

# AGENDA

## Regulatory Sub Committee

Date: **Tuesday 23 June 2009**

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Time: **2.00 pm**

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Place: **The Council Chamber, Brockington, 35 Hafod Road,  
Hereford**

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

For any further information please contact:

**Ricky Clarke, Democratic Services Officer**

Tel: 01432 261885

Email: [rclarke@herefordshire.gov.uk](mailto:rclarke@herefordshire.gov.uk)

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If you would like help to understand this document, or would like it in another format or language, please call Ricky Clarke, Democratic Services Officer on 01432 261885 or e-mail [rclarke@herefordshire.gov.uk](mailto:rclarke@herefordshire.gov.uk) in advance of the meeting.

# Agenda for the Meeting of the Regulatory Sub Committee

## Membership

Councillor PGH Cutter  
Councillor JHR Goodwin  
Councillor JW Hope MBE

## **GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS**

The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.

A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.

Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is. A Councillor who has declared a prejudicial interest at a meeting may nevertheless be able to address that meeting, but only in circumstances where an ordinary member of the public would be also allowed to speak. In such circumstances, the Councillor concerned will have the same opportunity to address the meeting and on the same terms. However, a Councillor exercising their ability to speak in these circumstances must leave the meeting immediately after they have spoken.

## AGENDA

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| <b>1. ELECTION OF CHAIRMAN</b>  |         |
| To elect a Chairman for the hearing.  |         |
| <b>2. APOLOGIES FOR ABSENCE</b>   |         |
| To receive apologies for absence.   |         |
| <b>3. NAMED SUBSTITUTES (IF ANY)</b>  |         |
| To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.  |         |
| <b>4. DECLARATIONS OF INTEREST</b>  |         |
| To receive any declarations of interest by Members in respect of items on the Agenda.   |         |
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# **The Public's Rights to Information and Attendance at Meetings**

## **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 Cabinet and 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, Cabinet, 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).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

## **Public Transport Links**

- Public transport access can be gained to Brockington via the service runs approximately every 20 minutes from the City bus station at the Tesco store in Bewell Street (next to the roundabout junction of Blueschool Street / Victoria Street / Edgar Street).
- The nearest bus stop to Brockington is located in Vineyard Road near to its junction with Old Eign Hill. The return journey can be made from the same bus stop.

## **HEREFORDSHIRE COUNCIL**

**BROCKINGTON, 35 HAFOD ROAD, HEREFORD.**

### **FIRE AND EMERGENCY EVACUATION PROCEDURE**

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit.

You should then proceed to Assembly Point J which is located at the southern entrance to the car park. A check will be undertaken to ensure that those recorded as present have vacated the building following which further instructions will be given.

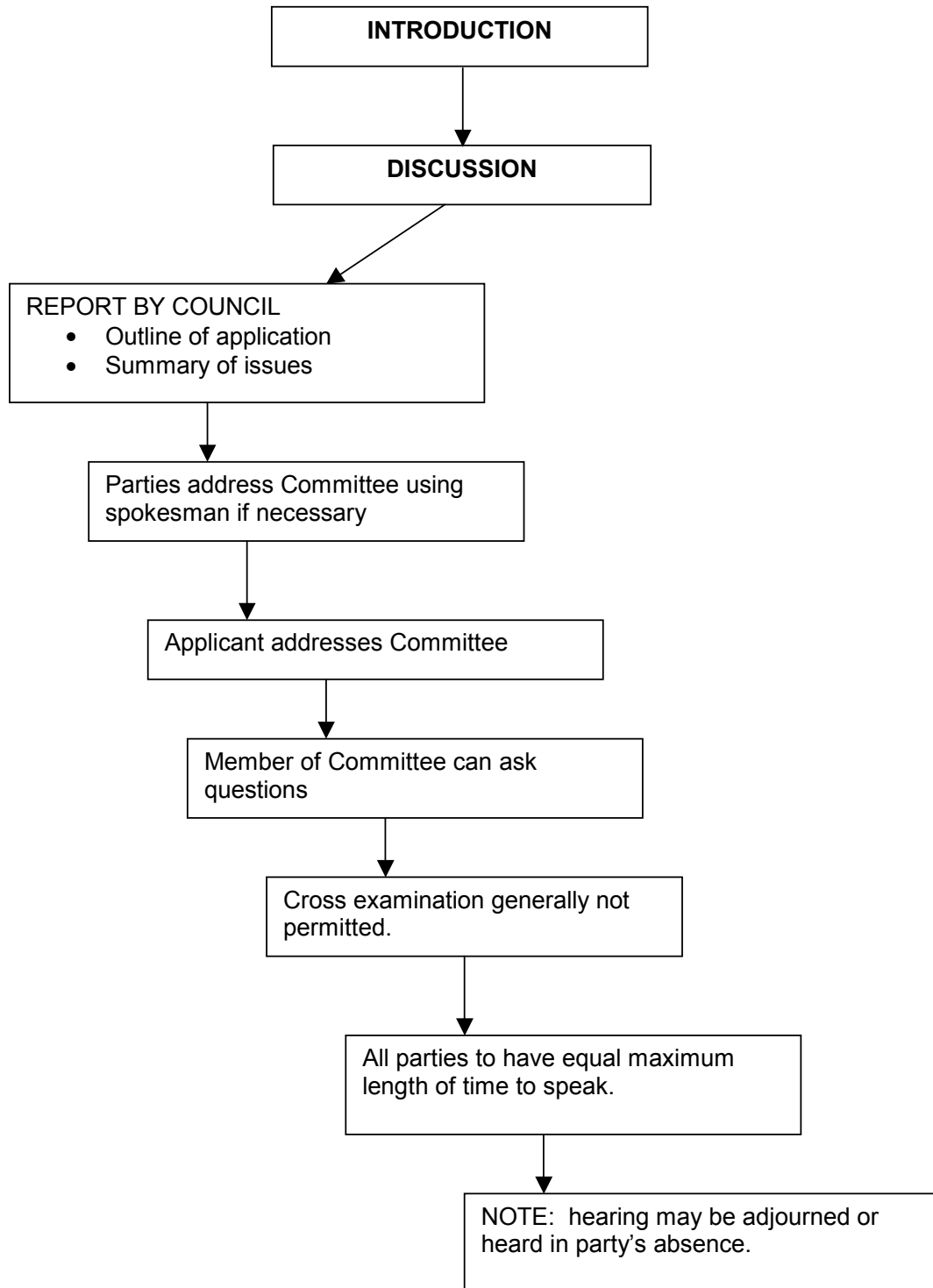
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Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.



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## LICENCING HEARING FLOW CHART







## APPLICATION FOR NEW PREMISES LICENCE IN RESPECT OF 'THE ANGEL INN, KINGSLAND, LEOMINSTER, HR6 9QS.' - LICENSING ACT 2003

Report By: Head Of Environmental Health And Trading Standards

### Wards Affected:

Bircher

### 1 Purpose

To consider an application for a new premises licence in respect of 'The Angel Inn' at Kingsland, Herefordshire, HR6 9QS.

### 2 Background Information

|                             |  |                       |
|-----------------------------|--|-----------------------|
| Applicant                   | <b>Angel Inn Kingsland Ltd, The Angel Inn, Kingsland, Nr Leominster, HR6 9QS.</b>            |                       |
| Solicitor                   | <b>Popplestone Allen Nottingham, 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS.</b> |                       |
| Type of application:        | Date received:   | 28 Days consultation: |
| <b>New Premises Licence</b> | <b>28 April 2009</b>   | <b>26 May 2009</b>    |

The advertisement for the premises has been seen and has been accepted. A copy of the application is within the background papers.

### 3 Summary of Application

The licensable activities applied for are: -

Live Music, Recorded Music and Sale by retail of Alcohol – Extended Hours (on the premises).

For the following hours: -

Live Music (Indoors Only)

Fridays 21:00 – 23:30

Recorded Music (Indoors Only)

Monday – Sunday (daily) 12:00 – 00:00

Supply of Alcohol (on the premises)

Monday – Thursday 12:00 – 00.00

Friday – Saturday 12:00 – 00:30

Sunday 00:00 – 23:00

Premises to be Open to the Public

Monday – Thursday 12:00 – 00.00

Friday – Saturday 12:00 – 00:45

Sunday 12:00 – 23:00

**4. Non Standard hours**

There is an application for 'non-standard' hours in respect of live music, recorded music and the premises being open to the public for Christmas Eve to 01.00 and New Years Eve to 02.00.

**5. Removal of Existing Conditions**

The application does not request the removal of any of the conditions shown on the licence.

**6. Summary of Representations**

Copies of the representations and suggested conditions can be found within the attached background papers.

**West Mercia Police**

West Mercia Police have not made a representation.

**Environmental Health**

The Environmental Health Technical Officer has made a representation. Although not objecting, he has made a number of recommendations that relate to the prevention of public nuisance, the prevention of harm to children and public safety. A copy of this memorandum can be seen in the background papers.

**Fire Authority.**

The fire authority has no comment to make in relation to the application.

**Interested Parties.**

The Local Authority has received two letters of representation in respect of the application from interested parties.

These essentially address public nuisance issues arising from noise although one also makes reference to concerns about anti social behaviour too. Copies of these letters can be seen in the background papers.

There is one letter of support from a local resident which can also be seen in the background papers.

**7. Committee's Responsibility**

The committee is responsible for promoting the four licensing objectives.

In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- The steps that are necessary to promote the licensing objectives;
- 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.

**8. Options: -**

It is for the committee to take such steps below as it considers necessary for the promotion of the licensing objectives:

- Grant the licence subject to conditions that are consistent with the operating schedule accompanying the application and the mandatory conditions set out in the Licensing Act 2003.
- Grant the licence subject to modified conditions to that of the operating schedule where the committee considers it necessary for the promotion of the licensing objectives and add mandatory condition set out in the Licensing Act 2003.
- To exclude from the scope of the licence any of the licensable activities to which the application relates.
- To refuse to specify a person in the licence as the premise supervisor.
- To reject the application.

9. **Background Papers**

- a. Application Form
- b. Environmental Health Comments
- c. Public Representations

**Background papers are available for inspection in the Council Chamber, Brockington, 35 Hafod Road, Hereford, 30 minutes before the start of the hearing.**

**NOTES****RELEVANT, VEXATIOUS AND FRIVOLOUS REPRESENTATIONS**

9.8. A representation would only be “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessman which argued that his business would be commercially damaged by a new licensed premises would not be relevant. On the other hand, a representation that nuisance caused by the new premises would deter customers from entering the local area and the steps proposed by the applicant to control that nuisance were inadequate would be relevant. There is no requirement for an interested party or responsible authority to produce a recorded history of problems at a premises to support their representations, and in fact this would not be possible for new premises. Further information for interested parties about the process for making representations is available in “Guidance for interested parties: Making representations” which can be found on the DCMS website.

9.9 The “cumulative impact” on the licensing objectives of a concentration of multiple licensed premises may also give rise to a relevant representation when an application for the grant or variation of a premises licence is being considered, but not in relation to an application for review which must relate to an individual premises.

