

MINUTES of the meeting of Regulatory Sub Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Thursday, 6 March 2008 at 2.00 p.m.

Present: Councillor JW Hope MBE (Chairman)

Councillors: ME Cooper, JHR Goodwin and P Jones CBE

68. ELECTION OF CHAIRMAN

Councillor JW Hope MBE was elected as Chairman for the Regulatory Sub-Committee hearing.

69. APOLOGIES FOR ABSENCE

Apologies were received from Councillor SPA Daniels.

70. NAMED SUBSTITUTES (IF ANY)

The Following named substitutes were noted:

Member	Substitute
Councillor SPA Daniels	Councillor ME Cooper
Councillor P Jones CBE	Councillor JHR Goodwin

71. DECLARATIONS OF INTEREST

The following declaration of interest was made:

Councillor	Item	Interest
P Jones CBE	Agenda Item 5 Application for a new premises licence at 'The Dukes Head Inn, Corn Square, Leominster, HR6 8LR'.	A Prejudicial Interest was declared and the Member left the room for the duration of the item.

72. APPLICATION FOR A NEW PREMISES LICENCE AT 'THE DUKE'S HEAD INN, CORN SQUARE, LEOMINSTER, HR6 8LR' (Pages 1 - 2)

The Sub-Committee were required to hear and determine an opposed application for a new premises licence for The Duke's Head Inn. The Chairman introduced the Sub-Committee and Officers and confirmed that all Members had received the background papers. He then asked any interested parties attending the hearing to make themselves known. Mr Steele and Mr Beckett, the applicant and his legal representative, advised the Chairman of their wish to address the Sub-Committee in support of the application. The Chairman asked 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 requested a point of clarification in respect of the areas required for licensable activities detailed on the site map submitted with the application. In response to a further question from the Licensing Officer, the applicant agreed to amend condition 4 under 'the prevention of crime and disorder' heading to read:

4. CCTV shall be installed at the premises in compliance with any reasonable requirements of the Police Crime Prevention Officer. Images will be retained for a minimum of 30 days and made available to the police and licensing authority on request.

The Legal Practice Manager drew members' attention to an error in the report. He noted that the following hours had been requested:

Thursday	Films	0700 – 0130
	Late night refreshment	2300 – 0130
	Supply of alcohol	0900 – 0100
	Open to the public	0700 – 0130

In accordance with the Licensing Act 2003 Regulations for Hearings, Mr Backhouse, the applicant's legal advisor, spoke in support of the application. He confirmed that the applicant had not agreed to the condition relating to a last entry time of midnight.

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 variation to the premise licence in respect of The Duke's Head Inn, Corn Square, Leominster, HR6 8LR, be granted subject to the conditions outlined in the attached decision notice.

The meeting ended at 2.55 p.m.

CHAIRMAN



HEREFORDSHIRE COUNCIL

REGULATORY COMMITTEE DECISION NOTICE
(THE LICENSING ACT 2003)

PREMISES	The Duke's Head Inn
APPLICANT'S NAME	JD Wetherspoon PLC
APPLICATION TYPE	New Premise Licence
PANEL MEMBERS	Councillor JW Hope (Vice-Chairman) Councillor ME Cooper Councillor JHR Goodwin
DATE OF MEETING	Thursday 6th March, 2008

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 Beckett and Mr Steele, representing the applicants together with Mr Trezins, the Environmental Protection Manager.

Having carefully considered those matters brought before them, the Committee were of the opinion that the application should be **granted subject** to the conditions below. In reaching their decision, the Members had full regard to the representations (including supporting information) presented by all parties, the guidance issued to local authorities under Section 182 of the Licensing Act 2003, the Herefordshire Council Licensing Policy and the provisions of the Licensing Act 2003. 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	Films	Late night refreshment	Open to the public
Monday	0900 - 0000	0700 - 0030	2300 - 0030	0700 - 0030
Tuesday	0900 - 0000	0700 - 0030	2300 - 0030	0700 - 0030
Wednesday	0900 - 0000	0700 - 0030	2300 - 0030	0700 - 0030
Thursday	0900 - 0100	0700 - 0130	2300 - 0130	0700 - 0130
Friday	0900 - 0100	0700 - 0130	2300 - 0130	0700 - 0130
Saturday	0900 - 0100	0700 - 0130	2300 - 0130	0700 - 0130
Sunday	0900 - 0000	0700 - 0030	2300 - 0030	0700 - 0030

HEREFORDSHIRE COUNCIL

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

NON STANDARD HOURS

	Supply of Alcohol	Films	Late night refreshment	Open to the public
Christmas Eve	0700 - 0230	0700 - 0230	2300 - 0230	0700 - 0230
Boxing Day	0700 - 0230	0700 - 0230	2300 - 0230	0700 - 0230
Maundy Thursday	0700 - 0230	0700 - 0230	2300 - 0230	0700 - 0230
Sunday preceding Bank Holiday	0700 - 0230	0700 - 0230	2300 - 0230	0700 - 0230
Saturday prior to start of BST	0700 - 0230	0700 - 0230	2300 - 0230	0700 - 0230
New Years Eve	0700 (New Years Eve) – 0700 (New Years Day)			

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.
- Any conditions offered by the applicant under section P of the application form.

GENERAL

- The actions and control measures laid out in the JD Wetherspoons' 'Code of Conduct for Responsible Retailing' submitted with the application be implemented, maintained, reviewed, and updated as necessary.

PUBLIC SAFETY

- Open containers shall not be removed from the premises [the "premises" includes any beer garden or area so designated for the consumption of alcohol ancillary to the main building].

PREVENTION OF PUBLIC NUISANCE

- Where an outside drinking area is provided, the outside area will not be used for licensable activities or the consumption of alcohol between the hours of 23.00 and 07.00 on any day.
- No person shall be permitted in the beer garden after closing time on any day.