

**MINUTES of the meeting of Regulatory Sub Committee held at  
The Council Chamber, Brockington, 35 Hafod Road, Hereford on  
Tuesday 23 June 2009 at 2.00 pm**

**Present:** Councillor JW Hope MBE (Chairman)

**Councillors:** PGH Cutter and JHR Goodwin

**1. ELECTION OF CHAIRMAN**

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

**2. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**3. NAMED SUBSTITUTES (IF ANY)**

There were no substitutes present at the hearing.

**4. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**5. APPLICATION FOR NEW PREMISES LICENCE 'THE ANGEL INN, KINGSLAND, HEREFORDSHIRE, HR6 9QS.'** (Pages 1 - 4)

The Regulatory Sub-Committee was convened in order to determine an application for a new premises licence in respect of The Angel Inn, Kingsland. The application was submitted in accordance with Section 51 of the Licensing Act 2003.

The Chairman introduced the Members and Officers and asked any interested parties to introduce themselves. The following attendees were noted:

- Mr and Mrs Shearon (Applicants)
- Mr Grimsey (Applicants' legal advisor)
- Mr and Mrs Humphries (Neighbouring residents)

The Chairman advised all parties of the hearing procedures and asked if any person required an extension to the time allocated for making representations. None of the attendees felt that an increase to the 10 minute time allocated for making representations would be required.

The Licensing Officer introduced the report and advised members that the application was for a new premises licence as a result of bankruptcy. He advised members that the published advertisement stated that the premises would be open to the public from midday to 2230 on Sundays which differed from the application form which stated a terminal hour of 2300.

The Legal Practice Manager advised members that no drinking up time had been applied for on Saturdays and Sundays, the applicants' legal advisor confirmed that his clients would be happy to reduce the hours to allow drinking up time. The Legal Practice Manager added that the applicant had requested regulated entertainment on New Year's Eve and Christmas Eve but had not applied for the sale of alcohol.

In accordance with the Licensing Act 2003 (Hearings) Regulations 2005 the Environmental Protection Manager addressed the sub-committee. He advised the committee that the premises had been the subject of noise complaints in the past and that he had therefore suggested a number of conditions. He added that Condition 2 under public safety should refer to 'mechanical' ventilation.

In response to a question from the Licensing Officer, the Environmental Protection Manager confirmed that the Environmental Protection Act covered statutory nuisance, and that his suggested conditions were complementary to those contained within the act. He added that he was happy to remove the illumination condition and the condition relating to electrical and gas installations as they were covered in the Regulatory Reform Order.

In accordance with the Licensing Act 2003 (Hearings) Regulations 2005 Mr Humphries addressed the sub-committee in objection to the application. He advised Members that he lived 100 yards away from the premises and had suffered from noise disturbances, which had been reported to the Environmental Health team. He confirmed that he had spoken to the premises licence holder in respect of noise but no compromise had been reached. Mr Humphries advised Members that he was satisfied with the proposed conditions and felt that they would address his concerns if they were complied with.

Mr Shearon, the Designated Premises Supervisor, addressed the sub-committee in support of his application. He confirmed that he had taken control of the Angel Inn in September 2008 and that the premises was a typical village public house. He added that the premises had been recently redecorated and was bright and modern attracting a good clientele. He submitted a copy of the menu to the sub-committee and stated that the primary business revolved around the restaurant trade. Finally he advised Members that premises had a reputation for live music which had continued on a weekly basis, he confirmed that these evenings attracted a range of people from 21 to 65.

Mr Grimsey, the applicants' legal advisor confirmed that his clients were happy to accept the amended conditions proposed by the Environmental Health Department. He added that Members may wish to add a condition regarding 'Challenge 21' to replace the proposed conditions in respect of the Protection of Children from harm. He added that the applicant's planned to install fans inside the premises to ensure that doors could be kept shut during performances of live music.

In response to a question, the Designated Premises Supervisor confirmed that the recorded music applied for would be primarily background music and that the volume would be controlled from behind the bar.

The Sub-Committee retired to make their decision and requested that the Legal Practice Manager and the Democratic Services Officer retire with them to offer legal and procedural advice.

