO EXTEND THE OPENING HOURS BEYOND THE
HOURS SET BY COUNCIL POLICY FOR O'NEILLS',
COMMERCIAL ROAD, HEREFORD, HR1 2BP**

**LOCAL GOVERNMENT (MISCELLANEOUS
PROVISIONS) ACT 1982**

Report By: Head of Environmental Health and Trading Standards

Wards Affected:

Hereford Central

Purpose

1. To consider an application to vary opening hours for an Annual Public Entertainment Licence that requires a finishing time later than the current policy of 23.30 hours.

Legislation

2. Local Authorities are, when licensing public entertainment events, permitted to make the licence conditional.

The purpose of conditions attached to and forming part of a licence broadly fall into four categories.

- (a) Securing the safety of everyone present:
- (b) Securing adequate access to the premises in emergencies
- (c) Ensuring adequate sanitary arrangements in the premises and
- (d) Preventing nuisance and disturbance in the neighbourhood.

The holder of an Entertainment's Licence may at any time apply to the Authority for such variations of the terms, conditions and restrictions on a subject to which the licence is held.

The Authority may:-

- (a) Make the variation specified in the application
- (b) Make such variations as they think fit, including subject to the four categories above.
- (c) Impose terms, conditions or other restrictions other than those specified or
- (d) Refuse the application

Regulations/Conditions

3. Amongst the various Conditions and Regulation there are specific ones which related to finishing times for events.

Condition 4.1 of the Standard Conditions for Licensing of Premises for Public Entertainment

Premises licensed for public entertainment shall only be opened and used for any of the said purposes on such days and during such hours as the Licensing authority specifies in the schedule to the licence conditions.

The Regulations (standard conditions) of the Council specify the opening times of entertainment establishments as follows

11.00 until 23.30 (Monday to Saturday)	In respect of premises that have the benefit of a liquor licence under the Licensing Act 1964.
11.00 until 22.30 (Sundays)	For MUSICAL entertainment only in respect of all types of premises.

The application for deviation from policy

4. Darren M Lord of O'Neill's, Commercial Road, Hereford requests a variation of the licence conditions to extend the Annual Public Entertainment Licence opening hours from:-

Current Closing Hours	Requested
Monday to Saturday 23.30 Sunday 22.30	01.30 00.30

Issues

5. The Police were consulted and had objections. Objections are attached to this report.

Further information on the subject of this report is available from Suzanne Laughland, Acting Licensing Manager on (01432) 261675

6. The Fire Brigade were consulted. They had no objections to the application provided that fire safety precautions were complied with.
7. Environmental Health have been consulted. Comments are awaited.
8. A Public Notice was published in the Hereford Times over a two week period. The attached objections were received from:-

Play Night Club, 51-55 Blue School Street, Hereford.

Speedplus Dry Cleaners, 81 Commercial Road, Hereford.

CV Osborne, 2 Union Street, Hereford.

Mr and Mrs Young, 61 Bodenham Road, Hereford.

Any further objections will be submitted at Committee

Options

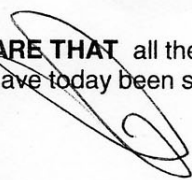
- to grant the extended hours
- to grant the extended hours and impose conditions
- to refuse the extended hours
- or come to some other conclusion

HIRE
JL

APPLICATION FOR VARIATION OF PUBLIC ENTERTAINMENT LICENCE

To:
The Licensing Section
Herefordshire Council
P.O.Box 233
Hereford
HR1 2ZF
Tel 01432 260013/260105

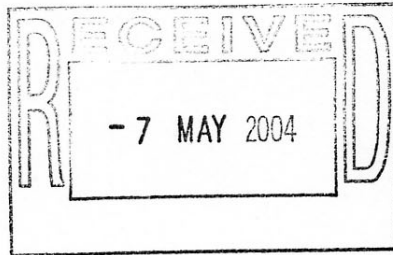
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

1. Licensee Details 1. Name: DARREN M. KORD Address: O'NEILL'S COMMERCIAL ROAD HEREFORD Post Code: HR1 2BP Tel. No. (Daytime) (Work) 01432 382962	Licensee details 2. (if applicable) Name: N/A Address: Post Code: Tel. No. (Daytime) (Work):
2. Nature of variation. VARIATION IN TERMINAL HOUR FROM MONDAY TO SATURDAY 2330 HOURS UNTIL 0130 HOURS SUNDAYS: 2230 UNTIL 0030 HOURS ON THE MORNING FOLLOWING	A: Proposed maximum numbers of persons allowed on premises on completion of works..... B: Proposed sanitary accommodation to be provided. Male: WCs..... Urinals..... Basins..... Female: WCs..... Basins.....
3. Address of Premises O'NEILL'S COMMERCIAL ROAD HEREFORD HR1 2BP	Tel. No. 01432 382962
Fee payable: £ 200.....	
<p>I/We, the undersigned, HEREBY APPLY for the Variation of the Public Entertainment Licence in force for the above premises.</p> <p>I/WE DECLARE THAT all the above details are to the best of my/our knowledge correct and that copies of this application have today been sent to the Police and the Fire Authority.</p> <p>Signed:  Signed: Date: 24/3/04 Date:</p>	
<p>PLEASE ENSURE THAT YOU HAVE</p> <ol style="list-style-type: none"> 1. SIGNED THE FORM 2. ATTACHED THE CORRECT FEE (cheques where appropriate should be made payable to Herefordshire Council) 3. ENCLOSED PLANS (EXISTING AND PROPOSED) 4. SENT COPIES TO THE POLICE AND FIRE AUTHORITY 	

Please return this copy to the address at the top right of this letter

Receipt No 247136 Fee 200 Date 25-3-04 Income Code N8000 9362

Jane Acaster
Licensing Department
Hereford Council Offices
Bath Street
Hereford
18 April 04



PLAY
NIGHTCLUB

51-55 Blue School Street
Hereford HR1 2AR
Tel 01432 270009
Fax 01432 263957
E-mail playnightclub@aol.com

Dear Jane

**REF O'NEILS PROPOSED LICENSE EXTENSION / ENTERTAINMENTS
LICENCE. COMMERCIAL ROAD, HEREFORD**

I write to object to the proposed licence application lodged by the owners of
O'Neil's Public House, Commercial Road, Hereford.

On the following grounds;

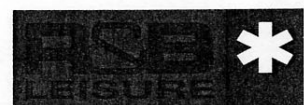
1. Currently there is a lot of competition, further venues fighting for business would undoubtedly result in heavy discounting of drinks leading to alcohol related disorder.
2. We feel that as the licensing reform is imminent (May 05) bars will be able to open later, it therefore would be sensible to wait until the regulations are reformed in order to give later licenses to public houses.
3. Currently there are two large capacity nightclubs situated in this area, even during the weekends they do not reach their given capacities showing there is no need for further late night venues in the town.
4. Our premises was issued a planning restriction on our opening hours, giving reduced trading hours in order to assist in the dispersal of patrons using both clubs. It would be unfair for a public house to be given later opening hours than ourselves.

Please therefore lodge our objection to this application

Yours Sincerely

Billy Reynolds
Director

Jules Sinclair-Simon
General Manager



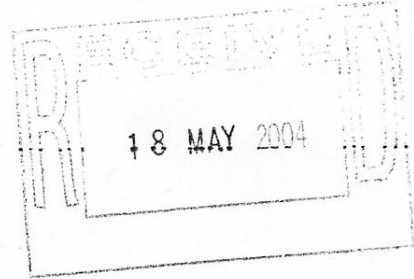
R&B Leisure Limited

Registered office
51-55 Blue School Street
Hereford HR1 2AR

VAT number GB779543866

Member of **BEDA**

SPEEDPLUS DRY CLEANERS



10

Gene A Carter

Hereford Council

Dear Madam,

I would like to object most strongly to the proposal by O'Neals Public House to extend their opening hours and essentially turn into a night club. Trade is difficult enough without more litter, noise and violence on our street and I am totally fed up with washing paint off my shop window.

I would be grateful if you could keep me informed of any proposed further developments on Commercial Road.

Thank you
C. J. Taylor.

PHONE: 01432 265973

GOLDSMITH

C. V. Osborne

*Design, Manufacture and Repairs
Established 1986*

20 UNION STREET
HEREFORD
01432 263226

JEWELLER

17

14 May 2004

pl acknowledge

JANE ACASTER
HEREFORD COUNCIL
LICENSING SECTION
BATHE STREET
HEREFORD

Dear madam,

We write to you in relation to the notice regarding a Night club to be opened on The O'Neils public House Site.

We strongly object to any further development in the Commercial Road area that increases the number of revellers (a polite name) during the late and early hours.

Although our premises are in Union Street, we are affected by the crowds coming out of the night spots looking for fast food in the street.

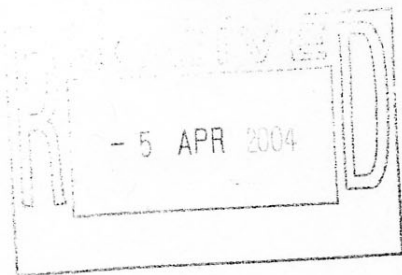
We are fed up to the back teeth of having to remove spittle and vomit from our shop windows on Saturday and Monday mornings and having call-outs as the alarm has been activated.

We therefore again strongly object to a further 'night-club' in Commercial Road and the implications this involves.

Yours Sincerely

RON SKK

C.V. C.V. OSBORNE



MR & MRS. Young
61 BODENHAM ROAD
HEREFORD.

HRI-2TP

01432 - 354687

April 2nd 2004.

Dear Sirs

Ref. Public Entertainment for Variation of Hours,
O'Neills, Commercial Rd. Hereford.

In view of the excess of Night Clubs and drinking establishments in this area, and the difficulty experienced by the Police of dealing with them all flooding out at the same time — we consider this to be an extension too far!