9.10 It is for the licensing authority to determine whether any representation by an interested party is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. Vexation may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Frivolous representations would be essentially categorised by a lack of seriousness. An interested party who is aggrieved by a rejection of their representations on these grounds may challenge the authority’s decision by way of judicial review.

9.11. Licensing authorities should not take decisions on whether representations are relevant on the basis of any political judgment. This may be difficult for ward councilors receiving complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the subcommittee before any decision is taken that necessitates a hearing. Any ward councilor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

9.12 The Secretary of State recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it. If it then emerged, for example, that the representation should not be supported, the licensing authority could decide not to take any action in respect of the application.

**Licensing Authorities power to exercise substantive discretionary powers.****The British Beer and Pub Association (2) The Association of Licensed Multiple Retailers (3) The British Institute of Inn keeping V Canterbury City Council.**

Contesting the validity of the Licensing policy that asks for certain requirements before the application has been submitted. In the summing up the Judge states; The scheme of the legislation is to leave it to applicants to determine what to include in their applications, subject to the requirements of Section 17 and the Regulations as to the prescribed form and the inclusion of a statement of specified matters in the operating schedule. An applicant who makes the right judgement, so that the application gives rise to no relevant representations, is entitled to the grant of a licence without the imposition of conditions. The licensing authority has no power at all to lay down the contents of an application and has no power to assess an application, or exercise substantive discretionary powers in relation to it, unless there are relevant representations and the decision – making function under section 18 (3) is engaged.



[Insert name and address of relevant licensing authority and its reference number (optional)]

### Application for a premises licence to be granted under the Licensing Act 2003

#### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
You may wish to keep a copy of the completed form for your records.

GARRICK HOUSE

I certify that this is a copy of the original document which was returned to the customer on

Date: 28/4/09  
Signed: magp.

I/We ANGEL INN KINGSLAND LTD. apply for a premises licence under section 17 of  
(Insert name(s) of applicant)  
the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

#### Part 1 – Premises details

|   |                              |
|---|------------------------------|
| Postal address of premises or, if none, ordnance survey map reference or description<br><u>THE ANGEL INN<br/>KINGSLAND.</u> |                              |
| Post town<br><u>NR LEOMINSTER.</u>  | Post code<br><u>NR6 9QS.</u> |

Telephone number at premises (if any)

01568 709195.

Non-domestic rateable value of premises

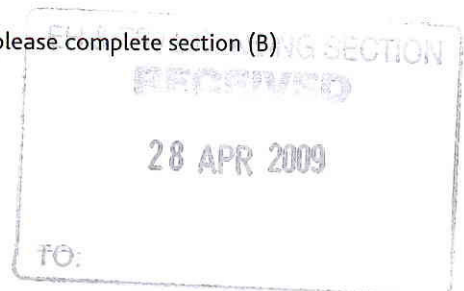
£ 9,900 -

#### Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick ✓ yes

- a) an individual or individuals\*  please complete section (A)
- b) a person other than an individual\*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)



- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\*If you are applying as a person described in (a) or (b) please confirm:

- Please tick  yes
- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
  - I am making the application pursuant to a
    - statutory function or
    - a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr  Mrs  Miss  Ms  Other title   
 (for example, Rev)

**Surname**

**First names**

I am 18 years old or over  Please tick  yes

**Current postal address if different from premises address**

**Post Town**  **Postcode**

**Daytime contact telephone number**

**E-mail address (optional)**



SECOND INDIVIDUAL APPLICANT\_(if applicable)

Mr

Mrs

Miss

Ms

Other title   
(for example, Rev)

Surname

First names

Please tick  
✓ yes

I am 18 years old or over

Current postal  
address  
if different from  
premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address  
(optional)

(B) OTHER APPLICANTS.

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned

|   |  |
|---|--|
| Name  | ANGEL INN KINGSLAND LTD.                                   |
| Address   | THE ANGEL INN.<br>KINGSLAND.<br>NR LEOMINSTER.<br>HR6 9QS. |
| Registered number (where applicable)  | 6689795  |
| Description of applicant (for example partnership, company, unincorporated association etc) | LIMITED COMPANY.   |
| Telephone number (if any)   | 01568709195.   |
| E-mail address (optional)   |  |

### Part 3 Operating Schedule

When do you want the premises licence to start?

| Day | Month | Year |
|-----|-------|------|
| 2   | 6     | 05   |
| 2   | 0     | 09   |

If you wish the licence to be valid only for a limited period, when do you want it to end?

| Day | Month | Year |
|-----|-------|------|
|     |       |      |

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

Please give a general description of the premises (please read guidance note 1)

HISTORIC VILLAGE INN.  
ON THE BLACKWHITE TRAIL ON A VILLAGE GREEN.  
SINGLE BAR SERVEY IN A 34 COVER RESTURANT.  
BEER GARDENS /SMOKING AREA TO THE FRONT + REAR OF THE PREMISES.

What licensable activities do you intend to carry on from the premises?  
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

Please tick ✓ yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)  
(if ticking yes, fill in box H)

**Provision of entertainment facilities for:**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)  
(if ticking yes, fill in box K)

**Provision of late night refreshment** (if ticking yes, fill in box L)

**Supply of alcohol** (if ticking yes, fill in box M)

**In all cases complete boxes N, O and P**

**A**

| <b>Plays</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the performance of a play take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b> | Indoors  |  |  |
|--|-------|--------|--|--|--|--|
| Day  | Start | Finish |  | Outdoors   |  |  |
| Mon  |       |        | <b>Please give further details here (please read guidance note 3)</b>  | Both   |  |  |
|  |       |        |  |  |  |  |
| Tue  |       |        |  |  |  |  |
|  |       |        |  |  |  |  |
| Wed  |       |        |  | <b>State any seasonal variations for performing plays (please read guidance note 4)</b>  |  |  |
| Thur   |       |        |  |  |  |  |
| Fri  |       |        |  | <b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)</b> |  |  |
| Sat  |       |        |  |  |  |  |
| Sun  |       |        |  |  |  |  |

**B**

| <b>Films</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the exhibition of films take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b> | Indoors   |  |  |
|--|-------|--------|--|---|--|--|
| Day  | Start | Finish |  | Outdoors  |  |  |
| Mon  |       |        | <b>Please give further details here (please read guidance note 3)</b>  | Both  |  |  |
|  |       |        |  |   |  |  |
| Tue  |       |        |  |   |  |  |
|  |       |        |  |   |  |  |
| Wed  |       |        |  | <b>State any seasonal variations for the exhibition of films (please read guidance note 4)</b>  |  |  |
| Thur   |       |        |  |   |  |  |
| Fri  |       |        |  | <b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)</b> |  |  |
| Sat  |       |        |  |   |  |  |
| Sun  |       |        |  |   |  |  |

**C**

| <b>Indoor sporting events</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Please give further details</b> (please read guidance note 3)   |
|---|-------|--------|--|
| Day   | Start | Finish |  |
| Mon   |       |        |  |
|   |       |        |  |
|   |       |        |  |
| Tue   |       |        | <b>State any seasonal variations for indoor sporting events</b><br>(please read guidance note 4)   |
| Wed   |       |        |  |
|   |       |        |  |
| Thur  |       |        | <b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 5) |
| Fri   |       |        |  |
|   |       |        |  |
| Sat   |       |        |  |
|   |       |        |  |
| Sun   |       |        |  |
|   |       |        |  |

**D**

| <b>Boxing or wrestling entertainments</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y]</b> (please read guidance note 2) | Indoors  |   |
|---|-------|--------|--|----------|---|
| Day   | Start | Finish |  | Outdoors |   |
| Mon   |       |        | Both   |          | <b>Please give further details here</b> (please read guidance note 3)   |
|   |       |        |  |          |   |
|   |       |        |  |          |   |
| Tue   |       |        |  |          | <b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)  |
| Wed   |       |        |  |          |   |
|   |       |        |  |          |   |
| Thur  |       |        |  |          | <b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5) |
| Fri   |       |        |  |          |   |
|   |       |        |  |          |   |
| Sat   |       |        |  |          |   |
|   |       |        |  |          |   |
| Sun   |       |        |  |          |   |

**E**

| <b>Live music</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b>   | Indoors  | <input checked="" type="checkbox"/> |
|---|-------|--------|--|----------|-------------------------------------|
| Day   | Start | Finish |  | Outdoors | <input type="checkbox"/>            |
| Mon   |       |        | <b>Please give further details here (please read guidance note 3)</b>  | Both     | <input type="checkbox"/>            |
| Tue   |       |        |  |          |                                     |
| Wed   |       |        |  |          |                                     |
| Thur  |       |        | <b>State any seasonal variations for the performance of live music (please read guidance note 4)</b>   |          |                                     |
| Fri   | 21:00 | 23:30  |  |          |                                     |
| Sat   |       |        |  |          |                                     |
| Sun   |       |        | <b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)</b><br><br>CHRISTMAS EVE 01:00.<br>NEW YEARS EVE 02:00 |          |                                     |

**F**

| <b>Recorded music</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b>  | Indoors  | <input checked="" type="checkbox"/> |
|---|-------|--------|---|----------|-------------------------------------|
| Day   | Start | Finish |   | Outdoors | <input type="checkbox"/>            |
| Mon   | 12:00 | 00:00  | <b>Please give further details here (please read guidance note 3)</b><br><br>BACK GROUND MUSIC FOR DINERS.  | Both     | <input type="checkbox"/>            |
| Tue   | 12:00 | 00:00  |   |          |                                     |
| Wed   | 12:00 | 00:00  |   |          |                                     |
| Thur  | 12:00 | 00:00  | <b>State any seasonal variations for playing recorded music (please read guidance note 4)</b>   |          |                                     |
| Fri   | 12:00 | 00:00  |   |          |                                     |
| Sat   | 12:00 | 00:00  |   |          |                                     |
| Sun   | 12:00 | 00:00  | <b>Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</b><br><br>CHRISTMAS EVE 01:00.<br>NEW YEARS EVE 02:00. |          |                                     |

## G

| Performances of dance<br>Standard days and timings<br>(please read guidance note 6) |       |        | Will the performance of dance take place<br>indoors or outdoors or both – please tick<br>[Y] (please read guidance note 2)  | Indoors  |  |
|---|-------|--------|---|----------|--|
| Day   | Start | Finish |   | Outdoors |  |
| Mon   |       |        | <b>Please give further details here</b> (please read guidance note 3)   |          |  |
| Tue   |       |        |   |          |  |
| Wed   |       |        | <b>State any seasonal variations for the performance of dance</b><br>(please read guidance note 4)  |          |  |
| Thur  |       |        |   |          |  |
| Fri   |       |        | <b>Non standard timings. Where you intend to use the premises<br/>for the performance of dance entertainment at different times<br/>to those listed in the column on the left, please list</b> (please read<br>guidance note 5) |          |  |
| Sat   |       |        |   |          |  |
| Sun   |       |        |   |          |  |

