

MINUTES of the meeting of Regulatory Sub Committee held at : The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 21 November 2007 at 10.00 a.m.

Present: Councillor P Jones CBE (Chairman)

Councillors: PGH Cutter and A Seldon

38. ELECTION OF CHAIRMAN

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

39. APOLOGIES FOR ABSENCE

No apologies for absence were received.

40. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the hearing.

41. DECLARATIONS OF INTEREST

Councillor P Jones CBE, the Chairman, declared a prejudicial interest in respect of item 6 on the agenda.

42. APPLICATION FOR NEW PREMISES LICENCE 'KINGTON YOUTH HOSTEL, VICTORIA ROAD, KINGTON, HR5 3BX.' (Pages 1 - 4)

The Sub-Committee were required to hear and determine an opposed application for a new premises licence for Kington Youth Hostel. The Chairman introduced the Sub-Committee and Officers and confirmed that all Members had received the background papers. He then asked if any of the interested parties were present. Ms Cochran and Ms Hall, representing the Youth Hostel Association, advised the Chairman of their wish to address the Sub-Committee in support of the application. The Chairman asked all of the parties present if they required an extension to the 10 minute allocated time allowed for public speaking. They felt that 10 minutes would be acceptable and no requests for an extension to the time limit were made.

The Licensing Officer presented his report to the Sub-Committee and confirmed that the applicant had agreed to all of the conditions recommended by the Environmental Health Officer. He noted that the applicant had requested that condition B1 be amended to include the viewing of DVD's as well as background music.

In response to a question from the Legal Practice Manager, the applicants confirmed that the supply of alcohol had been withdrawn from the application.

In accordance with the Licensing Act 2003 Regulations for Hearings, Ms Cochran and Ms Hall, representing the Youth Hostel Association, spoke in support of the application.

The Regulatory Sub-Committee withdrew from the meeting to make their decision. They requested that the Legal Advisor and Democratic Services Officer accompany them to offer legal and procedural advice.

RESOLVED:

That the application for a new premise licence in respect of Kington Youth Hostel, Victoria Road, Kington, HR5 3BX, be granted subject to the conditions outlined in the attached decision notice

43. APPLICATION FOR NEW PREMISES LICENCE 'LEOMINSTER YOUTH HOSTEL, THE OLD PRIORY, LEOMINSTER, HR6 8EQ.' (Pages 5 - 8)

Councillor JW Hope, the Regulatory Committee Vice-Chairman, took the Chair for the following item due to the fact that the Chairman had declared a prejudicial interest.

The Sub-Committee were required to hear and determine an opposed application for a new premises licence for Leominster Youth Hostel. The Chairman introduced the Sub-Committee and Officers and confirmed that all Members had received the background papers. He then asked if any of the interested parties were present. Ms Cochran and Ms Hall, representing the Youth Hostel Association, and Mr and Mrs Cook, two of the neighbouring residents who had made representations in respect of the application, advised the Chairman of their wish to address the Sub-Committee.. The Chairman asked all of the parties present if they required an extension to the 10 minute allocated time allowed for public speaking. They felt that 10 minutes would be acceptable and no requests for an extension to the time limit were made.

The Licensing Officer presented his report to the Sub-Committee and confirmed that the applicant had agreed to all of the conditions recommended by the Environmental Health Officer. He noted that the applicant had requested that condition B1 be amended to include the viewing of DVD's as well as background music.

In response to a question from the Legal Practice Manager, the applicants confirmed that the supply of alcohol had been withdrawn from the application.

In accordance with the Licensing Act 2003 Regulations for Hearings, Ms Cochran and Ms Hall, representing the Youth Hostel Association, spoke in support of the application.

In accordance with the Licensing Act 2003 Regulations for Hearings, Mr and Mrs Cook, two of the neighbouring residents who had made representations in respect of the application, spoke in objection.

The Regulatory Sub-Committee withdrew from the meeting to make their decision. They requested that the Legal Advisor and Democratic Services Officer accompany them to offer legal and procedural advice.

RESOLVED:

That the application for a new premise licence in respect of Leominster Youth Hostel, The Old Priory, Leominster, HR6 8EQ, be granted subject to the conditions outlined in the attached decision notice.

- 44. ADULT GAMING CENTRE LICENCE 'FIRST MOTORWAY SERVICES LTD, SYMONDS YAT SERVICES, A40 NORTHBOUND, WHITCHURCH, SYMONDS YAT, HR9 6DP.'**

The Licensing Officer advised Members that the item had been withdrawn from the agenda.