Bodenham Road and Wafod Road are sick of the mindless vandalism of returning drunken hoodlums, who take delight in kicking down fences and road signs, shouting and singing in the early hours of the morning. Those who have to work the next day are woken up on a regular basis Wednesday, Thursday, Friday and Saturday in the early hours of the morning.

We object to paying higher Council Tax for ever increasing disorder and disturbance.

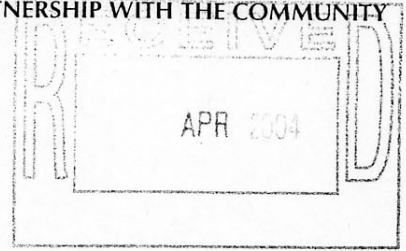
Yours faithfully

Mary Young
Lesek Young



**WEST MERCIA
CONSTABULARY**

IN PARTNERSHIP WITH THE COMMUNITY



Herefordshire Division
Police Station, Bath Street, Hereford HR1 2HT
Tel: 08457 444888 Ext. 4732 Fax: 01432 279006
Direct Dial: 01432 347132
Email: stephen.thomas@westmercia.pnn.police.uk

01/04/04

Ref:

Herefordshire Council
(For the attention of Mrs J ACASTER)
Council Offices
Bath Street
HEREFORD
HR1 2HT

Dear Mrs Acaster

O'Neills, Commercial Road, Hereford – Variation to Public Entertainment Licence

Further to my letter dated the 29th March 2004, concerning the West Mercia Constabularies objections to the above application, There are a number of factors, which I believe are relevant to this application and are the basis of the police objections.

- A similar application was made by the same premise in May 2000, and the regulatory committee refused that.
- Since that application another large " full on " licence premises has been developed and opened in Commercial Road.
- In 2000 evidence was presented showing that Commercial Road was one of the centres for alcohol related incidents of Crime and Disorder in the County of Herefordshire, and that most of the alcohol related disorder takes place after 11pm
- Since 2000 the alcohol implementation group of the local Community safety partnership has conducted a detailed county wide study of where and when alcohol related incidents of crime and disorder occur. This study showed that Commercial Road has 350% more alcohol related disorder than any other location in the county.
- Commercial Road, has an abundance of licensed premises, who act as feeder pubs to the two largest Night clubs in the city, that are situated at either end of Commercial Road.
- The two late night licensed premises at either end of Commercial Road have a joint capacity for over 2000 people, all of who use the facilities in Commercial Road when leaving.





**WEST MERCIA
CONSTABULARY**

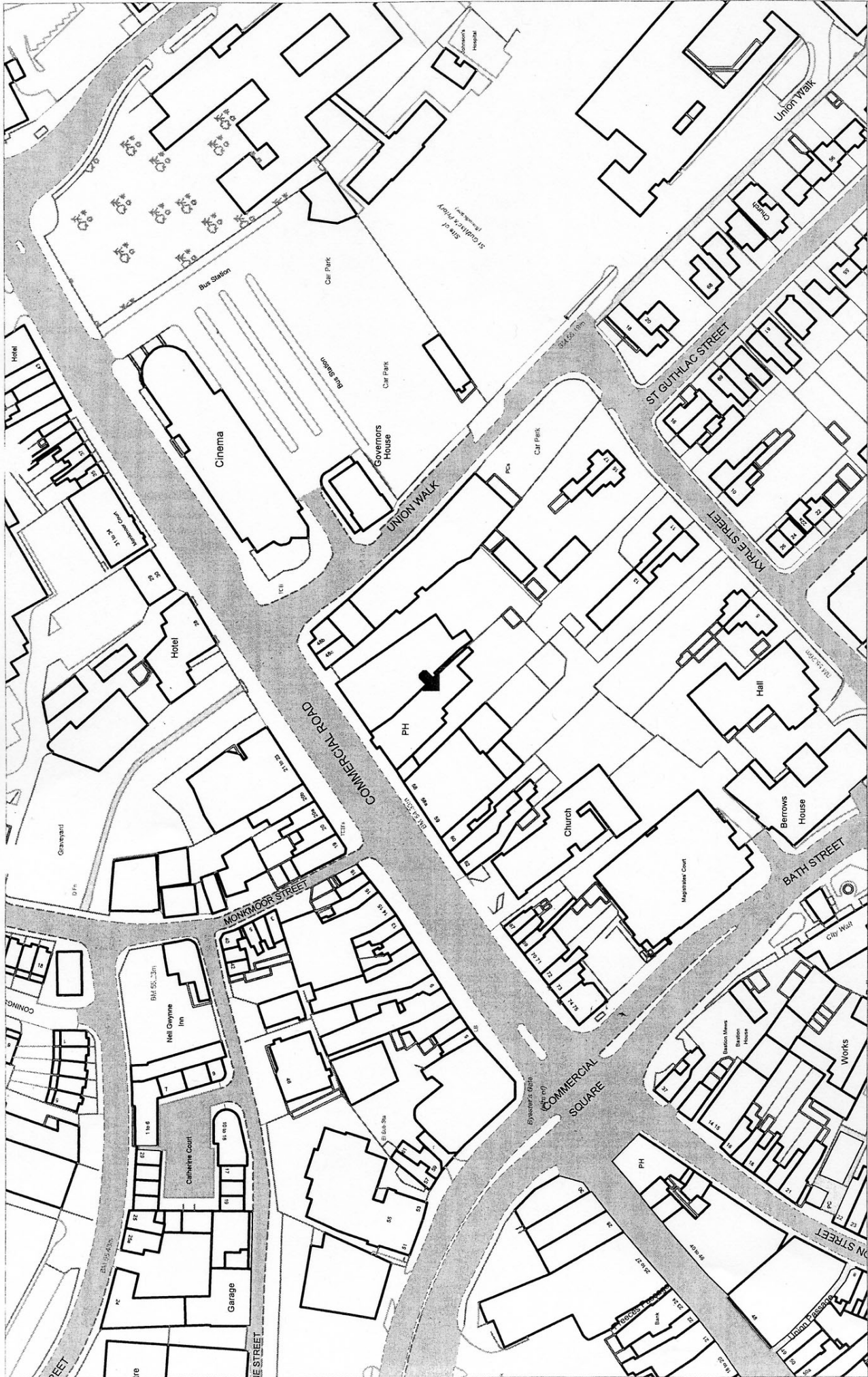
IN PARTNERSHIP WITH THE COMMUNITY

- The opening of another late night premise in Commercial Road can only result in an increase in the number of incidents of alcohol related crime and disorder, in a location identified as the hot spot for such disorder in the county.
- The West Mercia Constabulary, will request that the local authority considers its responsibilities under section 17 of the Crime and Disorder act 1998, and refuse this application.

If this matter does proceed before the regulatory committee I will make a detailed presentation of the objections outlined above and of the statistical data gathered.

S G Thomas
PC 697
Licensing Officer





Herefordshire Council
 EHTS
 County Offices
 Bath Street
 Hereford
 Tel 01432 - 261000



Map Location Title - O NEILS, COMMERCIAL ROAD

Scale 1:1250

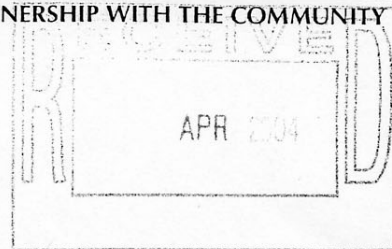


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**WEST MERCIA
CONSTABULARY**

IN PARTNERSHIP WITH THE COMMUNITY



Herefordshire Division
Police Station, Bath Street, Hereford HR1 2HT
Tel: 08457 444888 Ext. 4732 Fax: 01432 279006
Direct Dial: 01432 347132
Email: stephen.thomas@westmercias.pnn.police.uk

01/04/04

Ref:

Herefordshire Council
(For the attention of Mrs J ACASTER)
Council Offices
Bath Street
HEREFORD
HR1 2HT

Dear Mrs Acaster

O'Neilis, Commercial Road, Hereford – Variation to Public Entertainment Licence

Further to my letter dated the 29th March 2004, concerning the West Mercia Constabularies objections to the above application, There are a number of factors, which I believe are relevant to this application and are the basis of the police objections.

- A similar application was made by the same premise in May 2000, and the regulatory committee refused that.
- Since that application another large " full on " licence premises has been developed and opened in Commercial Road.
- In 2000 evidence was presented showing that Commercial Road was one of the centres for alcohol related incidents of Crime and Disorder in the County of Herefordshire, and that most of the alcohol related disorder takes place after 11pm
- Since 2000 the alcohol implementation group of the local Community safety partnership has conducted a detailed county wide study of where and when alcohol related incidents of crime and disorder occur. This study showed that Commercial Road has 350% more alcohol related disorder than any other location in the county.
- Commercial Road, has an abundance of licensed premises, who act as feeder pubs to the two largest Night clubs in the city, that are situated at either end of Commercial Road.
- The two late night licensed premises at either end of Commercial Road have a joint capacity for over 2000 people, all of who use the facilities in Commercial Road when leaving.





- The opening of another late night premise in Commercial Road can only result in an increase in the number of incidents of alcohol related crime and disorder, in a location identified as the hot spot for such disorder in the county.
- The West Mercia Constabulary, will request that the local authority considers its responsibilities under section 17 of the Crime and Disorder act 1998, and refuse this application.

If this matter does proceed before the regulatory committee I will make a detailed presentation of the objections outlined above and of the statistical data gathered.

S G Thomas
PC 697
Licensing Officer



**THE COUNTY OF HEREFORDSHIRE
DISTRICT COUNCIL**

**PUBLIC ENTERTAINMENT FOR VARIATION
OF HOURS**

O'NEILLS, COMMERCIAL ROAD, HEREFORD

Darren M Lord has applied to vary the Annual Public Entertainment Licence for the premise to extend the terminal hour to Monday to Saturday from 2330 hours until 0130 hours and on Sundays from 2230 hours until 0030 hours on the morning following.

If you have any comments relating to this application, please write to the following address by 22 April 2004.

The Licensing Unit, Environmental Health and Trading Standards, PO Box 233, Hereford HR1 2ZF.