## H

| Anything of a similar<br>description to that<br>falling within (e), (f) or<br>(g)<br>Standard days and timings<br>(please read guidance note 6) |       |        | Please give a description of the type of entertainment you will<br>be providing  |        |         |
|---|-------|--------|--|--------|---------|
| Day   | Start | Finish | Will this entertainment take place indoors or<br>outdoors or both – please tick [Y] (please<br>read guidance note 2)   | Indoor |         |
| Mon   |       |        |  |        | Outdoor |
| Tue   |       |        | <b>Please give further details here</b> (please read guidance note 3)  | Both   |         |
| Wed   |       |        |  |        |         |
| Thur  |       |        | <b>State any seasonal variations for entertainment of a similar<br/>description to that falling within (e), (f) or (g).</b> (please read<br>guidance note 4) |        |         |
| Fri   |       |        |  |        |         |

|     |  |  |   |
|-----|--|--|---|
| Sat |  |  | <b>Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 5) |
|     |  |  |   |
| Sun |  |  |   |
|     |  |  |   |

|   |       |        |  |  |
|---|-------|--------|--|--|
| <b>Provision of facilities for making music</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Please give a description of the facilities for making music you will be providing</b>  |  |
|   |       |        | <b>Will the facilities for making music be indoors or outdoors or both – please tick [Y]</b> (please read guidance note 2)   | Indoors <input type="checkbox"/><br>Outdoors <input type="checkbox"/><br>Both <input type="checkbox"/> |
| Day   | Start | Finish |  |  |
| Mon   |       |        | <b>Please give further details here</b> (please read guidance note 3)  |  |
| Tue   |       |        |  |  |
| Wed   |       |        |  |  |
| Thur  |       |        | <b>State any seasonal variations for the provision of facilities for making music</b> (please read guidance note 4)  |  |
| Fri   |       |        |  |  |
| Sat   |       |        | <b>Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5) |  |
| Sun   |       |        |  |  |

|   |       |        |   |  |
|---|-------|--------|---|--|
| <b>Provision of facilities for dancing</b><br>Standard days and timings (please read guidance note 6) |       |        | <b>Will the facilities for dancing be indoors or outdoors or both – please tick [Y]</b> (see guidance note 2) |  |
|   |       |        | Indoors <input type="checkbox"/><br>Outdoors <input type="checkbox"/><br>Both <input type="checkbox"/>        |  |
| Day   | Start | Finish |   |  |
|   |       |        | <b>Please give a description of the facilities for dancing you will be providing</b>                          |  |



|      |  |  |   |
|------|--|--|---|
| Mon  |  |  | <b>Please give further details here</b> (please read guidance note 3)   |
| Tue  |  |  |   |
| Wed  |  |  | <b>State any seasonal variations for providing dancing facilities</b> (please read guidance note 4)   |
| Thur |  |  |   |
| Fri  |  |  | <b>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5) |
| Sat  |  |  |   |
| Sun  |  |  |   |

## K

|  |       |        |  |         |
|--|-------|--------|--|---------|
| <b>Provision of facilities for entertainment of a similar description to that falling within I or J</b><br>Standard days and timings (please read guidance note 6) |       |        | <b>Please give a description of the type of entertainment facility you will be providing</b>   |         |
| Day  | Start | Finish | <b>Will the entertainment facility be indoors or outdoors or both – please tick [Y]</b> (please read guidance note 2)  | Indoor  |
| Mon  |       |        |  | Outdoor |
| Tue  |       |        |  | Both    |
| Wed  |       |        |  |         |
| Thur   |       |        | <b>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k</b> (please read guidance note 4)  |         |
| Fri  |       |        |  |         |
| Sat  |       |        | <b>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list</b> (please read guidance note 5) |         |
| Sun  |       |        |  |         |

**L**

| <b>Late night refreshment</b><br>Standard days and timings (please read guidance note 6) |       |        | Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2) | Indoors  |  |  |
|--|-------|--------|---|--|--|--|
| Day  | Start | Finish |   | Outdoors   |  |  |
| Mon  |       |        | <b>Please give further details here</b> (please read guidance note 3)   | Both   |  |  |
| Tue  |       |        |   |  |  |  |
| Wed  |       |        |   | <b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)   |  |  |
| Thur   |       |        |   |  |  |  |
| Fri  |       |        |   | <b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 5) |  |  |
| Sat  |       |        |   |  |  |  |
| Sun  |       |        |   |  |  |  |

**M**

| <b>Supply of alcohol</b><br>Standard days and timings (please read guidance note 6) |                           |                           | Will the sale of alcohol be for consumption (Please tick box Y) (please read guidance note 7) | On the premises   | <input checked="" type="checkbox"/> |  |
|---|---------------------------|---------------------------|---|---|-------------------------------------|--|
| Day   | Start                     | Finish                    |   | Off the premises  |                                     |  |
| Mon   | <del>00:00</del><br>12:00 | <del>00:00</del><br>00:00 | <b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)  | Both  |                                     |  |
| Tue   | <del>00:00</del><br>12:00 | <del>00:00</del><br>00:00 |   |   |                                     |  |
| Wed   |                           |                           |   |   |                                     |  |
| Thur  |                           |                           |   | <b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5) |                                     |  |
| Fri   | 12:00                     | 00:30                     |   |   |                                     |  |
| Sat   | 12:00                     | 00:30                     |   |   |                                     |  |

|     |       |       |  |
|-----|-------|-------|--|
| Sun | 00:00 | 23:00 |  |
|-----|-------|-------|--|

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name..... MR KEITH G SHEARIN .

Address..... SLANSTONE COURT .  
BUSH BANK .

Postcode..... HEREFORDSHIRE , HR4 8ES .

Personal Licence number (if known) ..... 380 .

Issuing licensing authority (if known)..... HEREFORD .

**N**

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

**O**

|  |                           |         |  |
|--|---------------------------|---------|--|
| <b>Hours premises are open to the public</b><br>Standard timings (please read guidance note 6) |                           |         | State any seasonal variation (please read guidance note 4)   |
| Day  | Start                     | Finish  | <p>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p> <p>CHRISTMAS EVE. 01:00 .<br/>NEW YEARS EVE 02:00 .</p> |
| Mon  | <del>00:00</del><br>12:00 | 00:00 . |  |
| Tue  | 12:00                     | 00:00   |  |
| Wed  | 12:00                     | 00:00 . |  |
| Thur   | 12:00                     | 00:00 . |  |
| Fri  | 12:00                     | 00:45 . |  |
| Sat  | 12:00                     | 00:45 . |  |
| Sun  | 12:00                     | 23:00 . |  |

## P

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

D.P.S. OPERATES PREMISES WELL FROM  
JULY 08, WITH EXCELLENT RELATIONS WITH  
LOCAL AUTHORITIES + COMMUNITY.

b) The prevention of crime and disorder

MEMBER OF NEIGHBOURHOOD WATCH SCHEME.  
REGULAR AND ONGOING MEETINGS WITH  
LOCAL POLICE.

c) Public safety

WEEKLY UPDATES TO THE RISK ASSESSMENT.  
PREMISES KEPT TO A EXTREMELY HIGH STANDARD.

d) The prevention of public nuisance

CONTROL OF PREMISES TO A HIGH STANDARD,  
PRIMARY INTEREST IS THE SALE OF QUALITY  
MEALS + REAL ALE.

e) The protection of children from harm

ADHERE TO CHILDREN'S ACT.

Please tick ✓ yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 4 – Signatures** (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (See guidance note 11) If signing on behalf of the applicant please state in what capacity.

Signature P. K. Hughes

Date 27/04/09

Capacity Director

For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent. (please read guidance note 12) If signing on behalf of the applicant please state in what capacity.

Signature .....

Date.....

Capacity .....

|   |           |
|---|-----------|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) |           |
|   |           |
| Post town   | Post code |
| Telephone number (if any)   |           |
| If you would prefer us to correspond with you by e-mail your e-mail address (optional)  |           |



REPRESENTATION No. 1.

Kingsland  
Herefordshire  
HR6 9QS

25<sup>th</sup> May 2009

The Licensing Team  
Herefordshire Council  
Unit 10  
Blackfriars Street  
Hereford  
HR4 9HS

Dear Sirs

Further to the public notice licensing act 2003, dated 28<sup>th</sup> April 2009, submitted by the Angel Inn Kingsland Ltd, to apply for a grant/variation license to have entertainment and sell alcohol, we wish to comment as follows:

Our property is sufficient to cause us disruption, particularly from the live and recorded music and also the clientele spilling out on to the pavement and talking loudly (the more they drink the louder they get and the more vulgar the language), this continues all evening, and in to the early hours of the morning when we then get car doors banging, engines revving and roaring off down the road. The noise level is exacerbated by the windows being opened all evening as they side on to our house, there being a gap of about 10 feet between the properties. The noise level from the pub

My daughter, whose room is directly above the front garden/pavement area, has to vacate her room on a Friday evening because it is too noisy, only being marginally quieter in the spare bedroom.

Mr & Mrs Shearin, the landlord and landlady have created a successful pub but must remember that it is a village pub and as such it is not necessary to have loud music blaring until all hours of the early morning. More often than not, the live music is bearable and then suddenly they put their CD music on and it is three times as loud, only finishing around 1.30-2.00 am.

We have had to speak to Mr and Mrs Shearin on a few occasions about the noise, but although they are very apologetic nothing much changes.

We note that they wish the hours to be 12.00 to 00.00 Monday to Thursday and 12.00.00.30 am Friday and Saturday. We feel that this is too late for a village. The later they are allowed to stay open, the later the kicking out time and the more disturbance we receive. Nobody appears to police the licence and so the music has gone on as long as they feel like it.

28 MAY 2009

I understand that, although the licence is being applied for by a different person as Mr & Mrs Shearin have filed for bankruptcy, they will still be running the pub.

I believe the licence granted to past landlords has required the music to cease at 11.30 pm and that all windows and doors are to be kept shut. This is far more acceptable to us provided that this is adhered to.

We do not wish to be killjoys. The Angel Inn is a true village pub and has been brought to life by Mr & Mrs Shearin. We just ask that consideration is given to immediate neighbours with regards to the noise levels and the lateness of the hour when people leave the pub.

Yours faithfully



Licensing Section

Herefordshire Council

County Offices

PO Box 233

Bath Street

Hereford

HR1 2ZF

21<sup>st</sup> May 2009

22 MAY 2009

Ref: License Application Angel Inn, Kingsland

Dear Sir/Madam,

I wish to make representation regarding the above application, particularly with regard to the 'Live Music' provision.

Whilst on paper the application looks fine, we know from experience that the landlord does not abide by the condition of the license. The music goes on well after 11.30pm, one night it was 0.45am when it finished. The volume is so loud some evenings, that even though we are fully double glazed and keep all windows and doors shut we can still hear the music over the television. On warm evenings the door is propped open and we have the noise of their customers sitting outside which carries on well after 11pm.

All these problems, and slight anti-social behaviour, i.e. shouting, slamming car doors and car radio noise seem to be associated with the Live Music nights.

We have tried talking to the landlord and one night tried ringing to ask them to stop the music, after 11.30pm, but they did not answer the telephone.

We have also been in contact with Environmental Health and spoken to our local Community Police Officer. I believe that both have been in touch with him.

I feel that if the conditions, in accordance with the previous license, were carried out we could perhaps all live in harmony!

