

**MINUTES of the meeting of Regulatory Committee held at
The Council Chamber, Brockington, 35 Hafod Road,
Hereford on Monday, 19th April, 2004 at 2.00 p.m.**

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

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

In attendance: Councillors (none)

56. APOLOGIES FOR ABSENCE

Apologies were received from Councillor G.W. Davis

57. NAMED SUBSTITUTES (IF ANY)

There were no substitutions made.

58. DECLARATIONS OF INTEREST

There were no declarations of interest made.

59. MINUTES

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

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. DRAFT GUIDANCE ISSUED UNDER SECTION 182 OF THE LICENSING ACT 2003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RESOLVED: That the draft guidance issues under Section 182 of the Licensing Act 2003 and contained in the report of the Head of Environmental Health and Trading Standards be received and noted.

62. PUBLIC ENTERTAINMENTS LICENSING REPORT TO DETERMINE THE OPERATING HOURS FOR AN APPLICATION FOR HEREFORDSHIRE YOUNG FARMERS CLUB COUNTY RALLY 2004 ON SATURDAY 22 MAY 2004 ON THE FARM 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 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.

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;

63. PUBLIC ENTERTAINMENTS LICENSING DETERMINATION TO GRANT A LICENCE FOR RADNOR AND WEST HEREFORDSHIRE HUNT BALL ON SATURDAY 12TH JUNE 2003 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: the applicant fulfilling all conditions imposed by the Police, Fire Authority and the Head of Environmental Health and Trading Standards; and 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;

64. REPORT TO REVIEW THE LICENCE FEES FOR PLEASURE BOATS - PUBLIC HEALTH AMENDMENTS ACT 1907

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

65. ZOO LICENSING - IMPLEMENTATION OF REVISED LICENCE STANDARD 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.

66. 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 Time Not Specified

CHAIRMAN