

A G E N D A

Regulatory Sub Committee

Date: **Monday, 5th December, 2005**

Time: **10.00 a.m.**

Place: **The Council Chamber, Town Hall,
St. Owen's Street, Hereford**

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

For any further information please contact:

*Ricky Clarke, Members' Services, Tel:
01432 261885 Fax: 01432 260286*

email: rclarke@herefordshire.gov.uk

AGENDA

for the Meeting of the Regulatory Sub Committee

To: Councillors Brig. P. Jones CBE, R.I. Matthews and J.W. Newman

	Pages
1. ELECTION OF CHAIRMAN To elect a Chairman for the hearing.	
2. APOLOGIES FOR ABSENCE To receive apologies for absence.	
3. NAMED SUBSTITUTES (IF ANY) To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.	
4. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
5. APPLICATION FOR TEMPORARY EVENT NOTICES (TEN'S) FOR 'FLAMES, 21 UNION STREET, HEREFORD. HR1 2BT.' To consider an application for four (4) temporary event notices (TEN's) for Flames, 21 Union Street, Hereford. HR1 2BT.	5 - 6

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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 the Cabinet, 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, 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).
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- A member of the public may, at a meeting of the full Council, ask a Cabinet Member or Chairman of a Committee any question relevant to a matter in relation to which the Council has powers or duties or which affects the County as long as a copy of that question is deposited with the County Secretary and Solicitor more than seven clear working days before the meeting i.e. by close of business on a Tuesday in the week preceding a Friday meeting.

Please Note:

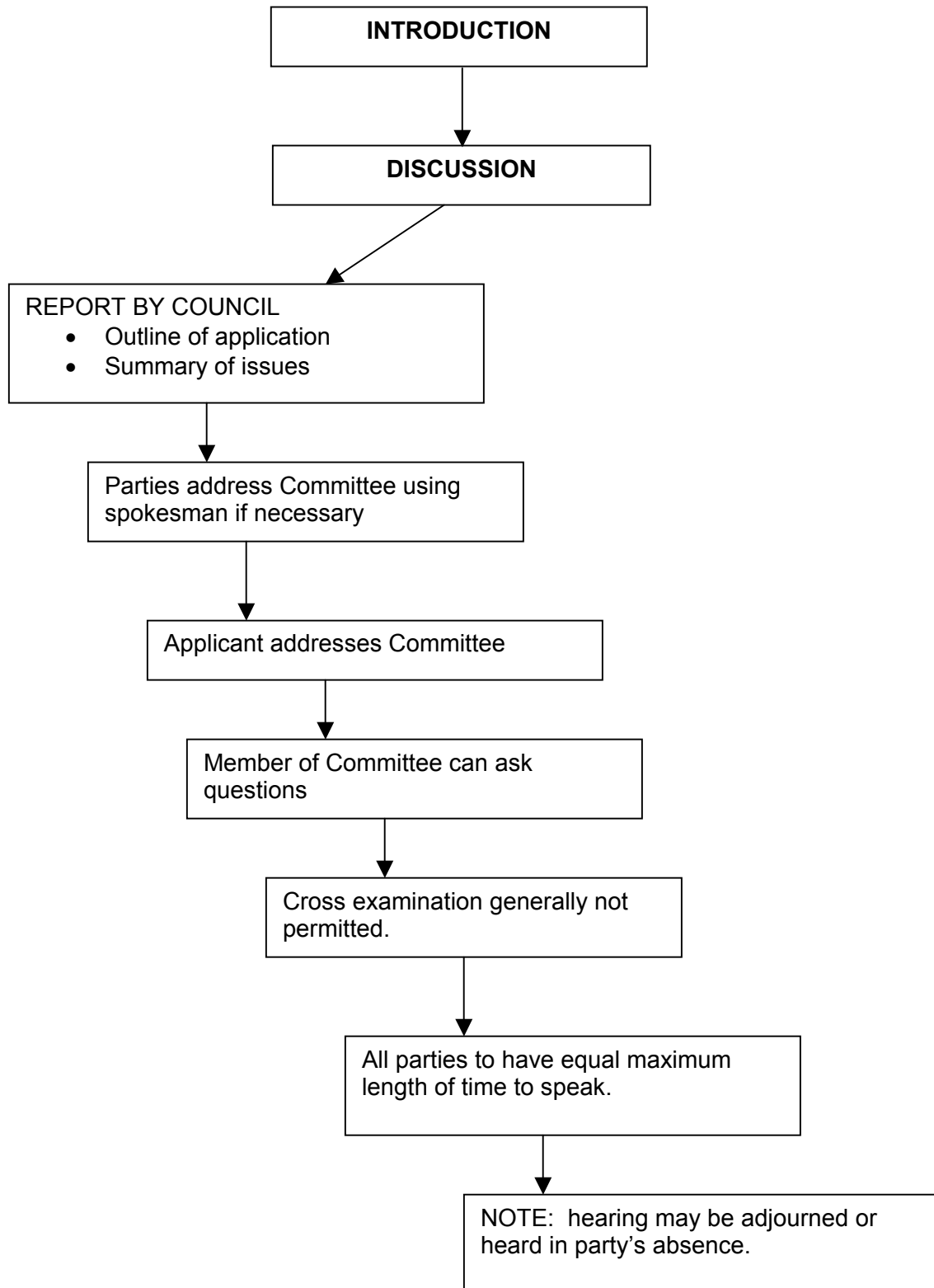
Agenda and individual reports can be made available in large print, Braille or on tape. Please contact the officer named below in advance of the meeting who will be pleased to deal with your request.