Yours faithfully,

# LETTER OF SUPPORT

Herefordshire Council  
Fred Spriggs, Licensing Section  
Environmental Health and Trading Standards  
County Office  
PO Box 233  
Bath Street  
Hereford HR 1 2ZF

Kingsland, 10 June 2009

Dear Sir,

RE: Application for a Licence by the Angel, Kingsland

When visiting the Angel here in Kingsland, we heard that their Application for a Licence will result in a public hearing. This causes us great concern.

We would like to support The Angel in their application as this is in our view necessary for the running of a viable enterprise. The pub is an essential part of village life and is now doing a great job in providing services to customers, people from the village as well as tourists and passers-by. We live almost next door and are very pleased by the way the Angel is run.

It would be a big loss if their existence was affected by a rejection of this application.

Best regards,



## MEMORANDUM

To : J. LINDSAY-JONES, LICENSING ASSISTANT, LICENSING SECTION

From : ARRAN SEMPLE, TECHNICAL OFFICER,  
ENVIRONMENTAL HEALTH AND TRADING STANDARDS

Tel : 01432 261753 My Ref : AS/JB32

Date : 19<sup>TH</sup> May 2009 Your Ref :

---

**LICENSING ACT 2003  
NOTIFICATION OF APPLICATION FOR GRANT/VARIATION OF PREMISES LICENCE  
THE ANGEL INN, KINGSLAND, LEOMINSTER**

I have no objections to the application, however, should it be minded to grant a license I would add the following conditions

**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 areas at any time.

There must be no consumption of alcohol in the outside areas after 23:00 on any day.

Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

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 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.

No open containers are to be removed from the premises except for consumption in any external area provided for that purpose.

All parts of the premises must 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 must be provided with adequate and assured lighting from two independent supplies and systems.

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 1st 2009 Gas Safe Register replaced the CORGI Gas Registration Scheme)

All fixtures and fittings, electrical, gas and mechanical equipment must be maintained in good condition and full working order.

#### **Protection of Children from harm**

Proven methods must be employed for the prevention of unlawful supply, consumption and use of alcohol, drugs and other products, which is illegal to sell to children.

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.

**A. SEMPLE  
TECHNICAL OFFICER (POLLUTION)  
ENVIRONMENTAL HEALTH & TRADING STANDARDS**

## APPLICATION FOR TWO TEMPORARY EVENT NOTICES FOR 'THE GOLDEN GALLEON, 61A COMMERCIAL ROAD, HEREFORD HR1 2BP.' - LICENSING ACT 2003

Report By: Head Of Environmental Health And Trading Standards

### Wards Affected:

Central

#### 1. Purpose

To consider an application for two temporary event notices (TEN's) for 'The Golden Galleon' (Fish and Chip Shop), 61a Commercial Road, Hereford, HR1 2BP.

#### 2. Background Information

|                                     |                           |
|-------------------------------------|---------------------------|
| Applicant                           | <b>Mr Harjinder Singh</b> |
| Type of applications:               | <b>T.E.N.</b>             |
| Date Received (for both):           | <b>3 June 2009</b>        |
| Date Served on Police:              | <b>3 June 2009</b>        |
| Issue Deadline: First Application:  | <b>11 June 2009</b>       |
| Issue Deadline: Second Application: | <b>19 June 2009</b>       |

#### 3. Current Licence Details

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

Monday to Sunday: 2300 – 01.30 hours

Seasonal Variation: 10.00 New Year's Eve to 01.30 on New Year's Day.

There was also a Regulatory Sub-Committee Hearing on 4 July 2008 to consider an application to extend the closing times to 02.00 Monday to Thursday and 04.00 Friday to Sunday. Although there were representations, the application was rejected due to errors in the application. An application has not been resubmitted to date.

#### 4. TEN Applications

Applications for two 'Temporary Event Notices' have been received. They relate to two Saturday nights in June and July, for extensions of the closing time to 04.00.

An objection from the relevant Chief Officer of Police was received by Herefordshire Council on 4 June 2009. These applications are therefore now brought before the committee to determine the application.

#### 5. Summary of Applications

The licensable activities applied for are for 'Late Night Refreshment'.

The following dates and hours have been applied for: -

1st Application

An extension of their late night opening from 23.00 on Saturday 27 June to 04.00 on Sunday 28 June 2009.

2nd Application

An extension of their late night opening from 23.00 on Saturday 4 July to 04.00 on Sunday 5 July 2009.

7. **Summary of Police Objection**

The relevant Chief Officer of Police made a written objection on 4 June 2009 on the grounds that the temporary events would undermine the Crime and Prevention Objective as: -

- Prior to the current Licensing Act's restrictions, the premises operated without a control of its hours and as such it was the centre of alcohol related crime and disorder.
- In the 12 month period prior to the current Licensing Act's restrictions, the police were called to a total of 47 incidents at the premises.
- On at least two occasions it has been necessary to close the premises due to serious crime and disorder.
- In the 12 month period following the current Licensing Act's restrictions, the police were only called to the premises 13 times. The only serious assault took place at 02.20, which was in breach of its licensed hours.
- Since the current Licensing Act's restrictions, a number of TENs have been granted without police objection. However, these were on special occasions such as New year's Eve, when extra policing resources were deployed.

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

8. **Herefordshire Council Licensing Policy**

In making its decision, the committee should 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 it is 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 representation
- Both applications

**Background papers are available for inspection in the Council Chamber, Brockington, 35 Hafod Road, Hereford 30 minutes before the start of the hearing.**

- 3 JUN 2009

CJewel

### Temporary Event Notice

Information on the Licensing Act 2003 is available on the website of the Department for Culture, Media and Sport ([http://www.culture.gov.uk/alcohol\\_and\\_entertainment/default.htm](http://www.culture.gov.uk/alcohol_and_entertainment/default.htm)) or from your local licensing authority.

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send two copies of this notice to the licensing authority and an additional copy must be sent to the chief officer of police for the area in which the premises are situated. The licensing authority will endorse one of the two copies and return it to you as an acknowledgement of receipt.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

|   |  |  |       |
|---|--|--|-------|
| 1. The personal details of premises user (Please read note 1)   |  |  |       |
| 1. Your name  |  |  |       |
| Title   | Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) |  |       |
| Surname   | SINGH  |  |       |
| Forenames   | HARJINDER  |  |       |
| 2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary) |  |  |       |
| Title   | Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)            |  |       |
| Surname   |  |  |       |
| Forenames   |  |  |       |
| 3. Your date of birth   |  | Day  | Month |
|   |  | 31   | 07    |
| 4. Your place of birth  |  | Year   |       |
| INDIA   |  | 1979   |       |
| 5. National Insurance Number  |  | PW 85 64 42 C  |       |
| 6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)             |  |  |       |
| 61A COMMERCIAL ROAD   |  |  |       |
| HEREFORD  |  |  |       |
| Post town   |  | Post code  |       |
| HEREFORD  |  | HR1-2BP.   |       |
| 7. Other contact details  |  |  |       |
| Telephone numbers   |  | <div data-bbox="1093 1700 1540 2007" style="border: 1px solid black; padding: 5px; text-align: center;">           EH &amp; TS / LICENSING SECTION<br/>           RECEIVED<br/>           - 4 JUN 2009<br/>           TO:         </div> |       |
| Daytime   |  |  |       |
| Evening (optional)  |  |  |       |
| Mobile (optional)   |  |  |       |
| Fax number (optional)   |  |  |       |
| E-Mail Address (optional)   |  |  |       |
| 8. Alternative address for correspondence (If you complete the details below, we  |  |  |       |

|  |           |
|--|-----------|
| will use this address to correspond with you)  |           |
| AS ABOVE                                       |           |
| Post town                                      | Post code |
| 9. Alternative contact details (if applicable) |           |
| Telephone numbers:<br>Daytime                  |           |
| Evening (optional)                             |           |
| Mobile (optional)                              |           |
| Fax number (optional)                          |           |
| E-Mail Address<br>(optional)                   |           |

|   |
|---|
| 2. The premises   |
| Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references)<br>(Please read note 2) |
| THE GOLDEN GALLEDIN<br>61 COMMERCIAL ROAD<br>HEREFORD<br>HR1-2BP  |
| If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)                         |
| NO  |
| Please describe the nature of the premises below. (Please read note 4)  |
| FISH AND CHIP SHOP  |
| Please describe the nature of the event below. (Please read note 5)   |
| sat weekend, late night open  |



| 3. The licensable activities   |  |
|--|--|
| Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)   |  |
| The sale by retail of alcohol  | <input type="checkbox"/>                       |
| The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club   | <input type="checkbox"/>                       |
| The provision of regulated entertainment   | <input type="checkbox"/>                       |
| The provision of late night refreshment  | <input checked="" type="checkbox"/>            |
| Please state the dates on which you intend to use these premises for licensable activities. (Please read note 7)   |  |
| 27th Jun 09 to 28th Jun 2009.  |  |
| Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 8)   |  |
| From 23.00 27th Jun 2009 to 04.00 28th Jun   |  |
| Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 9) | 40   |
| If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 10)                       | On the premises only <input type="checkbox"/>  |
|  | Off the premises only <input type="checkbox"/> |
|  | Both <input checked="" type="checkbox"/>       |

| 4. Personal licence holders (Please read note 11)  |  |                                |
|--|--|--------------------------------|
| Do you currently hold a valid personal licence?<br>(Please mark an "X" in the box that applies to you) | Yes<br><input checked="" type="checkbox"/> | No<br><input type="checkbox"/> |
| If "Yes" please provide the details of your personal licence below.                                    |  |                                |
| Issuing licensing authority  | HEREFORD                                   |                                |

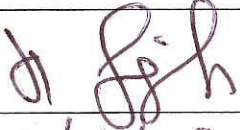
|                              |            |
|------------------------------|------------|
| Licence number               | 1207       |
| Date of issue                | 24/01/2007 |
| Date of expiry               | 24/01/2007 |
| Any further relevant details |            |

| 5. Previous temporary event notices you have given (Please read note 12)  |                                 |   |
|---|---------------------------------|---|
| Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)                           | Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> |
| If answering yes, please state the number of temporary event notices you have given for events in that same calendar year   |                                 |   |
| Have you already given a temporary event notice for the same premises in which the event period:<br>a) ends 24 hours or less before; or<br>b) begins 24 hours or less after<br>the event period proposed in this notice?<br>(Please mark an "X" in the box that applies to you) | Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> |

| 6. Associates and business colleagues (Please read note 13)   |                                 |   |
|---|---------------------------------|---|
| Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)  | Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> |
| If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year  |                                 |   |
| Has any associate of yours already given a temporary event notice for the same premises in which the event period:<br>a) ends 24 hours or less before; or<br>b) begins 24 hours or less after<br>the event period proposed in this notice?<br>(Please mark an "X" in the box that applies to you)   | Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> |
| Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)  | Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> |
| If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.  |                                 |   |
| Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:<br>a) ends 24 hours or less before; or<br>b) begins 24 hours or less after<br>the event period proposed in this notice?<br>(Please mark an "X" in the box that applies to you) | Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> |

| 7. Checklist (Please read note 14)   |                                     |
|--|-------------------------------------|
| I shall (Please mark the appropriate boxes with an "X" )   |                                     |
| Send two copies of this notice to the licensing authority for the area in which the premises are located                                     | <input checked="" type="checkbox"/> |
| Send a copy of this notice to the chief officer of police for the area in which the premises are located                                     | <input checked="" type="checkbox"/> |
| If the premises are situated in one or more licensing authority areas, send two copies of this notice to each additional licensing authority | <input type="checkbox"/>            |
| If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police              | <input type="checkbox"/>            |
| Make or enclose payment of the fee for the application   | <input checked="" type="checkbox"/> |
| Sign the declaration in Section 9 below  | <input checked="" type="checkbox"/> |

| 8. Condition (Please read note 15)  |
|---|
| It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user. |

| 9. Declarations (Please read note 16)  |   |
|--|---|
| The information contained in this form is correct to the best of my knowledge and belief.  |   |
| I understand that it is an offence:  |   |
| (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and                                |   |
| (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both. |   |
| Signature  |  |
| Date   | 3/6/09.   |
| Name of Person signing   | Harjinder Singh.  |

For completion by the Licensing Authority

|   |                                      |
|---|--------------------------------------|
| 10. Acknowledgement (Please read note 17)             |                                      |
| I acknowledge receipt of this temporary event notice. |                                      |
| Signature   | On behalf of the Licensing Authority |
| Date  |                                      |
| Name of Officer signing                               |                                      |

## Temporary Event Notice

- 3 JUN 2009

Information on the Licensing Act 2003 is available on the website of the Department for Culture, Media and Sport ([http://www.culture.gov.uk/alcohol\\_and\\_entertainment/default.htm](http://www.culture.gov.uk/alcohol_and_entertainment/default.htm)) or from your local licensing authority.

