

**MINUTES of the meeting of Regulatory Sub Committee held at The Library, Shirehall, St. Peter's Square, Hereford on Friday, 18th November, 2005 at 10.00 a.m.**

**Present:** Councillor Brig. P. Jones CBE (Chairman)

**Councillors:** Mrs. S.P.A. Daniels and R.I. Matthews

**117. ELECTION OF CHAIRMAN**

Councillor Brig. P. Jones CBE was elected as Chairman for the Regulatory Sub-Committee hearing.

**118. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**119. NAMED SUBSTITUTES (IF ANY)**

There were no substitutes present at the hearing.

**120. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**121. APPLICATION FOR A NEW PREMISES LICENCE 'GOLDEN GALLEON, 61 COMMERCIAL ROAD, HEREFORD, HR1 2BP' (Pages 1 - 2)**

Please see the attached decision notice for details regarding the determination of the application.

**122. APPLICATION FOR VARIATION OF PREMISES LICENCE 'GRAFTON MARKET (RE-RACK), GRAFTON HOUSE, BURGESS STREET, LEOMINSTER, HR6 8DE.' (Pages 3 - 4)**

Please see the attached decision notice for details regarding the determination of the application.

**CHAIRMAN**





## HEREFORDSHIRE COUNCIL

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

<b>PREMISES</b>	The Golden Galleon
<b>APPLICANT'S NAME</b>	Mr. R. Wakefield
<b>APPLICATION TYPE</b>	Late Night Refreshment Licence
<b>PANEL MEMBERS</b>	Councillor Brig. P. Jones CBE (Chairman) Councillor R.I. Matthews Councillor S.P.A Daniels
<b>DATE OF MEETING</b>	18th November, 2005

Members of the Licensing Panel of the Council's Regulatory Committee considered the above application, full details of which appeared before the Members in their agenda and the background papers.

Members heard from Mr. S. Firth and Mr. A. Williams, who both felt that the applicant had not complied with section 25(a) of the Licensing Act 2003 (Premises Licences and Club Premises certificates) Regulations 2005, as they had not seen any notice of the intended application displayed at the premises. Members also heard from Mr. R. Wakefield, the applicant, as well as his legal advisor, who contended that such a notice had been displayed, but on the door to the premises.

Having heard the representations and considered all of those matters brought before them, the panel members found as a fact that the applicant had not fully complied with Regulation 25(a) of the Licensing Act 2003 (Premises Licences and Club Premises certificates) Regulations 2005 and therefore were unable to determine the application in accordance with Section 18(1)(b) and had no option but to **REJECT** the said application.





## HEREFORDSHIRE COUNCIL

REGULATORY COMMITTEE DECISION NOTICE  
(THE LICENSING ACT 2003)

<b>PREMISES</b>	Re-rack Ltd.
<b>APPLICANT'S NAME</b>	Mr. & Mrs. Bedford
<b>APPLICATION TYPE</b>	Variation
<b>PANEL MEMBERS</b>	Councillor Brig. P. Jones CBE (Chairman) Councillor R.I. Matthews Councillor S.P.A Daniels
<b>DATE OF MEETING</b>	18th November, 2005

Members of the Licensing Panel of the Council's Regulatory Committee considered the above application, full details of which appeared before the Members in their agenda and the background papers.

Prior to making their decision, the Members heard from Mrs. Closer, the Applicants' Legal Advisor as well as Mr and Mrs. Walker, local residents who objected to the application.

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

**HOURS OF LICENSABLE ACTIVITY**

	Supply of Alcohol	Live / Recorded Music & Provision of facilities for Dance	Karaoke & Indoor Sporting Events	Open to the public
Monday	1100 - 2330	1100 - 2330	1100 - 2330	1100 - 2400
Tuesday	1100 - 2330	1100 - 2330	1100 - 2330	1100 - 2400
Wednesday	1100 - 2330	1100 - 2330	1100 - 2330	1100 - 2400
Thursday	1100 - 2330	1100 - 2330	1100 - 2330	1100 - 2400
Friday	1100 - 0100	1100 - 0100	1100 - 0100	1100 - 0130
Saturday	1100 - 0100	1100 - 0100	1100 - 0100	1100 - 0130
Sunday	1100 - 2330	1100 - 2330	1100 - 2330	1100 - 2400

**HEREFORDSHIRE COUNCIL**

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

**CONDITIONS**

The application was granted in respect of the hours of operation of the licensable activities described in the box above together with the following conditions

- The mandatory conditions of The Licensing Act 2003.
- All conditions as agreed with the Environmental Health Department.
- All conditions agreed with West Mercia Police Authority, including the condition relating to door staff.
- A Residual Current Device (RCD) in respect of electrical input to the premises be installed within 56 days from the grant of the licence.
- A Sound Limiting Device to be installed within 56 days from the grant of the licence.
- On the first available date after 56 days the applicant shall meet with representatives of the Environmental Health Department with the purpose of determining the effectiveness of the said sound limiter. If in the opinion of the Environmental Health Officer the sound limiter does not abate the sound sufficiently then step 1 and step 2 outlined in the letter from Sound Absorption UK Ltd, dated 24th August, 2005 shall be implemented and installed within a further period of 56 days. Step 3 shall be implemented, if considered appropriate by the Environmental Health Officer, no later than 31st August, 2006.
- The Licensee must ensure that the number of people attending and present at the premises shall not exceed the capacity limit recommended by the Fire Authority.

**NON STANDARD HOURS**

	Supply of Alcohol	Live / Recorded Music & Provision of facilities for Dance	Karaoke & Indoor Sporting Events	Open to the public
New years Eve	As Existing	As Existing	As Existing	As Existing

**REMOVAL OF CONDITIONS**

The 'Members Only' condition was removed as requested.