The meeting ended at 11.20 a.m.

CHAIRMAN



HEREFORDSHIRE COUNCIL

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

PREMISES	Kington Youth Hostel
APPLICANT'S NAME	Youth Hostel Association
APPLICATION TYPE	Variation to Premises Licence
PANEL MEMBERS	Councillor P Jones CBE (Chairman) Councillor PGH Cutter Councillor A Seldon
DATE OF MEETING	21st November, 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 the applicant's legal advisor.

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

	Plays, Films, Indoor Sporting Events	Live / Recorded Music, Dance or anything similar	Prov. of Facilities for Making Music, Dancing or Similar	Open to the public
Monday	0000 – 0000	0000 – 0000	0000 – 0000	0000 – 0000
Tuesday	0000 – 0000	0000 – 0000	0000 – 0000	0000 – 0000
Wednesday	0000 – 0000	0000 – 0000	0000 – 0000	0000 – 0000
Thursday	0000 – 0000	0000 – 0000	0000 – 0000	0000 – 0000
Friday	0000 – 0000	0000 – 0000	0000 – 0000	0000 – 0000
Saturday	0000 – 0000	0000 – 0000	0000 – 0000	0000 – 0000
Sunday	0000 – 0000	0000 – 0000	0000 – 0000	0000 – 0000

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.

PREVENTION OF PUBLIC NUISANCE

- No entertainment, which wholly or partly contains amplified sound, shall be provided between 0000 hours and 0900 hours. This condition does not apply to background music or DVD playback.
- When amplified entertainment is provided on the premises all external windows and doors shall be kept closed, save for access/egress, and shall at no time be propped open.
- Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

PUBLIC SAFETY

- A suitable and sufficient risk assessment shall be maintained for the provision and use of the licensed premises for all of the activities hereby licensed. The actions and control measures identified in the risk assessment shall be effectively implemented.
- The Licensee shall give the Council at least 10 days' notice in writing of any proposal to use special effects. The notice shall include, save in exceptional circumstances, exact details of the proposal including the date and time when the special effects can be demonstrated.
- Hangings, curtains, and temporary decorations shall be maintained and flame – retarded.
- Hangings, curtains, and temporary decorations shall be arranged so as not to obstruct exits, fire safety signs or fire-fighting equipment.
- Lighting, in the area where entertainment is provided, may be reduced or extinguished provided:
 - I) The lighting is controlled from a position with a clear view of the entertainment area, and;
 - II) An operator remains by the controls whilst the lighting is reduced or extinguished, and;

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REGULATORY COMMITTEE DECISION NOTICE (THE LICENSING ACT 2003)

- III) The operator restores the management lighting at once in the event of any emergency, and;
 - IV) The escape route signs remain adequately illuminated.
- A current electrical safety inspection certificate shall be held for all electrical installations and equipment.
 - Suitable Residual Current Devices shall be fitted to sockets where portable music/entertainment equipment is to be plugged in.
 - The display of films shall be restricted to television or projector screens.
 - The premises shall not be used for a closely-seated audience in respect of the exhibition of films without prior written approval from the licensing authority.
 - No person shall be permitted entry to the premises after 0000 hours, except for those persons residing at the hostel and/or their bona fide guests.
 - The premises, including internal and external arrangements, shall be maintained in a good state of repair.
 - Adequate means of ventilation shall be provided to the premises.

PROTECTION OF CHILDREN FROM HARM

- When performances are specially presented for children, an attendant shall be available in the area(s) occupied by the children in the vicinity of each exit. The minimum number of attendants on duty shall be one attendant per 50 children or part thereof.
- A specific risk assessment shall be undertaken where children are to be included in any performance and regard shall be made to guidance issued by the council. 'Plays-guidance on performances with children'.
- No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
- Proven methods shall be employed for the prevention of unlawful supply or use of alcohol, drugs or other similar substances on the premises.



HEREFORDSHIRE COUNCIL

REGULATORY COMMITTEE DECISION NOTICE
(THE LICENSING ACT 2003)

PREMISES	Leominster Youth Hostel
APPLICANT'S NAME	Youth Hostel Association
APPLICATION TYPE	Variation to Premises Licence
PANEL MEMBERS	Councillor P Jones CBE (Chairman) Councillor PGH Cutter Councillor A Seldon
DATE OF MEETING	21st November, 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 the applicant's legal advisor together with the interested parties who raised objection in respect of 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.

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