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send two copies of this notice to the licensing authority and an additional copy must be sent to the chief officer of police for the area in which the premises are situated. The licensing authority will endorse one of the two copies and return it to you as an acknowledgement of receipt.

**I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.**

|   |  |               |       |
|---|--|---------------|-------|
| 1. The personal details of premises user (Please read note 1)   |  |               |       |
| 1. Your name  |  |               |       |
| Title   | Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)   |               |       |
| Surname   | SINGH  |               |       |
| Forenames   | HARJINDER  |               |       |
| 2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary) |  |               |       |
| Title   | Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)  |               |       |
| Surname   |  |               |       |
| Forenames   |  |               |       |
| 3. Your date of birth   |  | Day           | Month |
|   |  | 31            | 07    |
|   |  | Year 1979     |       |
| 4. Your place of birth  |  | INDIA         |       |
| 5. National Insurance Number  |  | PW 85 64 42 C |       |
| 6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)             |  |               |       |
| 61 A COMMERCIAL ROAD<br>HEREFORD  |  |               |       |
| Post town   |  | Post code     |       |
| HEREFORD  |  | HR1-2BP       |       |
| 7. Other contact details  |  |               |       |
| Telephone numbers   | <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;">                     EH &amp; TS / LICENSING SECTION<br/>                     RECEIVED<br/>                     - 4 JUN 2009<br/>                     TO:                 </div> |               |       |
| Daytime   |  |               |       |
| Evening (optional)  |  |               |       |
| Mobile (optional)   |  |               |       |
| Fax number (optional)   |  |               |       |
| E-Mail Address (optional)   | 01432 - 342321   |               |       |
| 8. Alternative address for correspondence (If you complete the details below, we  |  |               |       |

|  |           |
|--|-----------|
| will use this address to correspond with you)  |           |
| AS ABOVE                                       |           |
| Post town                                      | Post code |
| 9. Alternative contact details (if applicable) |           |
| Telephone numbers:<br>Daytime                  |           |
| Evening (optional)                             |           |
| Mobile (optional)                              |           |
| Fax number (optional)                          |           |
| E-Mail Address<br>(optional)                   |           |

|   |
|---|
| 2. The premises   |
| Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references)<br>(Please read note 2) |
| THE GOLDEN GALLEON<br>61 COMMERCIAL ROAD<br>HEREFORD<br>HR1-2BP   |
| If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)                         |
| NO  |
| Please describe the nature of the premises below. (Please read note 4)  |
| FISH AND CHIP SHOP.   |
| Please describe the nature of the event below. (Please read note 5)   |
| OPEN LATE ON SATURDAY WEEKEND   |

| 3. The licensable activities   |  |
|--|--|
| Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)   |  |
| The sale by retail of alcohol  | <input type="checkbox"/>                       |
| The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club   | <input type="checkbox"/>                       |
| The provision of regulated entertainment   | <input type="checkbox"/>                       |
| The provision of late night refreshment  | <input checked="" type="checkbox"/>            |
| Please state the dates on which you intend to use these premises for licensable activities. (Please read note 7)   |  |
| 4 <sup>th</sup> July 2009 TO 5 <sup>th</sup> July 2009.  |  |
| Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 8)   |  |
| From 23:00 4 <sup>th</sup> July 2009 To 04:00 5 <sup>th</sup> July 2009  |  |
| Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 9) | 40   |
| If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 10)                       | On the premises only <input type="checkbox"/>  |
|  | Off the premises only <input type="checkbox"/> |
|  | Both <input checked="" type="checkbox"/>       |

| 4. Personal licence holders (Please read note 11)  |   |                             |
|--|---|-----------------------------|
| Do you currently hold a valid personal licence?<br>(Please mark an "X" in the box that applies to you) | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| If "Yes" please provide the details of your personal licence below.                                    |   |                             |
| Issuing licensing authority  | HEREFORD                                |                             |

|                              |            |
|------------------------------|------------|
| Licence number               | 1207       |
| Date of issue                | 24/01/2007 |
| Date of expiry               | 24/01/2007 |
| Any further relevant details |            |

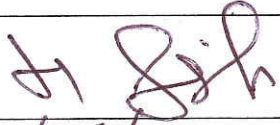
| 5. Previous temporary event notices you have given (Please read note 12)  |                                 |   |
|---|---------------------------------|---|
| Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?<br>(Please mark an "X" in the box that applies to you)                        | Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> |
| If answering yes, please state the number of temporary event notices you have given for events in that same calendar year   |                                 |   |
| Have you already given a temporary event notice for the same premises in which the event period:<br>a) ends 24 hours or less before; or<br>b) begins 24 hours or less after<br>the event period proposed in this notice?<br>(Please mark an "X" in the box that applies to you) | Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> |

| 6. Associates and business colleagues (Please read note 13)   |                                 |   |
|---|---------------------------------|---|
| Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?<br>(Please mark an "X" in the box that applies to you)   | Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> |
| If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year  |                                 |   |
| Has any associate of yours already given a temporary event notice for the same premises in which the event period:<br>a) ends 24 hours or less before; or<br>b) begins 24 hours or less after<br>the event period proposed in this notice?<br>(Please mark an "X" in the box that applies to you)   | Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> |
| Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)  | Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> |
| If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.  |                                 |   |
| Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:<br>a) ends 24 hours or less before; or<br>b) begins 24 hours or less after<br>the event period proposed in this notice?<br>(Please mark an "X" in the box that applies to you) | Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> |



| 7. Checklist (Please read note 14)   |                                     |
|--|-------------------------------------|
| I shall (Please mark the appropriate boxes with an "X")  |                                     |
| Send two copies of this notice to the licensing authority for the area in which the premises are located                                     | <input checked="" type="checkbox"/> |
| Send a copy of this notice to the chief officer of police for the area in which the premises are located                                     | <input checked="" type="checkbox"/> |
| If the premises are situated in one or more licensing authority areas, send two copies of this notice to each additional licensing authority | <input type="checkbox"/>            |
| If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police              | <input checked="" type="checkbox"/> |
| Make or enclose payment of the fee for the application   | <input checked="" type="checkbox"/> |
| Sign the declaration in Section 9 below  | <input checked="" type="checkbox"/> |

| 8. Condition (Please read note 15)  |
|---|
| It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user. |

| 9. Declarations (Please read note 16)  |   |
|--|---|
| The information contained in this form is correct to the best of my knowledge and belief.  |   |
| I understand that it is an offence:  |   |
| (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and                                |   |
| (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both. |   |
| Signature  |  |
| Date   | 3/6/09.   |
| Name of Person signing   |   |

For completion by the Licensing Authority

| 10. Acknowledgement (Please read note 17)             |                                      |
|---|--------------------------------------|
| I acknowledge receipt of this temporary event notice. |                                      |
| Signature   | On behalf of the Licensing Authority |
| Date  |                                      |
| Name of Officer signing                               |                                      |

Licensing Department  
Hereford Police Station  
Bath Street  
HEREFORD  
HR1 2HT  
Direct Dial 01432 364552 Fax: 01432 364563



Our Ref:  
Your Ref:

4<sup>th</sup> June 2009

Harjinder SINGH  
61A Commercial Road  
HEREFORD  
HR1 2BP

Sir

REF: GOLDEN GALLEON, COMMERCIAL ROAD, HEREFORD  
TEMPORARY EVENT NOTICE,  
LICENSING ACT 2003

I refer to the above mentioned applications made pursuant to section 100 of the licensing Act 2003, received by the West Mercia Constabulary on the 3rd June 2009

On behalf of the Chief Constable please take this as an Objection Notice for the purposes of section 104 of the Act.

Date of Temporary Events Applied for

- 27<sup>th</sup> to 28<sup>th</sup> June 2009
- 4<sup>th</sup> to 5<sup>th</sup> July 2009

This objection notice is served because it is the view of the West Mercia Constabulary that to allow such a temporary event would undermine the Crime prevention objective

- The premise prior to the commencement of the licensing act 2003, operated with out restrictions on the hours, and was the centre of alcohol related crime and disorder
- In the 12 month period prior to the commencement date of the Licensing Act 2003, police were called to a total of 47 incidents at the premise
- On at least two occasion due to the serious nature of the crime and disorder occurring it was necessary to close the premise

- In the 12 month period following the commencement date of the licensing Act 2003 the police were only called to 13 incidents, and the only serious assault took place when the premise was open at 0220, in contravention of the conditions on the licence.
- Since the commencement of the Licensing Act 2003, a number of TEN have been granted for this premise, without police objection, but they have only been on "Special Occasions "such as New Years Eve, when additional policing resources have been deployed.

Signed.....

Dated.....

CC Herefordshire Council Licensing Section

## APPLICATION FOR NEW PREMISES LICENCE IN RESPECT OF 'HAMPTON COURT, HOPE UNDER DINMORE.' - LICENSING ACT 2003

Report By: Head Of Environmental Health And Trading Standards

### Wards Affected:

Hope Under Dinmore

### 1 Purpose

To consider an application for a new premises licence in respect of 'Hampton Court' at Hope-Under-Dinmore.

### 2 Background Information

|   |                                    |   |
|---|------------------------------------|---|
| Applicant                                       | Hampton Court Trading Ltd.         |   |
| Solicitor                                       |                                    |   |
| Type of application:<br><b>Premises Licence</b> | Date received:<br><b>7/4/2009</b>  | 28 Days consultation:<br><b>28/5/09</b> |
|   | Date Accepted:<br><b>30/4/2009</b> |   |

The advertisement for the premises has been seen and has been accepted.

### 3 Summary of Application

The licensable activities applied for are: -

Plays, Films, Live Music, Recorded Music, Performance of Dance, Making of Music, Dancing, Provision of Late Night Refreshment, Provision of Facilities of a similar nature and Sale by Retail of Alcohol – Extended Hours (On & Off premises).

