

MINUTES of the meeting of Regulatory Sub Committee held at : The Council Chamber, Brockington, 35 Hafod Road, Hereford on Tuesday, 27th March, 2007 at 2.00 p.m.

Present: Councillor RI Matthews (Chairman)

Councillors: G.W. Davis and TW Hunt

49. ELECTION OF CHAIRMAN

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

50. APOLOGIES FOR ABSENCE

No apologies for absence were received.

51. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the hearing.

52. DECLARATIONS OF INTEREST

There were no declarations of interest made.

53. APPLICATION FOR NEW PREMISES LICENCE 'WITHINGTON VILLAGE STORES, HEREFORD, HR1 3RR' (Pages 1 - 2)

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

54. APPLICATION FOR VARIATION OF PREMISES LICENCE 'THE MONUMENT, WHITECROSS ROAD, HEREFORD, HR4 0LT' (Pages 3 - 6)

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 | Withington Village Stores |
| APPLICANT'S NAME | Louise and Michael Moran |
| APPLICATION TYPE | New |
| PANEL MEMBERS | Councillor R.I. Matthews (Chairman) Councillor GW Davis Councillor TW Hunt |
| DATE OF MEETING | 27th March, 2007 |

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 And Mrs Moran, the Applicants, as well as Mr R Soutar, Chairman of Withington Group Parish Council which was in favour of the application; and Mr P Buckman, one of the 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

| | Sale of Alcohol | Open to the Public |
|-----------|------------------------|---------------------------|
| Monday | 0700 - 2000 | 0700 - 2000 |
| Tuesday | 0700 - 2000 | 0700 - 2000 |
| Wednesday | 0700 - 2000 | 0700 - 2000 |
| Thursday | 0700 - 2000 | 0700 - 2000 |
| Friday | 0700 - 2000 | 0700 - 2000 |
| Saturday | 0800 - 2000 | 0800 - 2000 |
| Sunday | 0800 - 1600 | 0800 - 1600 |

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.

PUBLIC NUISANCE

- Any recorded music provided at the premises shall be maintained at background level only.
- Live music shall be provided at the premises on Saturday evenings only between 20.30 and 23.30 hours.
- Prominent notices shall be displayed at the exits to the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
- The licensee shall ensure that noise and vibration does not emanate from the premises so as to cause a public nuisance.
- All external windows and doors shall be closed when live music is provided at the premises.

PUBLIC SAFETY

- No open containers to be removed from the premises.
- A current inspection certificate shall be held for all electrical installations in accordance with BS 7671 and BS5266-1.
- All parts of the premises shall be provided with adequate illumination during the whole time the premises are being used for any licensable activities. All routes of escape and all parts of the premises to which the public have access shall be provided with adequate and assured lighting from independent supplies and systems.
- Adequate means of ventilation shall be provided at the premises whilst open to the public.

ADDITIONAL CONDITION

- SIA registered door steward to be in place between the hours of 2000 – 2400 hours on any Saturday when live music takes place.



HEREFORDSHIRE COUNCIL

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

| | |
|-------------------------|--|
| PREMISES | The Monument, Whitecross Road, Hereford |
| APPLICANT'S NAME | Greene King retailing Ltd |
| APPLICATION TYPE | Variation |
| PANEL MEMBERS | Councillor R.I. Matthews (Chairman) Councillor GW Davis Councillor TW Hunt |
| DATE OF MEETING | 27th March, 2007 |

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 Shirley Dicks of Greene King, Mr A Whitcombe the Manager of the premises, Miss V Woodland, the Environmental Health Officer, P.C. Thomas, as well as Mr. Rowe 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.

Remove Conditions -

- Regulated entertainment (excluding recorded music) to end at 23.00.
- The premises are permitted to be open for the said purposes from Monday – Saturday 1100 – 2330
Sundays 1100 – 2300 for musical entertainment only
Sundays 1900 – 2300 for dancing where there is no admission charge made.

Amend condition

'No children to be permitted on site' to be amended to read - No children permitted on site after 2000.

HEREFORDSHIRE COUNCIL

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

HOURS OF LICENSABLE ACTIVITY

| | Recorded music, anything similar (DJ, Disco, Karaoke) Dancing (indoors) | Live Music | Late night refreshment (indoors and outdoors) | Supply of Alcohol (indoors & outdoors) | Open to the public |
|-----------|--|-------------------|--|---|---------------------------|
| Monday | 1100 - 2300 | 1100 - 2300 | - | 1100 - 2300 | 1100 - 2340 |
| Tuesday | 1100 - 2300 | 1100 - 2300 | - | 1100 - 2300 | 1100 - 2340 |
| Wednesday | 1100 - 0000 | 1100 - 2300 | 2300 - 0000 | 1100 - 0000 | 1100 - 0040 |
| Thursday | 1100 - 0000 | 1100 - 2300 | 2300 - 0000 | 1100 - 0000 | 1100 - 0040 |
| Friday | 1100 - 0000 | 1100 - 2300 | 2300 - 0000 | 1100 - 0000 | 1100 - 0040 |
| Saturday | 1100 - 0000 | 1100 - 2300 | 2300 - 0000 | 1100 - 0000 | 1100 - 0040 |
| Sunday | 1100 - 0000 | 1100 - 2300 | 2300 - 0000 | 1100 - 0000 | 1100 - 0040 |

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.
- The conditions as agreed with Environmental Health.

PUBLIC NUISANCE

- Live music to cease at 23.00 hours (excluding karaoke and recorded music)
- All external windows and doors to be kept closed during the provision of live music and karaoke.
- A Noise limiter is installed at the premises and shall be effectively maintained according to manufacturers guidelines.
- The licensee or person nominated by him/her shall assess the outside area from time to time during performance of music entertainment for noise breakout to ensure noise levels are effectively controlled to prevent nuisance to neighbours.
- A noise limiter shall be used on each occasion that music entertainment is provided on the premises, excluding provision of background jukebox entertainment.
- No person shall be permitted in the beer garden after 23.00 hours.

HEREFORDSHIRE COUNCIL

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

NON STANDARD HOURS

Films, Live Music, Recorded Music, Anything of a Similar Description, Provision of facilities for dancing, Late Night Refreshment, Supply of Alcohol:

New Years Eve from the beginning of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