**RESOLVED**

**That the application for a new premises licence in respect of the Angel Inn, Kingsland, be approved subject to any conditions detailed in the attached decision notice.**

**6. APPLICATION FOR TEMPORARY EVENT NOTICE 'THE GOLDEN GALLEON, 61A COMMERCIAL ROAD, HEREFORD, HR1 2BP.'** (Pages 5 - 6)

The Regulatory Sub-Committee was convened in order to determine an application for a Temporary Event Notice in respect of The Golden Galleon, Commercial Road, Hereford.

The Licensing Officer confirmed that a notice had been sent to Mr Singh advising him of the hearing date. The Democratic Services Officer also confirmed that a copy of the agenda pack had been sent to Mr Singh.

The Chairman introduced the Members and Officers and asked any interested parties to introduce themselves. The following attendee was noted:

- PC Thomas (West Mercia Police)

The Chairman advised all parties of the hearing procedures and asked if any person required an extension to the time allocated for making representations. None of the attendees felt that an increase to the 10 minute time allocated for making representations would be required.

In accordance with the Licensing Act 2003 (Hearings) Regulations 2005, PC Thomas, representing West Mercia Police, addressed the sub-committee. He detailed West Mercia Police's concerns in respect of the issue of night time disorder in the area. He confirmed that there were 47 incidents where the police were called to the premises in the year before the introduction of the Licensing Act. He confirmed that the number of incidents was reduced to 13 the following year when the hours had been amended to a terminal hour of 0130. He added that the Police did not object to increased hours for New Year's Eve as they had extra resources and more officers patrolling the area.

The Sub-Committee retired to make their decision and requested that the Legal Practice Manager and the Democratic Services Officer retire with them to offer legal and procedural advice.

**RESOLVED**

**That the application for a Temporary Event Notice in respect of the Golden Galleon be rejected for the reasons detailed in the attached decision notice.**

**7. APPLICATION FOR A NEW PREMISES LICENCE 'HAMPTON COURT, HOPE-UNDER-DINMORE, HEREFORDSHIRE.'** (Pages 7 - 10)

The Regulatory Sub-Committee was convened in order to determine an application for a new premises licence in respect of The Angel Inn, Kingsland. The application was submitted in accordance with Section 51 of the Licensing Act 2003.

The Chairman introduced the Members and Officers and asked any interested parties to introduce themselves. The following attendee was noted:

- Mr Granger (Applicant)

The Chairman advised all parties of the hearing procedures and asked if any person required an extension to the time allocated for making representations. None of the attendees felt that an increase to the 10 minute time allocated for making representations would be required.

The Licensing Officer introduced the report and advised members that the advertisement for the application had been seen and was acceptable. He advised Members that the application had been amended to include a period of 30 minutes for 'drinking up' time. He added that the applicant had agreed to all of the proposed conditions.

In accordance with the Licensing Act 2003 (Hearings) Regulations 2005 Mr Granger addressed the sub-committee in support of his application.

In response to a question, Mr Granger confirmed that where possible coaches would be used to transport guests to and from the venue.

The Sub-Committee retired to make their decision and requested that the Legal Practice Manager and the Democratic Services Officer retire with them to offer legal and procedural advice.

#### **RESOLVED**

**That the application for a new premises licence in respect of Hampton Court be approved subject to any conditions detailed in the attached decision notice.**

The meeting ended at 4.30 pm

**CHAIRMAN**



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

<b>PREMISES</b>	Angel Inn
<b>APPLICANT'S NAME</b>	Angel Inn Kingsland Ltd
<b>APPLICATION TYPE</b>	Variation
<b>PANEL MEMBERS</b>	Councillor JW Hope MBE (Chairman) Councillor PGH Cutter Councillor JHR Goodwin
<b>DATE OF MEETING</b>	23/06/09

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 Shearin, the applicants, and their legal advisor, Mr Grimsey, together with Mr Trezins, representing the Environmental Health Department, and Mr and Mrs Humphries, two of the local residents who had made representations 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 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 (INDOORS ONLY)**