#### Plays (indoors & outdoors)

Monday to Sunday 11.00 to 23.00

#### Films (indoors & outdoors)

Monday to Sunday 11.00 to 23.00

#### Live Music (indoors & outdoors)

Monday to Sunday 11.00 to 23.00

#### Recorded Music (indoors & outdoors)

Monday to Sunday 09.00 to 23.00

#### Performance of Dance (indoors & outdoors)

Monday to Sunday 11.00 to 23.00

#### Similar of Similar Facilities to the above (indoors & outdoors)

Monday to Sunday 07.00 to 23.00

Making Music (indoors & outdoors)

Monday to Sunday 11.00 to 23.00

Provision of Facilities for Dancing (indoors & outdoors)

Monday to Sunday 11.00 to 23.00

Similar of Similar Facilities to the above two (indoors & outdoors)

Monday to Sunday 09.00 to 23.00

Late Night Refreshment (indoors & outdoors)

Monday to Sunday 23.00 to 02.00

Supply of Alcohol

Monday to Sunday 09.00 to 02.00

Retail (09.00 – 21.00)

Orangery Restaurant (11.00 – 23.00)

Private Events Indoors (09.00 to 02.00)

Garden Events (11.00 – 23.00)

Hours open to public

Monday to Sunday 09.00 to 02.00

The advertisement in the newspaper has been seen.

**6 Removal of Existing Conditions**

The application does not request the removal of any of the conditions shown on the licence.

**7 Summary of Representations**

Copies of the representations and suggested conditions can be found within the attached background papers.

**West Mercia Police**

West Mercia Police have made a representation and a copy of this is provided in the background papers.

**Environmental Health**

The Environmental Health Manager has also made a representation and a copy of this is provided in the background papers.

**Fire Authority.**

The fire authority has no comment to make in relation to the application.

**Interested Parties.**

The Local Authority has received a representation from the Hope Under Dinmore Group Parish Council and a copy of this is provided in the background papers. At the time of the hearing the Licensing Officer should be able to give an up to date situation in relation to the validity of this representation.

**8 Committee's Responsibility**

The committee is responsible for promoting the four licensing objectives.

In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- The steps that are necessary to promote the licensing objectives;
- 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.

9 **Options: -**

It is for the committee to take such steps below as it considers necessary for the promotion of the licensing objectives:

- Grant the licence subject to conditions that are consistent with the operating schedule accompanying the application and the mandatory conditions set out in the Licensing Act 2003.
- Grant the licence subject to modified conditions to that of the operating schedule where the committee considers it necessary for the promotion of the licensing objectives and add mandatory condition set out in the Licensing Act 2003.
- To exclude from the scope of the licence any of the licensable activities to which the application relates.
- To refuse to specify a person in the licence as the premise supervisor.
- To reject the application.

10 **Background Papers**

- a. Application Form
- b. Police Comments
- c. Environmental Health & Trading Standards Comments
- d. Public Representations

**Background papers are available for inspection in the Council Chamber, Brockington, 35 Hafod Road, Hereford, 30 minutes before the start of the hearing.**

**NOTES****RELEVANT, VEXATIOUS AND FRIVOLOUS REPRESENTATIONS**

9.8. A representation would only be “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessman which argued that his business would be commercially damaged by a new licensed premises would not be relevant. On the other hand, a representation that nuisance caused by the new premises would deter customers from entering the local area and the steps proposed by the applicant to control that nuisance were inadequate would be relevant. There is no requirement for an interested party or responsible authority to produce a recorded history of problems at a premises to support their representations, and in fact this would not be possible for new premises. Further information for interested parties about the process for making representations is available in “Guidance for interested parties: Making representations” which can be found on the DCMS website.

9.9 The “cumulative impact” on the licensing objectives of a concentration of multiple licensed premises may also give rise to a relevant representation when an application for the grant or variation of a premises licence is being considered, but not in relation to an application for review which must relate to an individual premises.

9.10 It is for the licensing authority to determine whether any representation by an interested party is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. Vexation may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Frivolous representations would be essentially categorised by a lack of seriousness. An interested party who is aggrieved by a rejection of their representations on these grounds may challenge the authority’s decision by way of judicial review.

9.11. Licensing authorities should not take decisions on whether representations are relevant on the basis of any political judgment. This may be difficult for ward councilors receiving complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the subcommittee before any decision is taken that necessitates a hearing. Any ward councilor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

9.12 The Secretary of State recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it. If it then emerged, for example, that the representation should not be supported, the licensing authority could decide not to take any action in respect of the application.

**Licensing Authorities power to exercise substantive discretionary powers.**



**The British Beer and Pub Association (2) The Association of Licensed Multiple Retailers (3) The British Institute of Inn keeping V Canterbury City Council.**

Contesting the validity of the Licensing policy that asks for certain requirements before the application has been submitted. In the summing up the Judge states; The scheme of the legislation is to leave it to applicants to determine what to include in their applications, subject to the requirements of Section 17 and the Regulations as to the prescribed form and the inclusion of a statement of specified matters in the operating schedule. An applicant who makes the right judgement, so that the application gives rise to no relevant representations, is entitled to the grant of a licence without the imposition of conditions. The licensing authority has no power at all to lay down the contents of an application and has no power to assess an application, or exercise substantive discretionary powers in relation to it, unless there are relevant representations and the decision – making function under section 18 (3) is engaged.



[Insert name and address of relevant licensing authority and its reference number (optional)]

**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that  
your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
You may wish to keep a copy of the completed form for your records.

~~I/We~~ Graham Ferguson & Alex HAMPTON COURT TRADING LTD  
Alexander Grainger apply for a premises licence under section 17 of  
(Insert name(s) of applicant)  
the Licensing Act 2003 for the premises described in Part 1 below (the premises)  
and I/we are making this application to you as the relevant licensing authority in  
accordance with section 12 of the Licensing Act 2003

**Part 1 – Premises details**

|   |                              |
|---|------------------------------|
| Postal address of premises or, if none, ordnance survey map reference or description<br><u>HAMPTON COURT</u><br><u>NR. HOPE UNDER DINMORE</u> |                              |
| Post town<br><u>LEOMINSTER</u>  | Post code<br><u>HR6 0PN.</u> |

Telephone number at premises (if any)

01568 797676

Non-domestic rateable value of premises

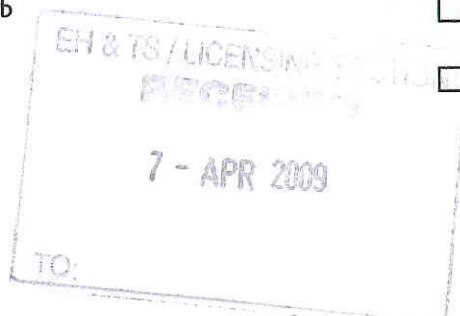
£ 22350.

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as

Please tick ✓ yes

- a) an individual or individuals\*  please complete section (A)
- b) a person other than an individual\*  
i. as a limited company  please complete section (B)  
ii. as a partnership  please complete section (B)  
iii. as an unincorporated association or  please complete section (B)  
iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)



- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\*If you are applying as a person described in (a) or (b) please confirm:

- Please tick  yes
- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
  - I am making the application pursuant to a
    - statutory function or
    - a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr  Mrs  Miss  Ms  Other title (for example, Rev)

**Surname**

**First names**

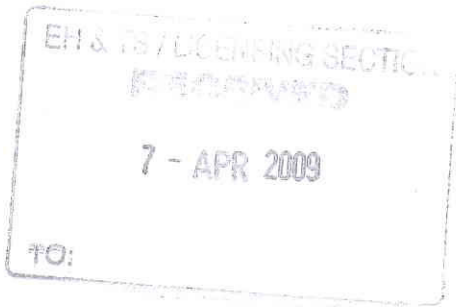
I am 18 years old or over Please tick  yes

**Current postal address if different from premises address**

**Post Town**  **Postcode**

**Daytime contact telephone number**

**E-mail address (optional)**



SECOND INDIVIDUAL APPLICANT (if applicable)

Mr

Mrs

Miss

Ms

Other title   
(for example, Rev)

Surname

First names

Please tick  
✓ yes

I am 18 years old or over

Current postal  
address  
if different from  
premises address

Post Town

Postcode

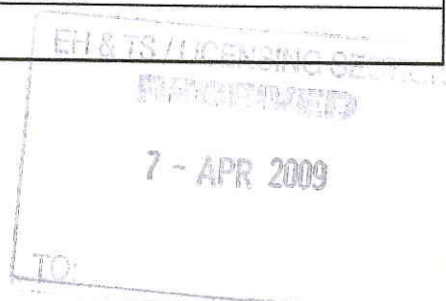
Daytime contact telephone number

E-mail address  
(optional)

(B) OTHER APPLICANTS.

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned

|   |   |
|---|---|
| Name  | HAMPTON COURT TRADING LIMITED                             |
| Address   | PEREGRINE HOUSE,<br>PEEL ROAD,<br>ISLE OF MAN,<br>IM1 5EH |
| Registered number (where applicable)  | 117318C   |
| Description of applicant (for example partnership, company, unincorporated association etc) | GRAHAM FERGUSON LACEY (DIRECTOR),<br>(LIMITED COMPANY)    |
| Telephone number (if any)   | 01624 621280  |
| E-mail address (optional)   |   |



### Part 3 Operating Schedule

When do you want the premises licence to start?

| Day | Month | Year |
|-----|-------|------|
|     |       |      |

AS SOON AS POSSIBLE

If you wish the licence to be valid only for a limited period, when do you want it to end?

| Day | Month | Year |
|-----|-------|------|
|     |       |      |

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

Please give a general description of the premises (please read guidance note 1)

HAMPTON COURT IS A FORTIFIED MANOR HOUSE CURRENTLY OPEN TO THE PUBLIC WHO VIEW THE ELABORATE GARDENS, AND MAKE USE OF THE ORANGERY RESTAURANT AND ON SITE GIFT SHOP. SITUATED ON A PRIVATE ESTATE OFF A417.

THE APPLICATION IS TO FURTHER OUR FACILITIES BY OFFERING THE FOLLOWING AREAS OF OPERATION:

- 1) MAIN BUILDING: PRIVATE HIRE FOR EVENTS; WEDDINGS, CONFERENCES ETC.. ALSO PUBLIC EVENTS WHERE TICKETS MIGHT BE SOLD IN ADVANCE.
- 2) GIFT SHOP/GROUNDS: TO INCREASE THE RANGE OF PRODUCTS TO INCLUDE SALE OF ALCOHOL BY RETAIL.
- 3) GARDENS/GROUNDS: SPECIAL INTEREST EVENTS SUCH AS WINE TASTINGS/GARDEN TOURS ETC, USUALLY PRE-BOOKED.
- 4) ORANGERY RESTAURANT: OFFERING ALCOHOL AS ANCILLARY TO MEAL, TO INCLUDE OUTDOOR SEATING AREA. SOMETIMES FOR PRIVATE USE.
- 5) LARGER ONE-OFF EVENTS SUCH AS CONCERTS, PLAYS, JOUSTING SHOWS, CULTURAL EVENTS.