The meeting room is accessible for visitors in wheelchairs via the main entrance by prior arrangement. Please telephone 01432 272395



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LICENCING HEARING FLOW CHART



APPLICATION FOR FOUR (4) TEMPORARY EVENT NOTICES FOR 'FLAMES, 21 UNION STREET, HEREFORD, HR1 2BT.' - LICENSING ACT 2003

Report By: Head Of Environmental Health And Trading Standards

Wards Affected:

Central

1. Purpose

To consider an application for four (4) temporary event notices (TEN's) for 'Flames, 21 Union Street, Hereford. HR1 2BT.

2. Background Information

Applicant	Mr Sipahi SERKAN	
Solicitor	N/A	
Type of application:	T.E.N.	
Date Received:	21/11/05	
Date Served on Police:	24/11/05	
Issue Deadline: 1 st Application:	07/12/05	
Issue Deadline: 2 nd Application:	14/12/05	
Issue Deadline: 3 rd Application	21/12/05	
Issue Deadline: 4 th Application:	28/12/05	

3. Current Licence Details

The premise currently holds a Premises Licence authorising the Provision of Late Night Refreshment as follows: -

Monday to Thursday	2300 – 0000 hours
Friday & Saturday	2300 – 0130 hours
Sunday	2300 – 0100 hours

These hours were granted following a Regulatory Sub-Committee Hearing on 27th October, 2005.

4. TEN Application

The application for a Temporary Event Notice has received an objection from the relevant Chief Officer of Police. It therefore is now brought before committee to determine the application.

5. Summary of Application

The licensable activities applied for are: -
Late Night Refreshment

6. The following dates and hours have been applied for: -

1st Application

9th and 10th December, 2005, from 2300 to 0330 hours

2nd Application

16th and 17th December, 2005, from 2300 to 0330 hours

3rd Application

23rd and 24th December, 2005, from 2300 to 0330 hours

4th Application

30th and 31st December, 2005, from 2300 to 0330 hours

7. **Summary of Police Objection**

The relevant Chief Officer of Police has made a written objection on 25th November, 2005 on the grounds that the temporary events would undermine the Crime and Prevention Objective as: -

- The premises is located in a crime & disorder hot spot
- The premises were refused a Premise Licence at hearing for the hours requested
- The premises and the immediate vicinity of the premises has a high level of crime disorder and nuisance

A copy of this objection can be found within the background papers.

8. **Herefordshire Council Licensing Policy**

In making its decision the committee will be obliged to have regard to its own policy, the DCMS guidance and have regard to all documents submitted in respect of the application.

9. **Options: -**

There are two options available to the committee:

- Issue a 'counter notice' if it considers necessary for the promotion of the crime prevention objective or
- Refuse to issue a counter notice, thereby approving the Licensable Activities and hours requested by the Temporary Events Notice

10. **Background Papers**

- Police Objection
- Application For (x 4)

Background papers are available for inspection in the Council Chamber, Town Hall, Hereford 30 minutes before the start of the hearing.