A copy of the application is available for inspection at the Environmental Health and Trading Standards Offices, Bath Street, Hereford between the hours of 10:00 and 16:45 Monday to Friday.

For further information please contact Miss S F Laughland or Mrs J Acaster Telephone: 01432 260105. Fax: 01432 261982

All correspondence must include your name and address.



File Name	748046 x 88pn	Ad confirmed ready for despatch
Version	2	
Date	29/3/2004	
Originated	Matt	
Amended	Mick	
A/H	Bianca	Signed (A/H)
TRIBAL GWT		E&OE: This proof has been read and checked, but final responsibility for its accuracy rests with the client.

CLUB AND LICENSED PREMISES HOURS - COMMERCIAL ROAD AND ITS ENVIRONS

PREMISES	MONDAY - THURSDAY	FRIDAY - SATURDAY	SUNDAY
Time	1100 - 0100	1100 - 0200	1900 - 2230
Litten Tree	1100 - 2330	1100 - 2330	1900 - 2230
T J's	1100 - 2330	1100 - 2330	1100 - 2230
Whetherspoon	1100 - 2330	1100 - 2330	1100 - 2230
Merton	1100 - 2330	1100 - 2330	1100 - 2230
Commercial	1100 - 2330	1100 - 2330	1100 - 2230
The Kerry	1100 - 2330	1100 - 2330	1100 - 2230
Play	1100 - 0100	1100 - 0130	1900 - 2230
The Old Harp (probably applying for extended hours shortly)	1100 - 2330	1100 - 2330	1100 - 2230
J D's	1100 - 2330	1100 - 2330	1100 - 2230

**PUBLIC ENTERTAINMENTS LICENSING REPORT TO
DETERMINE THE OPENING HOURS FOR AN
APPLICATION FOR LUCTONIANS RUGBY CLUB ON
16 JULY 2004 IN A MARQUEE AT LUCTONIANS
RUGBY CLUB - LOCAL GOVERNMENT
(MISCELLANEOUS PROVISIONS) ACT 1982**

Report By: Head of Environmental Health and Trading Standards

Wards Affected:

Bircher

Purpose

1. To determine whether to grant a finishing time later than the current policy of 0100 hours for an Occasional Public Entertainment Licence.

Background

2. Local Authorities are, when licensing public entertainment events, permitted to make the licence conditional.

The purpose of conditions attached to and forming part of a licence broadly fall into four categories.

- (a) Securing the safety of everyone present: this includes fire safety and some health and safety matters
- (b) Securing adequate access to the premises in emergencies
- (c) Ensuring adequate sanitary arrangements in the premises and
- (d) Preventing nuisance and disturbance in the neighbourhood.

The holder of an Entertainment's Licence may at any time apply to the Authority for such variations of the terms, conditions and restrictions on a subject to which the licence is held.

The Authority may:-

- (a) Make the variation specified in the application
- (b) Make such variations as they think fit, including subject to the four categories above. Impose terms, conditions or other restrictions other than those specified or
- (c) Refuse the application

Conditions

3. Amongst the various Conditions and Regulation there are specific ones which related to finishing times for events.

Condition 4.1 of the Standard Conditions for Licensing of Premises for Public Entertainment

Premises licensed for public entertainment shall only be opened and used for any of the said purposes on such days and during such hours as the Licensing authority specifies in the schedule to the licence conditions.

The Regulations (standard conditions) of the Council specify the opening times of entertainment establishments as follows

11.00 until 0100 (Monday to Saturday)	In respect of premises that <u>do not</u> have the benefit of a liquor licence under the Licensing Act 1964
---------------------------------------	---

The application for deviation from policy

4. Tracy Hyde on behalf of the Luctonians Rugby Club requests a variation of the licence condition to extend the opening entertainment hours on 16th June 2004 from 0100 hours to 03.30 hours. The intended venue for this event is a marquee of people with 500 tickets available at Luctonians Rugby Club.

Issues

- 5. The main cause for concern to the Police and ourselves is the potential for disturbance to others. The 0100 hours finishing time is a policy designed to limit the intrusive effects of events and has worked well over the years supported by and with the co-operation of the police.
- 6. This is a one off event, we have no problem with granting a licence until 0100 hours, whether this event should be allowed to finish later than 0100 hours is a matter for consideration
- 7. The Council has in the past granted terminal hours up to 03.30 hours and imposed special conditions designed to minimise the chances of nuisance occurring. (The special conditions imposed can be found in appendix 1)

- 8.** The Police were consulted and state

They have no objections

- 9.** The fire brigade was consulted and state

They had no objections to the application provided that fire safety precautions set out in their Guidance Note 49 for Tents and marquees were adhered to.

- 10.** Environmental Health had no objections

Options

- to grant the extended hours
- to grant the extended hours and impose conditions
- to refuse the extended hours
- or come to some other conclusion



**APPLICATION FOR GRANT OF AN
OCCASIONAL
PUBLIC ENTERTAINMENT LICENCE**

To:
The Licensing Section
Herefordshire Council
P.O. Box 233
Hereford
HR1 2ZF
Tel 01432 260105/260013

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Please read the guidance notes when completing this application form.

<p>APPLICANT 1 DETAILS</p> <p>NAME <u>TRACY DAWN HYDE</u></p> <p>ADDRESS <u>LUCTONIANS</u> <u>KINGSLAND LEONINSTEAD</u> <u>HR6 9SB</u></p> <p>TEL NO <u>01568 709080 01568 708345</u></p> <p>HAVE YOU PREVIOUSLY HELD A PUBLIC ENT. LICENCE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>IF YES, WHEN & FOR WHERE? <u>AT PREVIOUS LUCTONIANS EVENTS IE SUMMERBALL 03</u> <small>(if more than 1, please give last event)</small></p>	<p>APPLICANT 2 DETAILS</p> <p>NAME</p> <p>ADDRESS</p> <p>TEL NO</p> <p>HAVE YOU PREVIOUSLY HELD A PUBLIC ENT. LICENCE? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>IF YES, WHEN & FOR WHERE? <small>(if more than 1, please give last event)</small></p>
--	---

EHOLDER'S DETAILS TRACY DAWN HYDE 07813 813008

NAME AND LOCATION OF VENUE LUCTONIANS RUGBY CLUB

TYPE OF VENUE (e.g. pub, hall, farm, field, etc.) MARQUEE ON PITCH

HAS A PUBLIC ENT. LICENCE BEEN PREVIOUSLY GRANTED FOR THIS VENUE? YES NO DON'T KNOW

IF YES, WHEN & FOR WHAT PURPOSE? FOR PREVIOUS WEEKENDS SUCH AS THIS
(if more than 1, please give last event)

Note: performance of plays requires a Theatre licence

EVENT DETAILS

PURPOSE(S) OF EVENT (e.g. dance, music only, sport, etc.) 3 EVENTS 1st SUMMERBALL 2nd LIVE BANDS 3rd CHARITY EVENT FAMILY

NUMBER ATTENDING <u>500</u>	DATE <u>16/7/04</u>	TIME(S) <u>8pm - 3-30am</u>	<small>(i.e. start & finish)</small>
NUMBER ATTENDING <u>1000</u>	DATE <u>17/7/04</u>	TIME(S) <u>7pm - 12midnight</u>	<small>(i.e. start & finish)</small>
NUMBER ATTENDING <u>150?</u>	DATE <u>18/7/04</u>	TIME(S) <u>3pm - 10pm</u>	<small>(i.e. start & finish)</small>

IS A LIQUOR LICENCE IN FORCE? YES NO IF NO, WILL ONE BE SOUGHT? YES NO

A LIQUOR LICENCE IS TO BE SOUGHT, WHO WILL APPLY FOR IT? TRACY DAWN HYDE

NOTE: While the Council has the power to licence musical entertainments on Sundays under the Sunday Entertainment Act 1932, the Sunday Observance Act 1780 prohibits the use of premises for public dancing on a Sunday where there has been a charge for admission.

I/We, the undersigned, HEREBY APPLY for the grant of an Occasional Public Entertainment Licence and declare that all the above details are to the best of my/our knowledge correct and that copies have today been sent to the police, fire authority and Licensing Justices.

Signed: [Signature] Signed:

Date: 17/3/04 Date:

- PLEASE ENSURE THAT YOU HAVE**
1. COMPLETED ALL PARTS
 2. SIGNED THE FORM
 3. ATTACHED THE CORRECT FEE (cheques to be made payable to Herefordshire Council)
 4. PROVIDED PLANS SHOWING; a. THE LOCATION, b. DETAILED PLAN OF VENUE WITH EXITS AND ENTRANCES CLEARLY MARKED
 5. SENT COPIES TO THE POLICE AND FIRE AUTHORITY
 6. ENCLOSED FIRE CERTIFICATE

Receipt No	Fee	Date	Income Code N8000 9362
------------	-----	------	------------------------

A good worry cause that would benefit greatly from

GIANT CAR BOOT SALE

1 1/2 miles from Hereford on the Suffon St Nicholas Rd (Signposted)

1,000's OF BARGAINS

This Sunday & every Sunday

9am - 3pm (Gates open 6.30am)

Boots from £5. Vans from £8

Traders & Large Vans welcome

Room for over 200 boots

Please note : FREE PARKING

ENQUIRIES : 07974 898574

St. Peter's School Bromyard

SUMMER FETE & CAR BOOT SALE

JUNE 12th 2 p.m.

Lots of attractions including

BBQ, Bar, Steel Band, Go-Karts,

Teas/Strawberries & Cream, etc.

Entry 20p

FUN DAY FOR ALL!