GIVEN THE SCALE AND RANGE OF OPERATIONS, GENERIC RISK ASSESSMENTS ARE PROVIDED UNDER THE ABOVE HEADINGS.

What licensable activities do you intend to carry on from the premises?  
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick ✓ yes

**Provision of regulated entertainment**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)  
(if ticking yes, fill in box H)

**Provision of entertainment facilities for:**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)  
(if ticking yes, fill in box K)

**Provision of late night refreshment** (if ticking yes, fill in box L)

**Supply of alcohol** (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

**A**

| Plays<br>Standard days and timings<br>(please read guidance note 6) |       |        | Will the performance of a play take place indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (please read guidance note 2)  | Indoors  |                                     |
|---|-------|--------|--|----------|-------------------------------------|
| Day   | Start | Finish |  | Outdoors |                                     |
| Mon   | 1100  | 2300   | <p>Please give further details here (please read guidance note 3)<br/>           OUTDOOR PLAYS EITHER MATINEE OR EVENING. TIMES REQUESTED REFLECT POSSIBLE PERFORMANCE TIMES. MAY ALSO INCLUDE PANTO STYLE EVENTS...</p> <p>State any seasonal variations for performing plays (please read guidance note 4) NONE PLANNED.</p> <p>... WHICH WOULD PROCURE A RISK ASSESSMENT WITH REGARD TO CHILD PROTECTION.</p> <p>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)<br/>           NONE PLANNED.</p> | Both     | <input checked="" type="checkbox"/> |
| Tue   | 1100  | 2300   |  |          |                                     |
| Wed   | 1100  | 2300   |  |          |                                     |
| Thur  | 1100  | 2300   |  |          |                                     |
| Fri   | 1100  | 2300   |  |          |                                     |
| Sat   | 1100  | 2300   |  |          |                                     |
| Sun   | 1100  | 2300   |  |          |                                     |

**B**

| Films<br>Standard days and timings<br>(please read guidance note 6) |       |        | Will the exhibition of films take place indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (please read guidance note 2)  | Indoors  |                                     |
|---|-------|--------|--|----------|-------------------------------------|
| Day   | Start | Finish |  | Outdoors |                                     |
| Mon   | 1100  | 2300   | <p>Please give further details here (please read guidance note 3)<br/>           INITIALLY TAKING PART IN 'FLICKS IN THE STICKS' &amp; BORDERLINES FILM FESTIVAL, THIS MAY DEVELOP TO INCLUDE OUTDOOR FILMS FOR PRIVATE/PUBLIC CLIENTS.</p> <p>State any seasonal variations for the exhibition of films (please read guidance note 4)<br/>           NONE PLANNED.</p> <p>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)<br/>           NONE PLANNED.</p> | Both     | <input checked="" type="checkbox"/> |
| Tue   | 1100  | 2300   |  |          |                                     |
| Wed   | 1100  | 2300   |  |          |                                     |
| Thur  | 1100  | 2300   |  |          |                                     |
| Fri   | 1100  | 2300   |  |          |                                     |
| Sat   | 1100  | 2300   |  |          |                                     |
| Sun   | 1100  | 2300   |  |          |                                     |



C

| Indoor sporting events<br>Standard days and timings<br>(please read guidance note 6) |       |        | Please give further details (please read guidance note 3)   |
|--|-------|--------|---|
| Day  | Start | Finish |   |
| Mon  |       |        |   |
|  |       |        |   |
| Tue  |       |        | State any seasonal variations for indoor sporting events<br>(please read guidance note 4)   |
| Wed  |       |        |   |
| Thur   |       |        | Non standard timings. Where you intend to use the premises<br>for indoor sporting events at different times to those listed in<br>the column on the left, please list (please read guidance note 5) |
| Fri  |       |        |   |
| Sat  |       |        |   |
| Sun  |       |        |   |

N/A.

D

| Boxing or wrestling<br>entertainments<br>Standard days and timings<br>(please read guidance note 6) |       |        | Will the boxing or wrestling<br>entertainment take place indoors or<br>outdoors or both – please tick [Y](please<br>read guidance note 2)   | Indoors  |  |
|---|-------|--------|---|----------|--|
| Day   | Start | Finish |   | Outdoors |  |
| Mon   |       |        | Please give further details here (please read guidance note 3)  |          |  |
| Tue   |       |        |   |          |  |
| Wed   |       |        | State any seasonal variations for boxing or wrestling<br>entertainment (please read guidance note 4)  |          |  |
| Thur  |       |        |   |          |  |
| Fri   |       |        | Non standard timings. Where you intend to use the premises<br>for boxing or wrestling entertainment at different times to<br>those listed in the column on the left, please list (please read<br>guidance note 5) |          |  |
| Sat   |       |        |   |          |  |
| Sun   |       |        |   |          |  |

N/A.

**E**

| Live music<br>Standard days and timings<br>(please read guidance note 6) |       |        | Will the performance of live music take place indoors or outdoors or both - please tick [Y] (please read guidance note 2)  | Indoors  |  |
|--|-------|--------|--|----------|--|
| Day  | Start | Finish |  | Outdoors |  |
| Mon  | 1100  | 2300   | Please give further details here (please read guidance note 3)<br>STRIKE INSTRUMENTS IN THE GARDENS ON SUNNY DAYS/ DRY DAYS AS AN 'ADDED VALUE' TO A GUEST VISIT. LIVE CONCERT EVENTS. LIVE MUSIC AT PRIVATE EVENTS. WILL INCLUDE AMPLIFIED SOUND.<br><br>State any seasonal variations for the performance of live music (please read guidance note 4)<br>NONE.<br><br>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)<br>FOR EVENTS IN THE MAIN BUILDING (AND DEPENDENT ON START TIME), EVENT TO RUN UNTIL 0200 HRS ON ANY EVENING. |          |  |
| Tue  | 1100  | 2300   |  |          |  |
| Wed  | 1100  | 2300   |  |          |  |
| Thur   | 1100  | 2300   |  |          |  |
| Fri  | 1100  | 2300   |  |          |  |
| Sat  | 1100  | 2300   |  |          |  |
| Sun  | 1100  | 2300   |  |          |  |

**F**

| Recorded music<br>Standard days and timings<br>(please read guidance note 6) |       |        | Will the playing of recorded music take place indoors or outdoors or both - please tick [Y] (please read guidance note 2)  | Indoors  |  |
|--|-------|--------|--|----------|--|
| Day  | Start | Finish |  | Outdoors |  |
| Mon  | 0900  | 2300   | Please give further details here (please read guidance note 3)<br>EITHER AS PART OF ONE-OFF LARGER EVENTS OR PRIVATE PARTIES. WILL INCLUDE AMPLIFIED SOUND. 0900 START TIME IS TO ENCOMPASS PRIVATE INDOOR EVENTS/ CONFERENCES ETC.<br><br>State any seasonal variations for playing recorded music (please read guidance note 4)<br>NONE.<br><br>Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)<br>FOR EVENTS IN THE MAIN BUILDING (AND DEPENDENT ON START TIME), EVENT TO RUN UP TO 0200 HRS ON ANY EVENING. |          |  |
| Tue  | 0900  | 2300   |  |          |  |
| Wed  | 0900  | 2300   |  |          |  |
| Thur   | 0900  | 2300   |  |          |  |
| Fri  | 0900  | 2300   |  |          |  |
| Sat  | 0900  | 2300   |  |          |  |
| Sun  | 0900  | 2300   |  |          |  |

G

| Performances of dance<br>Standard days and timings<br>(please read guidance note 6) |       |        | Will the performance of dance take place<br>indoors or outdoors or both – please tick<br><input checked="" type="checkbox"/> (please read guidance note 2)   | Indoors  | Outdoors |  |
|---|-------|--------|--|--|----------|--|
| Day   | Start | Finish |  | Both   |          |  |
| Mon   | 1100  | 2300   | Please give further details here (please read guidance note 3)<br>POSSIBLY MORRIS DANCING / FOLK<br>EVENTS OR EVENING PERFORMANCES<br>ON A VARIED PROGRAMME. ALSO<br>ICE SKATING PERFORMANCE / PARTICIPATION |  |          |  |
| Tue   | 1100  | 2300   |  |  |          |  |
| Wed   | 1100  | 2300   |  | State any seasonal variations for the performance of dance<br>(please read guidance note 4)<br>NONE  |          |  |
| Thur  | 1100  | 2300   |  |  |          |  |
| Fri   | 1100  | 2300   |  | Non standard timings. Where you intend to use the premises<br>for the performance of dance entertainment at different times<br>to those listed in the column on the left, please list (please read<br>guidance note 5)<br>NONE |          |  |
| Sat   | 1100  | 2300   |  |  |          |  |
| Sun   | 1100  | 2300   |  |  |          |  |

H

| Anything of a similar<br>description to that<br>falling within (e), (f) or<br>(g)<br>Standard days and timings<br>(please read guidance note 6) |       |        | Please give a description of the type of entertainment you will<br>be providing  | Indoor  | Outdoor |  |
|---|-------|--------|--|---|---------|--|
| Day   | Start | Finish | Will this entertainment take place indoors or<br>outdoors or both – please tick <input checked="" type="checkbox"/> (please<br>read guidance note 2) | Both  |         |  |
| ALL   | 0700  | 2300   | WE WOULD LIKE TO CONSIDER ANY<br>ACTIVITY THAT FITS WITHIN THE<br>LICENSING OBJECTIVES.  |   |         |  |
| Mon   | 0700  | 2300   |  |   |         |  |
| Tue   | 0700  | 2300   |  | Please give further details here (please read guidance note 3)<br>AS EVENTS ARISE THAT ARE<br>COMPATIBLE WITH THE<br>OPERATIONS.                            |         |  |
| Wed   | 0700  | 2300   |  |   |         |  |
| Thur  | 0700  | 2300   |  | State any seasonal variations for entertainment of a similar<br>description to that falling within (e), (f) or (g) (please read<br>guidance note 4)<br>NONE |         |  |
| Fri   | 0700  | 2300   |  |   |         |  |

|      |      |      |  |
|------|------|------|--|
| Mon  | 1100 | 2300 | Please give further details here (please read guidance note 3)<br>USUALLY AS PART OF A PRIVATE OR TICKETED EVENT IF INDOORS.   |
| Tue  | 1100 | 2300 |  |
| Wed  | 1100 | 2300 | State any seasonal variations for providing dancing facilities (please read guidance note 4)   |
| Thur | 1100 | 2300 |  |
| Fri  | 1100 | 2300 | Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)<br>FOR INDOOR EVENTS (AND DEPENDENT) ON START TIME,<br>EVENT TO RUN UP TO 0200HRS ON ANY EVENING. |
| Sat  | 1100 | 2300 |  |
| Sun  | 1100 | 2300 |  |