	Supply of Alcohol	Live Music	Recorded Music	Open to the public
Monday	1200 - 2345		1200 - 0000	1200 - 0000
Tuesday	1200 - 2345		1200 - 0000	1200 - 0000
Wednesday	1200 - 2345		1200 - 0000	1200 - 0000
Thursday	1200 - 2345		1200 - 0000	1200 - 0000
Friday	1200 - 0030	2100 - 2330	1200 - 0000	1200 - 0045
Saturday	1200 - 0030		1200 - 0000	1200 - 0045
Sunday	1200 - 2245		1200 - 2300	1200 - 2300

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

**NON STANDARD HOURS**

	Supply of Alcohol	Live Music	Recorded Music	Open to the public
Christmas Eve	Not Requested	2100 - 0100	1200 - 0100	1200 - 0100
New Years Eve	Not Requested	2100 - 0200	1200 - 0200	1200 - 0200

**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 offered by the applicant under section P of the application form.

**PREVENTION OF PUBLIC NUISANCE**

- Noise or vibration must not emanate from the premises so as to cause a nuisance.
- All windows must be kept closed when music, except background music, is played at the premises.
- All doors must be kept closed, except for access/egress, when music, except background music, is played at the premises.
- The licensee(s) must make appropriate arrangements for the assessment of noise emanating from the premises whilst music, except background music, is being played. If the noise is found to be at an unacceptable level, immediate action must be taken to address the problem. A written log showing the time, the person conducting the assessment, observations made and any action taken must be kept on the premises and made available to an authorised officer upon request.
- There must be no music in the outside at any time.
- There must be no consumption of alcohol in the outside areas after 2330 on any day.
- Prominent, clear and legible notices must be displayed on all exits requesting the public respect the needs of local residents and to leave the premises and the area quietly.

## HEREFORDSHIRE COUNCIL

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

- The licensee(s) must immediately comply with any request to reduce or adjust noise levels made by an authorised officer.

#### **PUBLIC SAFETY**

- The licensee(s) must take all reasonable precautions to ensure the safety of the public and performers on the premises.
- Adequate means of mechanical ventilation and heating must be provided at the premises whilst open to the public and must be maintained in a proper working condition.
- The licensee(s) must ensure at all times that the number of persons on the premises are effectively controlled to prevent overcrowding.
- The licensee(s) must ensure that an adequate appropriate supply of first aid equipment and material is available on the premises for the use of the public.
- No open containers shall be removed from the premises except for consumption in any external area provided for that purpose.
- A current inspection certificate must be held for all electrical installations in accordance with BS 7671 and BS 5266-1.
- The gas installation must hold a current safety certificate signed by a 'Gas Safe' registered engineer. (Explanatory note: As of April 1 2009 'Gas Safe' register replaced the CORGI gas registration scheme)

#### **PROTECTION OF CHILDREN FROM HARM**

- That 'Challenge 25' be made a condition for all age restricted sales on the premises,
- No person under the age of 18 years old shall be allowed to serve alcohol within the premises without the written permission of the Council.







**HEREFORDSHIRE COUNCIL**

**REGULATORY COMMITTEE COUNTER NOTICE  
(S105(3) THE LICENSING ACT 2003)**

<b>PREMISES</b>	The Golden Galleon
<b>APPLICANT'S NAME</b>	Mr H Singh
<b>APPLICATION TYPE</b>	Temporary Event Notice
<b>EVENT DATES</b>	27 to 28 June 2009 4 to 5 July 2009
<b>PANEL MEMBERS</b>	Councillor JW Hope MBE (Chairman) Councillor PGH Cutter Councillor JHR Goodwin
<b>DATE OF MEETING</b>	23 June 2009

Herefordshire Council as Licensing Authority of the Golden Galleon, 61A Commercial Street, Hereford, issue this counter notice. The effect of which is to disapply the temporary event notices listed above, which are attached to this notice as appendix 1.

You are therefore restricted to the hours and activities as stated on your licence.