Tel: 01885 483237/01885 439059

Boots £5 Traders £10

OAKCHURCH

Only 20 minutes

from Hereford on A38 Brecon Road

CAR BOOT SALE

Sunday 6th June

10.30am Boots £2.50

No Boots before 10am

NO PLANTS / FRUIT & VEG

and every Sunday thereafter, weather permitting

Tel. 01981 500125

CAR BOOT @

KINGTON RECREATION GROUND

2pm to 5pm

SATURDAY 19th JUNE

Trade £10, Boots £5

Boot 11am set up

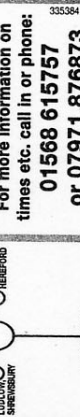
(01544) 230969 for enquiries

WEST EATON NURSERIES

CAR BOOT EVERY SUNDAY

FROM 7am
50p entry fee inc free cup of tea per car
Car Boot starting from £5
Vans, Trailers £7 upwards
Adventure playground and picnic area

For more information on times etc. call in or phone:
01568 615757
or 07971 876873



Saturday Car Boot Sale

This Saturday and every Saturday

at the BARON CROSS INN, Leominster
Just above Saifways on the A44
Gates open 7.30am - Public 8.30am - 2pm
£5 for all, free car parking
Free childrens play area,
Tea, Coffee,
BBQ & full menu at the Inn
For details tel: 07967 888756

Leominster Car Boot Sale

THIS SUNDAY AND EVERY SUNDAY
North Herefordshire's Biggest, Bustiest & Best Car Boot
'As heard on BBC Radio 1'
Car - £5, Car & Trailer - £8, Trader / Large Van - £12
Gates open 7am - Tarmac Surface
Refreshments on site plus Butcher and Fruit and Veg
£1 parking fee per vehicle
Opposite 24hr Garage A49 Bypass
Further details on 01568 611 325

DIG BENS CAR BOOT

ROSS CATTLE MARKET, ROSS ON WYE, HEREFORD
Huge handstanding venue, Undercover if wet. Proper toilets and cafe on site
EVERY FRIDAY & SUNDAY 9am - 1pm
Antiques, Bric-a-brac, Secondhand,
All welcome. No Booking
Pitches from £6.00
Enquiries 01981 250591

CAR BOOT

At Holme Lacy College
SUNDAY 6th JUNE
Boots 12pm
Buyers 1pm
Refreshments & Toilets available
Enquiries: 01432 870831

CAR BOOT

Roman Road
SATURDAY
JUNE 5th
Boots 12 o'clock
Buyers NOT BEFORE 1pm
Parking £1.00
Complainers not welcome. No dogs on field. Weather Permitting
Tel: (01432) 760845

Contact us by phone or fax

What's On Adverts

Telephone: 01432 376121

Fax: 01432 376121

WHAT'S ON

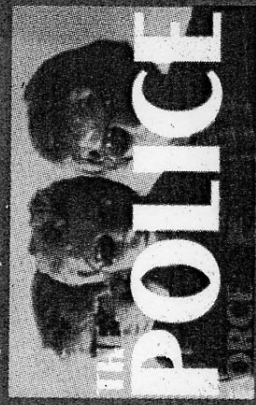
SAT 17TH JULY • KINGSLAND 'N5'

THE BANDIT BEATLES

THE BILLY CONNOLLY

Tribute Show

'THE BIG YIN REVISITED'
(May contain adult material)



£12

Mortimer Park, Kingsland Nr Leominster
(Luconians Rugby Club)
BOX OFFICE

Blue Note café Bar, 18 West Street Leominster
Tel: 01568 610060
Info: www.real-mujisc.co.uk

3329702
Antiques, Bric-a-brac, general goods and trade welcome £5 for all. Free parking Weather permitting 07970 213440

3358235
phone 01432 275000 for more details, menus and band listings.

3359381

3328145

33596712



Hereford and Worcester Combined Fire Authority

Hereford and Worcester Fire Brigade

West District, St. Owen Street,
Hereford HR1 2JW

D.J. O'Dwyer QFSM, MA, DMS, MIFire E
Chief Fire Officer / Chief Executive

Environmental Health & Trading Standards
PO Box 233
Bath Street
Hereford
HR1 2ZF

Telephone 01432 274561 Fax: 01432 270298

Your Reference

My Reference FS\D21\364379\SDF\k\Luctonians

For the attention of Mrs Acaster

Please ask for Sub Officer Farr

Date 19 May, 2004

19 MAY

Dear Madam

**APPLICATION FOR GRANT OF AN OCCASIONAL PUBLIC
ENTERTAINMENT LICENCE - LUCTONIANS RUGBY CLUB, MORTIMER
PARK, KINGSLAND, HR6 8JS**

This authority has no objection to the above application, provided that the fire safety precautions set out in our guidance note (attached) are adhered to.

Should you require any additional advice, please do not hesitate to contact me.

Yours faithfully

FIRE SAFETY OFFICER

Attc



"Hereford and Worcester Combined Fire Authority
will provide a professional and dedicated Fire Brigade
responsive to visitors and residents of
Herefordshire and Worcestershire."

F:\Admin\FIRESAFE\Luctonians.doc

Environment Directorate

Director: G. Dunhill

Ms T D Hyde
Luctonians
Kingsland
Leominster
HR6 9SB

Your Ref:

Our Ref: PELO/SJF/LJA/30/04

Please ask for: Mrs J Acaster

Direct Line/Extension: 01432 260105

Fax: 01432 261982

E-mail: jacaster@herefordshire.gov.uk

4th June 2004

Dear Ms Hyde

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
APPLICATION FOR THE GRANT OF AN OCCASIONAL PUBLIC ENTERTAINMENT LICENCE
LUCTONIAN'S RUGBY'S FOOTBALL CLUB, 16TH 17TH 18TH JULY 2004**

I refer to you application received on 18th May 2004. Together with your cheque for £530.00 receipt no 256865.

The fee for your three events is £680.00. I should be grateful if you would let me have the balance £120.00 by 14th June cheques should be made payable to Herefordshire Council.

I note that you have requested a 3:30am finish for your Summer Ball as this is outside the Council's Standards Hours the request will be referred to the Regulatory Committee for consideration. The next Regulatory Committee is scheduled for Tuesday 29th June 2004. Details of the venue and time will be forwarded to you.

You are invited to attend the Committee meeting to present your case and answer any questions that the Committee members may ask of you. You may be accompanied by a representative or friend who may speak on your behalf if you so wish.

Please let me know in writing by the 14th June if you intend to proceed.

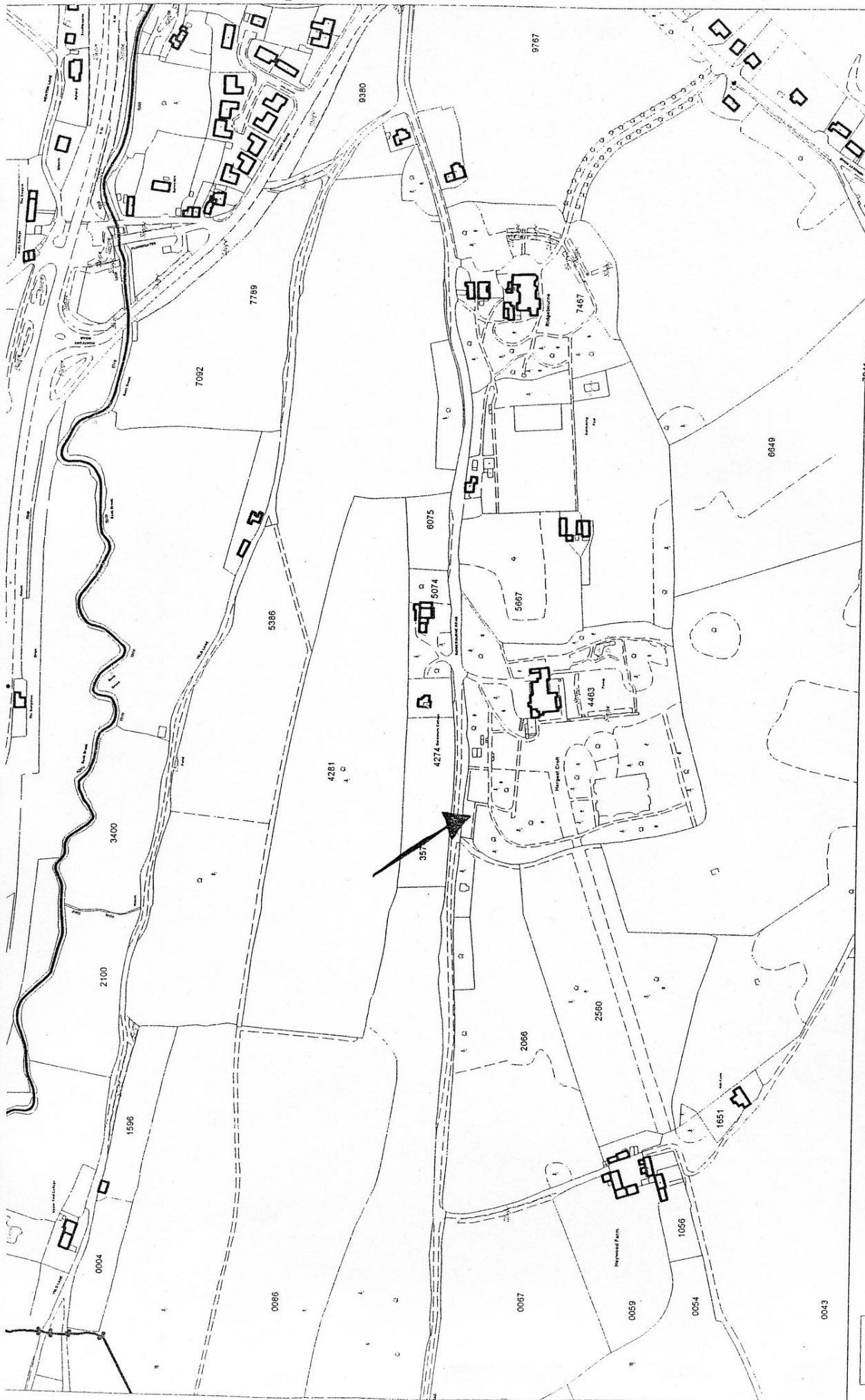
If you are unsure of anything or you would like further information about Committee procedure please contact this office on the telephone number at the head of this letter.

