

MINUTES of the meeting of Regulatory Sub Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Friday, 9th December, 2005 at 10.00 a.m.

Present: Councillor R.I. Matthews (Chairman)

Councillors: G.W. Davis and R. Preece

128. ELECTION OF CHAIRMAN

Councillor R.I. Matthews was elected as Chairman for the Regulatory Sub-Committee hearing.

129. APOLOGIES FOR ABSENCE

No apologies for absence were received.

130. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the hearing.

131. DECLARATIONS OF INTEREST

There were no declarations of interest made.

132. APPLICATION FOR A NEW PREMISES LICENCE 'THE LIQUID LOUNGE, 48-50 ST OWENS STREET, HEREFORD, HR2 0AA.' (Pages 1 - 2)

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

133. APPLICATION FOR VARIATION OF PREMISES LICENCE 'JACQUELINES NITE SPOT & JD'S BAR, 24 BROAD STREET, ROSS ON WYE, HR9 7ED.' (Pages 3 - 4)

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

134. APPLICATION FOR A NEW PREMISES LICENCE 'JD'S CAFÉ, 24 BROAD STREET, ROSS ON WYE, HR9 7ED.' (Pages 5 - 6)

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

135. APPLICATION FOR A NEW PREMISES LICENCE 'QUALITY FISH & CHIP SHOP & TANDOORI TAKEAWAY, 76-77 BYE STREET, LEDBURY, HR8 2AG.' (Pages 7 - 8)

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

136. APPLICATION FOR A NEW PREMISES LICENCE 'CORN SQUARE, LEOMINSTER' (Pages 9 - 10)

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

137. APPLICATION FOR VARIATION OF PREMISES LICENCE 'BURTON COURT, EARDISLAND, LEOMINSTER, HR6 9DN' (Pages 11 - 12)

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

138. APPLICATION FOR VARIATION OF PREMISES LICENCE 'SUMMERHILL GOLF COURSE, CLIFFORD, HAY-ON-WYE, HR3 5EW' (Pages 13 - 14)

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)**

PREMISES	The Liquid Lounge
APPLICANT'S NAME	Dalespire Ltd.
APPLICATION TYPE	New Premises Licence
PANEL MEMBERS	Councillor R.I. Matthews (Chairman) Councillor G.W. Davis Councillor R. Preece
DATE OF MEETING	9th December, 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. I. Hicton, who felt that the applicant had not complied with section 25(b) of the Licensing Act 2003 (Premises Licences and Club Premises certificates) Regulations 2005, as the newspaper advertisement had not been published on at least one day during a period of 10 working days starting on the day after the date that the application was received by the licensing authority. Members also heard from Mr. N. Maddy, the applicant, who contended that the advertisement had been placed at the earliest possible occasion.

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(b) 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)**

PREMISES	Jacqueline's Nite Spot & JD's Bar
APPLICANT'S NAME	Miss C. Danter
APPLICATION TYPE	Variation
PANEL MEMBERS	Councillor R.I. Matthews (Chairman) Councillor G.W. Davis Councillor R. Preece
DATE OF MEETING	9th December, 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 Miss. Danter, the applicant, as well as Mr. Parry and Mr. Hodges, two local residents who had objected to the application. Members also heard representations from Miss Woodland, the Environmental Health Officer, and P.C. Thomas, representing West Mercia Police Authority.

Having heard the representations and considered all of those matters brought before them, the Panel decided to **REJECT** the said application on the basis that the application was not consistent with promoting the licensing objectives within the meaning the Licensing Act 2003 in that the application, if allowed, would:

- (a) Give rise to public nuisance.

The Sub-Committee heard evidence of noise nuisance arising from the operation of the premises. Having heard representations, in particular from the Environmental Health Officer, the Sub-Committee were not satisfied that measures could be implemented by way of conditions to abate the noise to such a level that the application could be granted.

The Members further considered that if they had granted the application, there would be no suitable conditions which could be imposed in order to adequately address the said licensing objectives.



HEREFORDSHIRE COUNCIL

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

PREMISES	JD's Cafe
APPLICANT'S NAME	Miss C. Danter
APPLICATION TYPE	Variation
PANEL MEMBERS	Councillor R.I. Matthews (Chairman) Councillor G.W. Davis Councillor R. Preece
DATE OF MEETING	9th December, 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 Miss Danter, the Applicant.

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	Late night refreshment	Open to the public
Monday	1000 - 0030	2300 - 0030	1000 - 0100
Tuesday	1000 - 0030	2300 - 0030	1000 - 0100
Wednesday	1000 - 0030	2300 - 0030	1000 - 0100
Thursday	1000 - 0030	2300 - 0030	1000 - 0100
Friday	1000 - 0030	2300 - 0030	1000 - 0100
Saturday	1000 - 0030	2300 - 0030	1000 - 0100
Sunday	1000 - 0030	2300 - 0030	1000 - 0100

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.