**A right of appeal against this notice exists under section 181 and Schedule 5 of the Licensing Act 2003.**





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

<b>PREMISES</b>	Hampton Court
<b>APPLICANT'S NAME</b>	Hampton Court Trading Ltd
<b>APPLICATION TYPE</b>	New Premises Licence
<b>PANEL MEMBERS</b>	Councillor JW Hope MBE (Chairman) Councillor PGH Cutter Councillor JHR Goodwin
<b>DATE OF MEETING</b>	23 June 2009

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 Granger, the applicant, together with PC Thomas, representing West Mercia Constabulary.

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 (INDOORS)**

	Supply of Alcohol	Plays & Films	Recorded Music / Live Music / Making Music / Dancing or similar	Late night refreshment	Open to the public
Monday	0900 - 0130	1100 - 2300	1100 - 0200	2300 - 0200	0900 - 0200
Tuesday	0900 - 0130	1100 - 2300	1100 - 0200	2300 - 0200	0900 - 0200
Wednesday	0900 - 0130	1100 - 2300	1100 - 0200	2300 - 0200	0900 - 0200
Thursday	0900 - 0130	1100 - 2300	1100 - 0200	2300 - 0200	0900 - 0200
Friday	0900 - 0130	1100 - 2300	1100 - 0200	2300 - 0200	0900 - 0200
Saturday	0900 - 0130	1100 - 2300	1100 - 0200	2300 - 0200	0900 - 0200
Sunday	0900 - 0130	1100 - 2300	1100 - 0200	2300 - 0200	0900 - 0200

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

**HOURS OF LICENSABLE ACTIVITY (OUTDOORS)**

	Supply of Alcohol	Plays & Films	Recorded Music / Live Music / Making Music / Dancing or similar
Monday	0900 - 2300	1100 - 2300	1100 - 2300
Tuesday	0900 - 2300	1100 - 2300	1100 - 2300
Wednesday	0900 - 2300	1100 - 2300	1100 - 2300
Thursday	0900 - 2300	1100 - 2300	1100 - 2300
Friday	0900 - 2300	1100 - 2300	1100 - 2300
Saturday	0900 - 2300	1100 - 2300	1100 - 2300
Sunday	0900 - 2300	1100 - 2300	1100 - 2300

**NON STANDARD TIMINGS**

The application for supply of alcohol from 6.00 am from September to January was granted as requested.

**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 offered by the applicant under section P of the application form.
- A responsible person must be available on the premises at all times that they are open to the public. This person must comply with all reasonable requests made by a duly authorised officer of the licensing authority or the West Mercia Constabulary if it is considered by this duly authorised officer that one or more of the four licensing objectives are being compromised.
- Events involving any licensable activity and requiring the use of specialist contractors for the provision of staging and / or sound systems, or being attended by 1000 or more persons require an event management plan to be agreed with Environmental Health four weeks before the start of the event. The requirements of this event management plan must be complied with.

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

**PREVENTION OF PUBLIC NUISANCE**

- Noise or vibration must not emanate from the premises so as to interfere with the use or enjoyment of any neighbouring premises.
- Amplified music must not be played in the outdoor areas after 2300.
- Fireworks will be discharged before 2300 and advance notice will be given to neighbours.

**PUBLIC SAFETY**

- A suitable and sufficient risk assessment must be recorded and maintained for the provision of licensable activities on the premises. The auctions and control measures identified in the risk assessment must be effectively implemented.
- Adequate systems must be in place to control numbers of persons entering the premises to prevent overcrowding and alleviate crowd control problems.
- The maximum number of persons inside the building attending at any one time must not exceed: Ballroom-100; Great Hall-76; Chapel-60; Library-87; Drawing Room-100; Restaurant-100.

**PROTECTION OF CHILDREN FROM HARM**

- There must be a lost procedure in place. Notices will display this information to the public.
- That 'Challenge 25' be made a condition for all age restricted sales made on the premises.

**PREVENTION OF CRIME AND DISORDER**

- That SIA registered door supervisors are provided for all events on a risk assessed basis to be undertaken by the premise licence holder.
- For all large events (over 499 people) held outside the main castle premises, a separate risk assessment be completed, which will include details of any security measures in place.