Yours sincerely,


**MRS J ACASTER
LICENSING OFFICER
ENVIRONMENTAL HEALTH AND TRADING STANDARDS**

County of Herefordshire District Council

PO Box 233, Environmental Health & Trading Standards, County Offices, Bath Street, Hereford HR1 2ZF



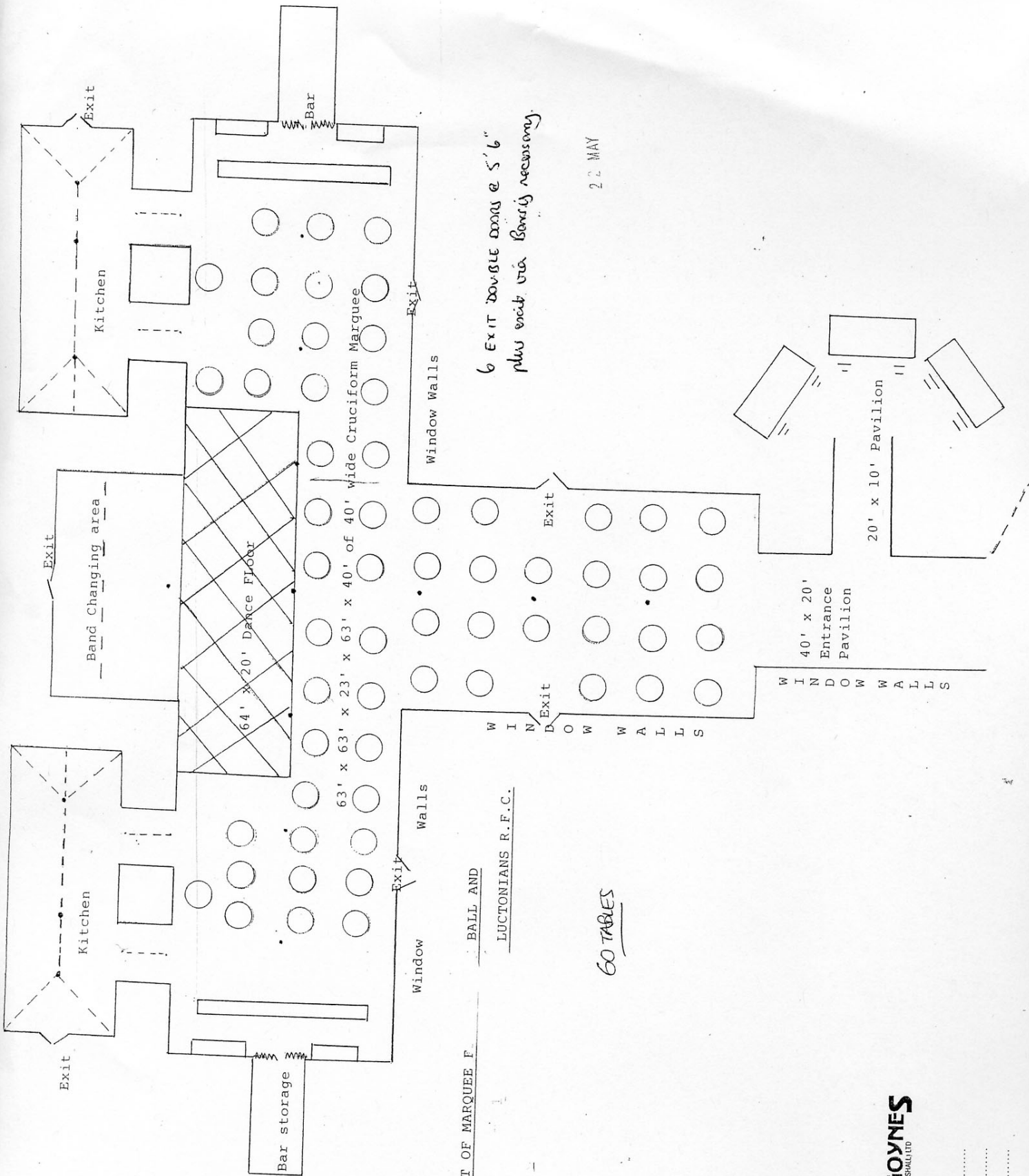
Area surrounding Hergest Croft, Kington

Scale 1:5000

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Herefordshire Council,
 IT Services Division,
 Thorn Office Centre,
 Holme Lacy Road,
 Kington,
 Herefordshire S11 6TT,
 Hereford, Herefordshire,
 Tel: 01432 280160
 Email: helpdesk@herefordshire.gov.uk



PROPOSED LAYOUT OF MARQUEE FOR

BALL AND
LUCTONIANS R.F.C.

6 EXIT DOUBLE DOORS @ 5'6"
plus exit via banding necessary.

22 MAY

60 TABLES

BURGOYNES
INCORPORATED

SCALE:

DISTRIBUTION

- Office
- Customer
- Foreman
- Rev. Status
- Other
- Date 17.7.53

PUBLIC ENTERTAINMENTS LICENSING REPORT TO DETERMINE THE OPERATING HOURS FOR AN APPLICATION FOR HEREFORDSHIRE YOUNG FARMERS CLUB DANCE ON SATURDAY 9TH JULY 2004 IN A MARQUEE ON LOWER HOPE FARM, ULLINGSWICK.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Report By: Head of Environmental Health and Trading Standards

Wards Affected:

Bromyard

Purpose

1. To determine whether to grant a finishing time later than the current policy of 0100 hours for an occasional public entertainment.

Background

2. Local Authorities are, when licensing public entertainment events, permitted to make the licence conditional.

The purpose of conditions attached to and forming part of a licence broadly fall into four categories.

- (a) Securing the safety of everyone present: this includes fire safety and some health and safety matters
- (b) Securing adequate access to the premises in emergencies
- (c) Ensuring adequate sanitary arrangements in the premises and
- (d) Preventing nuisance and disturbance in the neighbourhood.

The holder of an Entertainment's Licence may at any time apply to the Authority for such variations of the terms, conditions and restrictions on a subject to which the licence is held.

The Authority may:-

- (a) Make the variation specified in the application
- (b) Make such variations as they think fit, including subject to the four categories above. Impose terms, conditions or other restrictions other than those specified or
- (c) Refuse the application

Conditions

3. Amongst the various Conditions and Regulation there are specific ones which related to finishing times for events.

Condition 4.1 of the Standard Conditions for Licensing of Premises for Public Entertainment

Premises licensed for Public Entertainment shall only be opened and used for any of the said purposes on such days and during such hours as the Licensing authority specifies in the schedule to the licence conditions.

The Regulations (standard conditions) of the Council specify the opening times of entertainment establishments as follows

11.00 until 0100 (Monday to Saturday)	In respect of premises that <u>do not</u> have the benefit of a liquor licence under the Licensing Act 1964
---------------------------------------	---

The application for deviation from policy

4. Derek Carless and Michael Lewis on behalf of the Young Farmers Club request a variation of the licence condition to extend the opening entertainment hours from 0100 to 0200. The intended venue for this event is in a marquee on the farm at Lower Hope Farm, Ullingswick on 9th July 2004 for 500 people.

Issues

5. The main cause for concern to the Police and ourselves is the potential for disturbance to others. The 0100 hours finishing time is a policy designed to limit the intrusive effects of events and has worked well over the years supported by and with the co-operation of the police.
6. This is a one off event, we have no problem with granting a licence until 0100 hours, whether this event should be allowed to finish later than 0100 is a matter for consideration
7. The Council in the past has dealt with such applications for deviation from policy and to allow many of them to terminate at times later than the 0100 hours but impose special conditions designed to minimise the chances of nuisance occurring. (The special conditions imposed can be found in appendix 1)

8. The Police were consulted and their comments are awaited.
9. The Fire Brigade have been consulted and their comments are awaited.

10. Environmental Health had no objections

Options

- to grant the extended hours
- to grant the extended hours and impose conditions
- to refuse the extended hours
- or come to some other conclusion

Further information on the subject of this report is available from Suzanne Laughland, Acting Licensing Manager
on (01432) 261675



APPLICATION FOR GRANT OF AN OCCASIONAL PUBLIC ENTERTAINMENT LICENCE

To: 95
The Licensing Section
Herefordshire Council
P.O. Box 233
Hereford
HR1 2ZF
Tel 01432 260105/260013

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Please read the guidance notes when completing this application form.

APPLICANT 1 DETAILS NAME MR. DEREK CARLESS ADDRESS WOODFIELDS FARM GLoucester ROAD, LEDBURY TEL NO 01531 650424 07973 984463 HAVE YOU PREVIOUSLY HELD A PUBLIC ENT. LICENCE? YES/NO IF YES, WHEN & FOR WHERE? COUNTY RALLY DANCE; ARKSTONE COURT (if more than 1, please give last event)	APPLICANT 2 DETAILS NAME MR MICHAEL LEWIS ADDRESS LOWER TOWN FARM BERRINGTON, TENBURY WELLS, WORCS TEL NO 01584 810202 07968 040728 HAVE YOU PREVIOUSLY HELD A PUBLIC ENT. LICENCE? YES/NO IF YES, WHEN & FOR WHERE? COUNTY RALLY DANCE ARKSTONE COURT (if more than 1, please give last event)
---	---

KEYHOLDER'S DETAILS

NAME AND LOCATION OF VENUE **LOWER HOPE FARM, ULLINGSWICK**

TYPE OF VENUE (e.g. pub, hall, farm, field, etc.) **MARQUEE IN A FIELD**

HAS A PUBLIC ENT. LICENCE BEEN PREVIOUSLY GRANTED FOR THIS VENUE? **YES/NO/ DON'T KNOW** IF YES, WHEN & FOR WHAT PURPOSE? **BALL IN JULY 2002**
 (if more than 1, please give last event)

Note: performance of plays requires a Theatre licence

EVENT DETAILS

PURPOSE(S) OF EVENT (e.g. dance, music only, sport, etc.) **DANCE**

NUMBER ATTENDING 500	DATE 9/7/04	TIME(S) 21:00 : 02:00	(i.e. start & finish)
NUMBER ATTENDING	DATE	TIME(S)	(i.e. start & finish)
NUMBER ATTENDING	DATE	TIME(S)	(i.e. start & finish)

IS A LIQUOR LICENCE IN FORCE? **YES/NO** IF NO, WILL ONE BE SOUGHT? **YES/NO**

IF A LIQUOR LICENCE IS TO BE SOUGHT, WHO WILL APPLY FOR IT? **MR. ~~FRANK~~ MICHAEL LEWIS**

NOTE: While the Council has the power to licence musical entertainments on Sundays under the Sunday Entertainment Act 1932, the Sunday Observance Act 1780 prohibits the use of premises for public dancing on a Sunday where there has been a charge for admission.