HEREFORDSHIRE COUNCIL

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

PREMISES	Quality Fish & Chip Shop & Tandoori Takeaway
APPLICANT'S NAME	Mr. G. Paul Singh & Mrs. D.K. Paul
APPLICATION TYPE	New Premises Licence
PANEL MEMBERS	Councillor R.I. Matthews (Chairman) Councillor G.W. Davis Councillor R. Preece
DATE OF MEETING	9th December, 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 Mr. Tomkins, the Applicant's Legal Advisor, as well as Mr. & Mrs. Fairweather, local residents who had raised objections 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

	Late night refreshment	Open to the public
Friday	2300 - 2400	Close at 2400
Saturday	2300 - 2400	Close at 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.
- Clearly legible notices shall be displayed at all times on the exit of the premises reminding customers to respect the needs of local residents by leaving the premises quietly and not dropping litter.
- Two litter bins shall be provided by the applicant immediately outside the premises.

SEASONAL VARIATIONS

	Late Night Refreshment	Open to the Public
New Years Eve	2300 - 2400	Close at 2400
Christmas Eve	2300 - 2400	Close at 2400
Bank Holiday	2300 - 2400	Close at 2400



HEREFORDSHIRE COUNCIL

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

PREMISES	Corn Square
APPLICANT'S NAME	Market Fairs & Street Trading
APPLICATION TYPE	New Premises Licence
PANEL MEMBERS	Councillor R.I. Matthews (Chairman) Councillor G.W. Davis Councillor R. Preece
DATE OF MEETING	9th December, 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 Mr. Owen, the Applicant.

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	Late night refreshment	Open to the public
Saturday	0700 – 1600*	N/A	N/A	N/A

** Restricted to the second Saturday of every month and the second and third Saturday in December.*

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.



HEREFORDSHIRE COUNCIL

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

PREMISES	Burton Court
APPLICANT'S NAME	Burton Court Functions Ltd.
APPLICATION TYPE	New Premises Licence
PANEL MEMBERS	Councillor R.I. Matthews (Chairman) Councillor G.W. Davis Councillor R. Preece
DATE OF MEETING	9th December, 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 Mr. Simpson, the Applicant, as well as Mrs. Hanson, a local resident who had raised objections 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	Plays	Late night refreshment	Open to the public
Monday	1200 - 0130	1100 - 0100	0900 - 0130	2300 - 0130	0900 - 0200
Tuesday	1200 - 0130	1100 - 0100	0900 - 0130	2300 - 0130	0900 - 0200
Wednesday	1200 - 0130	1100 - 0100	0900 - 0130	2300 - 0130	0900 - 0200
Thursday	1200 - 0130	1100 - 0100	0900 - 0130	2300 - 0130	0900 - 0200
Friday	1200 - 0130	1100 - 0100	0900 - 0130	2300 - 0130	0900 - 0200
Saturday	1200 - 0130	1100 - 0100	0900 - 0130	2300 - 0130	0900 - 0200
Sunday	1200 - 2400	1100 - 2400	0900 - 0030	2300 - 0030	0900 - 0030

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 agreed with the Environmental Health Department.



HEREFORDSHIRE COUNCIL

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

PREMISES	Summerhill Golf Course
APPLICANT'S NAME	Mr. Clifford
APPLICATION TYPE	Variation
PANEL MEMBERS	Councillor R.I. Matthews (Chairman) Councillor G.W. Davis Councillor R. Preece
DATE OF MEETING	9th December, 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 Mr. Clifford, the Applicant, as well as Mr. Bray, the Environmental Health Officer, and P.C. Thomas, representing West Mercia Police Authority.

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	Indoor Sporting Events	Live / Recorded Music	Provision of Facilities for Dancing	Late night refreshment	Open to the public
Monday	1100 - 2300	1900 - 2300				0800 - 2330
Tuesday	1100 - 2300	1900 - 2300				0800 - 2330
Wednesday	1100 - 2300	1900 - 2300				0800 - 2330
Thursday	1100 - 2300	1900 - 2300				0800 - 2330
Friday	1100 - 0200	1900 - 0200	1900 - 0200	1900 - 0200	2300 - 0200	0800 - 0230
Saturday	1100 - 0200	1900 - 0200	1900 - 0200	1900 - 0200	2300 - 0200	0700 - 0230
Sunday	1200 - 2400	1900 - 2400	1900 - 2400	1900 - 2400	2300 - 2400	0700 - 0030

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 as agreed with West Mercia Police Authority.
- Conditions 3 and 7 of the Licence conditions imposed by the Licensing Justices be amended to read:
 3. There shall be rules of the club for election of members and a copy of such rules and other rules shall be deposited with the Licensing Authority. Notice of any alteration of any of the Rules should be given to the Licensing Authority within 14 days.
 7. No alteration of the Club Rules governing the qualification for membership and admission of members or guests should be made without the consent of the Licensing Authority.

SEASONAL VARIATIONS

	Supply of Alcohol	Live / Recorded Music	Provision of Facilities for Dancing	Late night refreshment	Open to the public
New Years Eve	1100 - 0200	1100 - 0200	1100 - 0200	2300 - 0200	0800 - 0230
Christmas Eve	1100 - 0200	1100 - 0200	1100 - 0200	2300 - 0200	0800 - 0230
Bank Holiday	1100 - 0200	1100 - 0200	1100 - 0200	2300 - 0200	0800 - 0230
Club Anniversary	1100 - 0200	1100 - 0200	1100 - 0200	2300 - 0200	0800 - 0230