I/We, the undersigned, HEREBY APPLY for the grant of an Occasional Public Entertainment Licence and declare that all the above details are to the best of my/our knowledge correct and that copies have today been sent to the police, fire authority and Licensing Justices.

Signed: *[Signature]* Signed: *Michael Lewis*
 Date: **24th MAY 2004** Date: **24th MAY 2004**

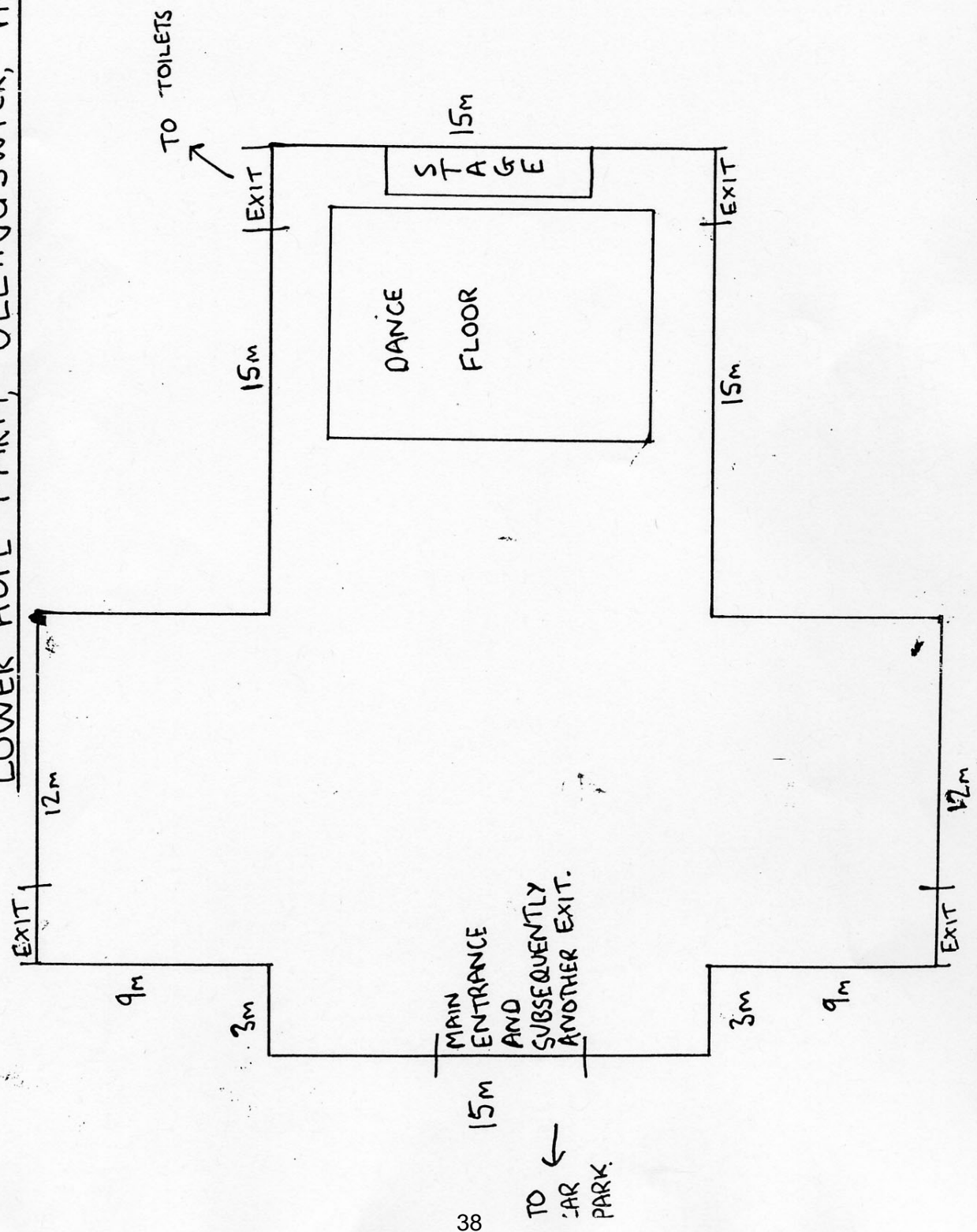
- PLEASE ENSURE THAT YOU HAVE**
1. COMPLETED ALL PARTS
 2. SIGNED THE FORM
 3. ATTACHED THE CORRECT FEE (cheques to be made payable to Herefordshire Council)
 4. PROVIDED PLANS SHOWING; a. THE LOCATION, b. DETAILED PLAN OF VENUE WITH EXITS AND ENTRANCES CLEARLY MARKED
 5. SENT COPIES TO THE POLICE AND FIRE AUTHORITY
 - 6 ENCLOSED FIRE CERTIFICATE

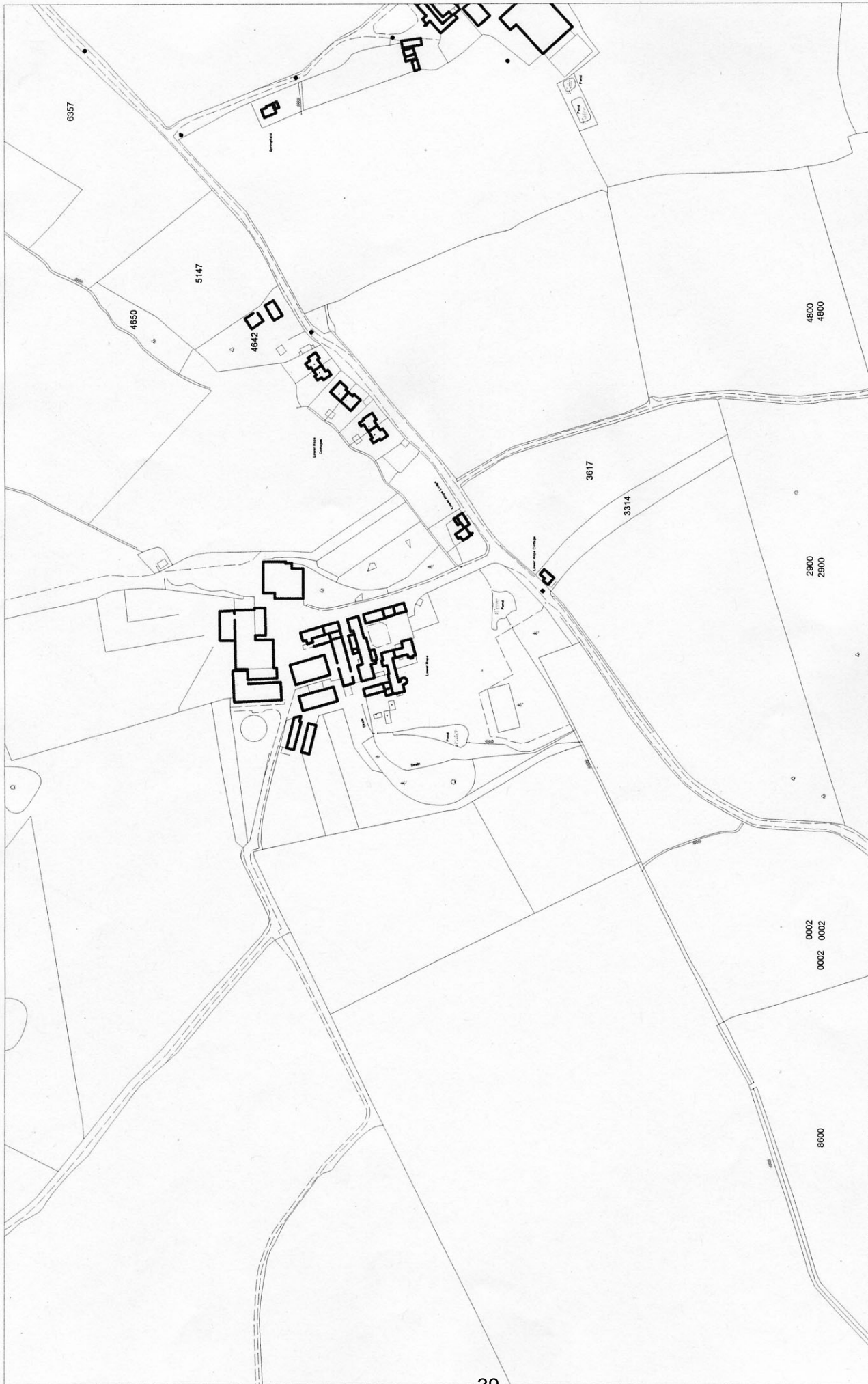
Receipt No	Fee	Date	Income Code N8000 9362
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HEREFORDSHIRE FEDERATION OF YOUNG FARMERS CLUBS

PROPOSED BILL MARQUEE LAYOUT. FRIDAY 9th JULY 2004

LOWER HOPE FARM, ULLINGSWICK, HEREFORD





Herefordshire Council
 Licensing Unit
 Council Offices
 Bath Street
 Hereford
 HR1 2ZF



Lower Hope Farm, Ullingswick
Scale 1:5000



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 Herefordshire Council, LA09069L, 2003.

PUBLIC ENTERTAINMENTS LICENSING REPORT TO DETERMINE THE OPENING HOURS FOR AN APPLICATION FOR THE BIG CHILL FESTIVAL ON 30TH JULY 2004 – 1ST AUGUST 2004 AT EASTNOR DEER PARK, EASTNOR CASTLE DEER PARK, EASTNOR, NR LEDBURY

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Report By: Head of Environmental Health and Trading Standards

Wards Affected:

Ledbury

Purpose

1. To determine whether to grant a finishing time later than the current policy of 0100 hours Monday to Saturday and 2230 on Sundays for an occasional public entertainment.

Background

2. Local Authorities are, when licensing public entertainment events, permitted to make the licence conditional.

The purpose of conditions attached to and forming part of a licence broadly fall into four categories.

- (a) Securing the safety of everyone present: this includes fire safety and some health and safety matters
- (b) Securing adequate access to the premises in emergencies
- (c) Ensuring adequate sanitary arrangements in the premises and
- (d) Preventing nuisance and disturbance in the neighbourhood.

The holder of an Entertainment's Licence may at any time apply to the Authority for such variations of the terms, conditions and restrictions on a subject to which the licence is held.

Further information on the subject of this report is available from Suzanne Laughland, Acting Licensing Manager on (01432) 261675

The Authority may:-

- (a) Make the variation specified in the application
- (b) Make such variations as they think fit, including subject to the four categories above. Impose terms, conditions or other restrictions other than those specified or
- (c) Refuse the application

Conditions

3. Amongst the various Conditions and Regulation there are specific ones which related to finishing times for events.

Condition 4.1 of the Standard Conditions for Licensing of Premises for Public Entertainment

Premises licensed for public entertainment shall only be opened and used for any of the said purposes on such days and during such hours as the Licensing authority specifies in the schedule to the licence conditions.

The Regulations (standard conditions) of the Council specify the opening times of entertainment establishments as follows

11.00 until 0100 (Monday to Saturday)	In respect of premises that <u>do not</u> have the benefit of a liquor licence under the Licensing Act 1964
1100 until 2230 Sundays	All types of premises but in respect of musical entertainment only

The application for deviation from policy

4. Katrina Larkin on behalf of Chillfest Ltd requests a variation of the licence conditions to extend the opening entertainment hours from 0100 to 0200 on Friday 30th July 2004 and Saturday 1st August 2004 and from 2230 to 0100 on Sunday 2nd August 2004. The intended venue for this event is marquees in the Deer Park of Eastnor Castle Nr Ledbury with 27,000 tickets available.

Issues

5. The main cause for concern to the Police and ourselves is the potential for disturbance to others. The 0100 hours finishing time is a policy designed to limit the intrusive effects of events and has worked well over the years supported by and with the co-operation of the police.
6. This is a one off event, we have no problem with granting a licence until 0100 hours, whether this event should be allowed to finish later than 0100 is a matter for consideration

Further information on the subject of this report is available from Suzanne Laughland, Acting Licensing Manager on (01432) 261675

7. The Council in the past has dealt with such applications for deviation from policy and to allow many of them to terminate at times later than the 0100 hours but impose special conditions designed to minimise the chances of nuisance occurring. (The special conditions imposed can be found in appendix 1)
8. The Police have been consulted. Formal comments are awaited.
9. The Fire Brigade has been consulted. Formal comments are awaited.
10. Environmental Health have been consulted and will be reported at Committee

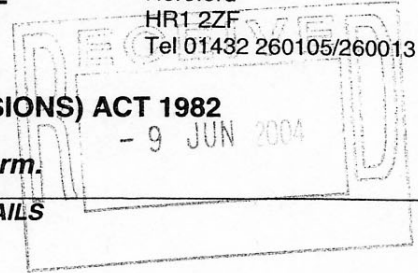
Options

- to grant the extended hours
- to grant the extended hours and impose conditions
- to refuse the extended hours
- or come to some other conclusion



**APPLICATION FOR GRANT OF AN
OCCASIONAL
PUBLIC ENTERTAINMENT LICENCE**

To:
The Licensing Section
Herefordshire Council
P.O. Box 233
Hereford
HR1 2ZF
Tel 01432 260105/260013

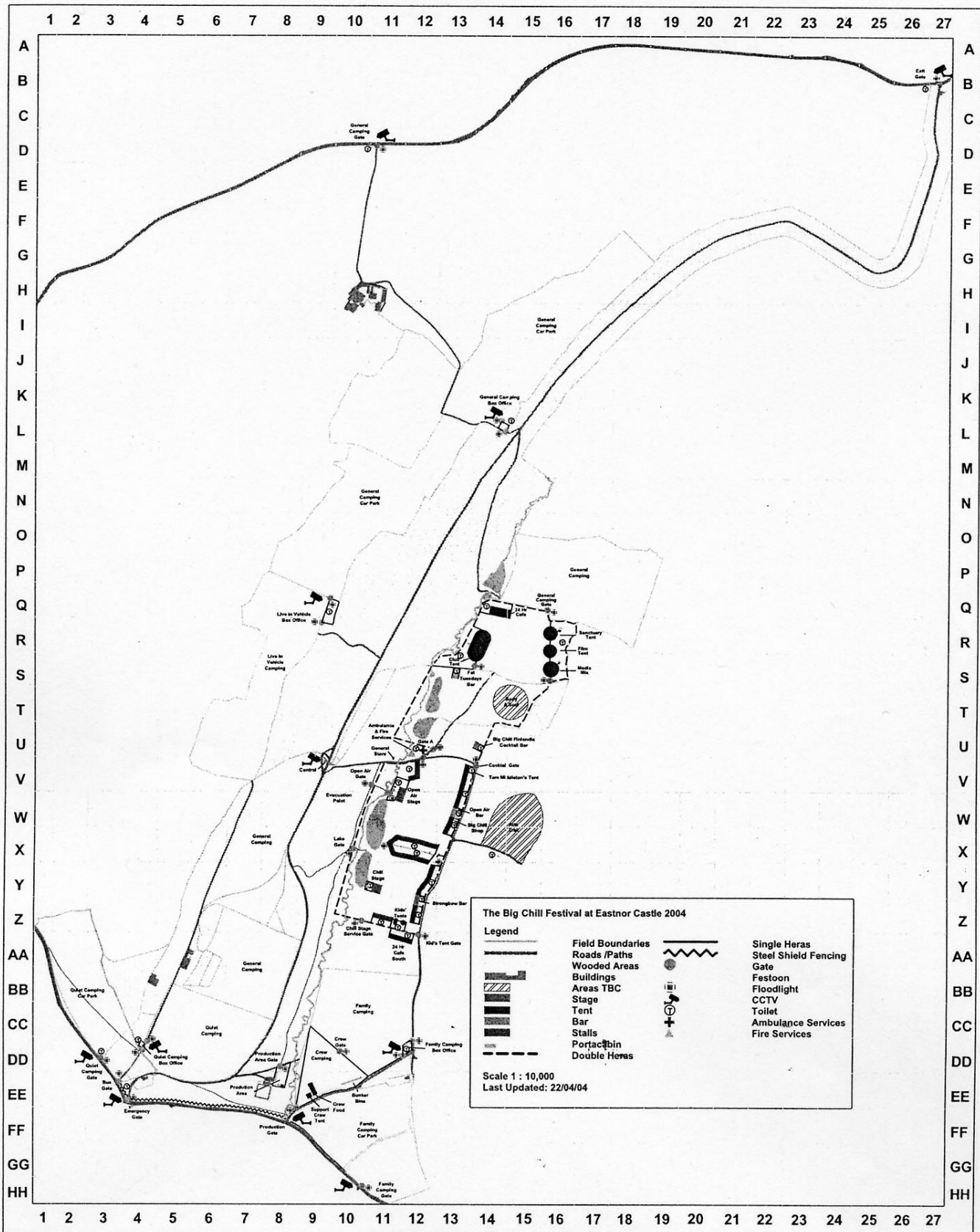


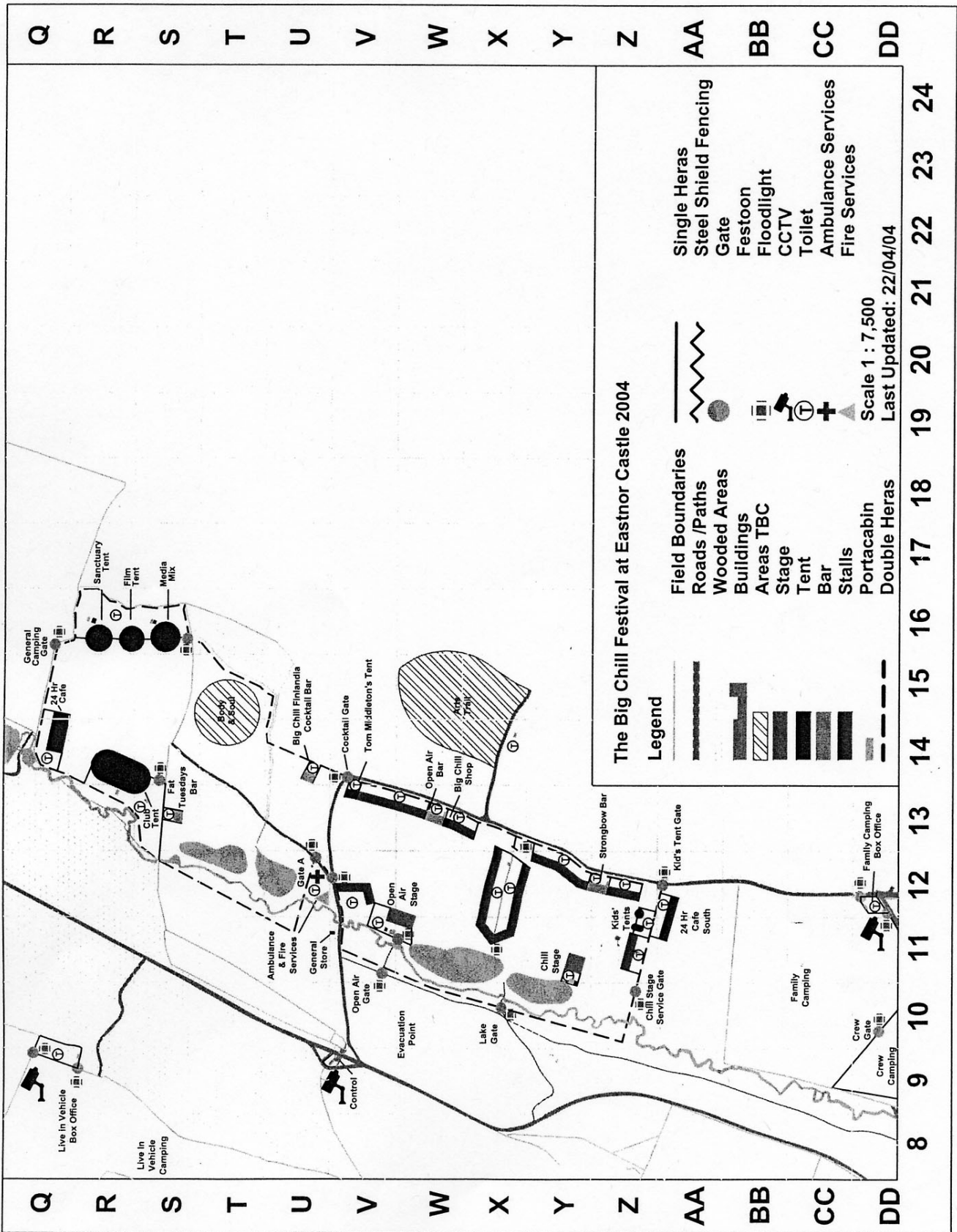
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

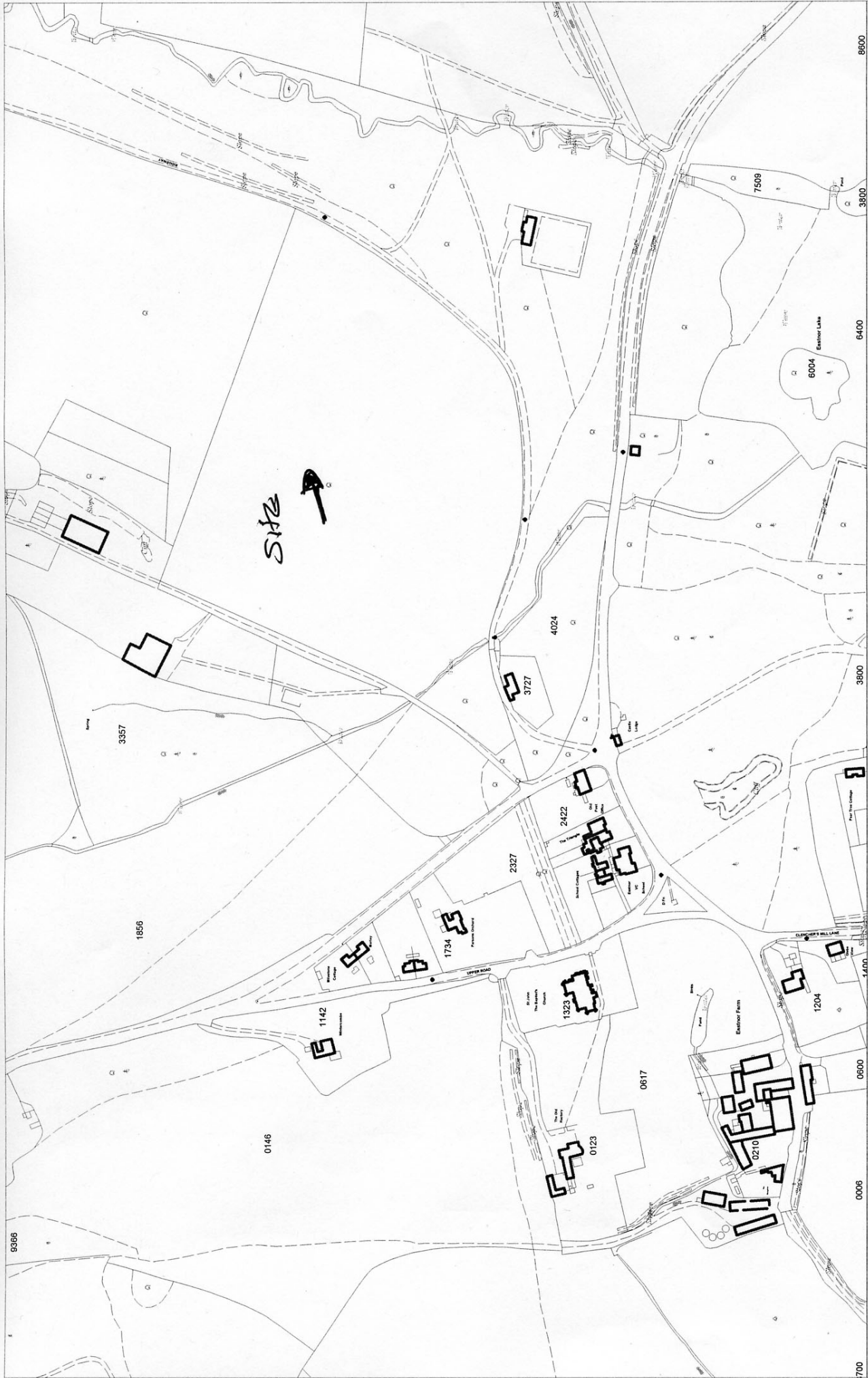
Please read the guidance notes when completing this application form.

<p>APPLICANT 1 DETAILS NAME <u>KATRINA FRANCES LARKIN</u> ADDRESS <u>CHILLFEST LTD, 43-44 HOXTON SQUARE, LONDON N1 6PB</u> TEL NO <u>0207684</u> HAVE YOU PREVIOUSLY HELD A PUBLIC ENT. LICENCE? <input checked="" type="radio"/> YES <input type="radio"/> NO IF YES, WHEN & FOR WHERE? <u>BIG CHILL AT EASTNOR CASTLE DEER PARK 2003</u> <small>(if more than 1, please give last event)</small></p>	<p>APPLICANT 2 DETAILS NAME ADDRESS TEL NO HAVE YOU PREVIOUSLY HELD A PUBLIC ENT. LICENCE? <input type="radio"/> YES <input type="radio"/> NO IF YES, WHEN & FOR WHERE? <small>(if more than 1, please give last event)</small></p>
<p>KEYHOLDER'S DETAILS <u>SIMON FOSTER</u> <u>01531633160</u></p>	
<p>NAME AND LOCATION OF VENUE <u>EASTNOR CASTLE DEER PARK, LEDBURY</u> <u>HEREFORDSHIRE, HR8 1RL</u> TYPE OF VENUE <u>FIELD</u> <small>(e.g. pub, hall, farm, field, etc.)</small> HAS A PUBLIC ENT. LICENCE BEEN PREVIOUSLY GRANTED FOR THIS VENUE? <input checked="" type="radio"/> YES <input type="radio"/> NO <input type="radio"/> DON'T KNOW IF YES, WHEN & FOR WHAT PURPOSE? <u>BIG CHILL FESTIVAL AT EASTNOR DEER PARK 2003</u> <small>(if more than 1, please give last event)</small> <p align="right"><small>Note: performance of plays requires a Theatre licence</small></p></p>	
<p>EVENT DETAILS PURPOSE(S) OF EVENT <u>MUSIC FILM DANCE</u> <small>(e.g. dance, music only, sport, etc.)</small> NUMBER ATTENDING <u>27,000 Fri</u> DATE <u>30/7/04</u> TIME(S) <u>12:00:00:00</u> ² <small>(i.e. start & finish)</small> NUMBER ATTENDING <u>27,000 Sat</u> DATE <u>31/7/04</u> TIME(S) <u>12:00:02:00</u> <small>(i.e. start & finish)</small> NUMBER ATTENDING <u>27,000 Sun</u> DATE <u>1/8/04</u> TIME(S) <u>12:00:01:00</u> <small>(i.e. start & finish)</small> IS A LIQUOR LICENCE IN FORCE? <input checked="" type="radio"/> YES <input type="radio"/> NO IF NO, WILL ONE BE SOUGHT? <input checked="" type="radio"/> YES <input type="radio"/> NO IF A LIQUOR LICENCE IS TO BE SOUGHT, WHO WILL APPLY FOR IT? <u>RICHARD BIGG</u></p>	
<p>NOTE: While the Council has the power to licence musical entertainments on Sundays under the Sunday Entertainment Act 1932, the Sunday Observance Act 1780 prohibits the use of premises for public dancing on a Sunday where there has been a charge for admission.</p>	
<p>I/We, the undersigned, HEREBY APPLY for the grant of an Occasional Public Entertainment Licence and declare that all the above details are to the best of my/our knowledge correct and that copies have today been sent to the police, fire authority and Licensing Justices.</p> <p>Signed: Signed: Date: <u>03 JUNE 2004</u> Date:</p>	
<p>PLEASE ENSURE THAT YOU HAVE</p> <ol style="list-style-type: none"> 1. COMPLETED ALL PARTS 2. SIGNED THE FORM 3. ATTACHED THE CORRECT FEE (cheques to be made payable to Herefordshire Council) 4. PROVIDED PLANS SHOWING; a. THE LOCATION, b. DETAILED PLAN OF VENUE WITH EXITS AND ENTRANCES CLEARLY MARKED 5. SENT COPIES TO THE POLICE AND FIRE AUTHORITY 6 ENCLOSED FIRE CERTIFICATE 	

Receipt No	Fee	Date	Income Code N8000 9362
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 Licensing Unit
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 HR1 2ZF



Deer Park, Eastnor Castle
Scale 1:5000



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