**K**

|  |       |        |  |                                     |
|--|-------|--------|--|-------------------------------------|
| Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6) |       |        | Please give a description of the type of entertainment facility you will be providing<br>WILL VARY ACCORDING TO THE CLIENTS' REQUIREMENTS.   |                                     |
| Day  | Start | Finish | Will the entertainment facility be indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (please read guidance note 2)   | Indoor                              |
| Mon  | 0900  | 2300   |  | Outdoor                             |
| Tue  | 0900  | 2300   | Please give further details here (please read guidance note 3)<br>IF A CLIENT REQUESTED, FOR EXAMPLE, A BELLY DANCER AS ANCILLARY ENTERTAINMENT AT THEIR EVENT.<br>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4)<br>NONE.<br>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)<br>UNTIL 0200 HRS FOR INDOOR EVENTS. | <input checked="" type="checkbox"/> |
| Wed  | 0900  | 2300   |  |                                     |
| Thur   | 0900  | 2300   |  |                                     |
| Fri  | 0900  | 2300   |  |                                     |
| Sat  | 0900  | 2300   |  |                                     |
| Sun  | 0900  | 2300   |  |                                     |
| Sun  | 0900  | 2300   |  |                                     |

L

| Late night refreshment<br>Standard days and timings (please read guidance note 6) |       |        | Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2) | Indoors  |  |  |  |
|---|-------|--------|---|--|--|--|--|
| Day   | Start | Finish |   | Outdoors   |  |  |  |
|   |       |        | MOSTLY INDOORS.   | Both   | <input checked="" type="checkbox"/>  |  |  |
| Mon   | 2300  | 0200   |   | Please give further details here (please read guidance note 3)<br>FOR PRIVATE EVENTS IT MAY BE A CONSIDERATION TO PROVIDE LATE FOOD AS PART OF BALANCING ALCOHOL USE/ FOOD PROVISION. E.G. MIDNIGHT HOG ROAST. |  |  |  |
| Tue   | 2300  | 0200   |   |  |  |  |  |
| Wed   | 2300  | 0200   |   |  | State any seasonal variations for the provision of late night refreshment (please read guidance note 4)<br>NONE.   |  |  |
| Thur  | 2300  | 0200   |   |  |  |  |  |
| Fri   | 2300  | 0200   |   |  |  |  |  |
| Sat   | 2300  | 0200   |   |  | Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)<br>NONE. |  |  |
| Sun   | 2300  | 0200   |   |  |  |  |  |

M

| Supply of alcohol<br>Standard days and timings (please read guidance note 6) |       |        | Will the sale of alcohol be for consumption (Please tick box Y) (please read guidance note 7)   | On the premises   |                                     |  |
|--|-------|--------|---|---|-------------------------------------|--|
| Day  | Start | Finish |   | Off the premises  |                                     |  |
|  |       |        | State any seasonal variations for the supply of alcohol (please read guidance note 4)<br>RETAIL: 0900 - 2100<br>ORANGERY RESTAURANT: 1100 - 2300<br>PRIVATE EVENTS (INDOORS): 0900 - 0200<br>GARDEN EVENTS: 1100 - 2300 | Both  | <input checked="" type="checkbox"/> |  |
| Mon  | 0900  | 0200   |   | Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) WHEN HOSTING SHOOTING PARTIES IN SEASON, SUPPLY TO BE AVAILABLE FROM 0600HRS (SEPT - JANUARY). |                                     |  |
| Tue  | 0900  | 0200   |   |   |                                     |  |
| Wed  | 0900  | 0200   |   |   |                                     |  |
| Thur   | 0900  | 0200   |   |   |                                     |  |
| Fri  | 0900  | 0200   |   |   |                                     |  |
| Sat  | 0900  | 0200   |   |   |                                     |  |

|     |      |      |  |
|-----|------|------|--|
| Sun | 0900 | 0200 |  |
|-----|------|------|--|

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name: ALEXANDER GRAINGER

Address: WISTERIA COTTAGE, HAMPTON COURT ESTATE, HOPE-UNDER-DINMORE, LEOMINSTER

Postcode: HR6 0PN.

Personal Licence number (if known): PA0177

Issuing licensing authority (if known): SOUTH STRAFSHIRE D.C.

**N**

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

- 'PANTO' AND OTHER EVENTS WHICH WILL ATTRACT HIGH CHILD ATTENDANCE.
- LARGE EVENTS WITH CROWDS WHERE CHILDREN COULD GET LOST / SEPARATED FROM GUARDIANS.

**O**

| Hours premises are open to the public<br>Standard timings (please read guidance note 6) |       |        | State any seasonal variation (please read guidance note 4)  |
|---|-------|--------|---|
| Day   | Start | Finish |   |
| Mon   | 0900  | 0200   | <del>PRIVATE EVENTS UP TO 0200 HRS.</del><br>DECEMBER UP TO 0100 HRS FOR TICKETED EVENTS INDOORS.   |
| Tue   | 0900  | 0200   |   |
| Wed   | 0900  | 0200   |   |
| Thur  | 0900  | 0200   |   |
| Fri   | 0900  | 0200   |   |
| Sat   | 0900  | 0200   |   |
| Sun   | 0900  | 0200   |   |
|   |       |        | Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)<br>PRIVATE EVENTS UP TO 0200 HRS. AND HELD INDOORS. |

## **P**

Describe the steps you intend to take to promote the four licensing objectives:

### **a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)**

The premises are run under a strong management structure and presence, with on-going training for all staff. A senior member of staff is on duty in each department when the premises are being used and/or alcohol can be purchased either for retail or as part of an event, private or public. The majority of alcohol sales will be as ancillary to a meal, excepting large events when special precautions will be taken under the provisions of a specific event risk assessment. The proactive involvement of the disaster committee will be sought to ensure suitable traffic and event plans for larger events.

### **b) The prevention of crime and disorder**

The majority of alcohol sales will be retail or ancillary to a meal. When with a meal, this is a supervised environment. The staff is trained in the regulations regarding age and alcohol supply. There are no happy hours, promotions or cut price drinks offers. To minimise quantity sold, we will be providing sales in multiples of 25ml for events in the main building. For events that terminate up to 0000hrs within the house, in house staff will provide stewarding of these events. For events up to 0200hrs, then SIA staff will be procured. Our booking contracts for clients make this a stipulation as a cost that must be borne. Private events that run beyond 0000hrs will have a compulsory food element as part of a balanced alcohol / food intake for guests. For larger outdoor public events, the specific event risk assessment will determine the stewarding levels required on a per event basis.

### **c) Public safety**

There is in place a comprehensive health and safety policy which includes a 'violence' section addressing both staff and customers. Staff training includes this at regular meetings and also includes COSHH, food safety, fire procedures and first aid. All catering staff including waiting staff are required to obtain a food hygiene certificate, with courses being run in house and without charge. We have 3 staff with first aid certificates, and one is always on duty when we are open to the public. On larger public events the event specific risk assessment will detail the need for paramedic attendance etc.. For the main house a full fire risk assessment has taken place and its recommendations are the basis of our fire policy. This provides for immediate evacuation in the event of the alarms sounding given the eccentricities of such an ancient building of national importance. An emergency lighting system is in position and is tested regularly according to the schedule. Additionally, there is an aspirator detection system, exceeding the standard requirements for fire safety. PAT testing and electrical safety are routinely undertaken. An accident book is maintained through the main office. Floorings are non-slip wherever possible and maintained to a high standard. A thorough induction programme takes place when staff joins the organisation to ensure they become familiar with our procedures and practices.

### **d) The prevention of public nuisance**

Gardens/outside: events are all to terminate by 2300hrs, including anything with amplified sound or fireworks. It is anticipated that these events will be infrequent, and we will be working closely with local parish councils and neighbours to publicize when these events will be happening so as to cause the minimum of distress. Where there is a large event planned, then the local experts will be used to create the best possible scenario for traffic and event management. All guests will be encouraged to leave the grounds quietly by way of signage at the point of departure. Later events/ events in house are likely to predominantly be wedding and other celebratory parties. Given the thickness of our walls, distance from the road and neighbours, public nuisance through amplified sound etc is seen as a low risk activity. No alcohol will be served from outside the main building after 2300hrs in any event. Where events require a marquee and this involves the use of amplified sound, it will be a requirement that it be fitted with an acoustic lining. Whilst we have requested a 0200hrs finish time, this will be proportional to the start time of the event. Where possible, clients will be encouraged to have their guests arrive and depart by coach to minimize late night traffic.

### **e) The protection of children from harm**

A wide range of drinks suitable for children will be available at all points where alcohol is also dispensed. The staff are aware of their responsibilities regarding the age for alcohol purchase and proof of age cards.. On events aimed at children, staff will be required to have a heightened awareness of visitors. On larger events, the specific risk assessment may include the requirement for a 'lost children' area or additional marshalling on a per event basis. Private parties may require childcare/crèche, and this will be sourced via specialist agencies who will be required to provide proof of suitable childcare clearances and qualifications.

Please tick ✓ yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

**Part 4 – Signatures** (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 11) If signing on behalf of the applicant please state in what capacity.

Signature Alex Grainger

Date 17/3/09

Capacity Events Director, Hampton Court Trading Ltd.

For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent. (please read guidance note 12) If signing on behalf of the applicant please state in what capacity.

Signature G. Rowan May

Date 17th March 2009

Capacity Chairman / Director

|   |              |
|---|--------------|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) |              |
| EDWARD WAGHORN<br>HAMPTON COURT<br>HOPE - UNDER - DINMORE   |              |
| Post town   | LEOMINSTER   |
| Post code   | HR6 0PN      |
| Telephone number (if any)   | 01568 797777 |
| If you would prefer us to correspond with you by e-mail your e-mail address (optional)  |              |
| office@hamptoncourt.org.uk  |              |



Hereford Police Station  
Bath Street  
HEREFORD  
HR1 2HT  
Tel 08457 444888 Fax: 01432 347148



14<sup>th</sup> May 2009..

Our Ref:  
Your Ref:

Herefordshire Council Licensing Section  
County Buildings  
Bath Street  
HEREFORD  
HR4 9HS

Dear Sir or Madam:

REF: HAMPTON COURT , HOPE UNDER DINMORE  
APPLICATION FOR PREMISE LICENCE,  
LICENSING ACT 2003

I refer to the above mentioned application made pursuant to the licensing Act 2003, received by the West Mercia Constabulary on the 5<sup>th</sup> May 2009.

I wish to make the following relevant representations for the purposes of section 35 of the Act.

In order in order to promote the licensing objectives and in particular, with a view to preventing crime and disorder, I would seek the licensing authority impose the following conditions.

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

The above are the minimum conditions I would wish to see on any converted licence issued.

S G Thomas  
Licensing Officer



## MEMORANDUM

To : J. LINDSAY-JONES, LICENSING ASSISTANT, LICENSING SECTION

From : ARIS TREZINS , ENVIRONMENTAL PROTECTION MANAGER,  
ENVIRONMENTAL HEALTH AND TRADING STANDARDS

Tel : 01432 26 My Ref : AT/JB

Date : 1<sup>ST</sup> June 2009 Your Ref :

**LICENSING ACT 2003  
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE**

Having assessed the above application, I would like to make the following representation:

| Representation  | Industry Guidance |
|---|-------------------|
| <p><b>GENERAL</b></p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. 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 a 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.</li> </ol> |                   |
| <p><b>PUBLIC SAFETY</b></p> <ol style="list-style-type: none"> <li>3. A suitable and sufficient risk assessment must be recorded and maintained for the provision of licensable activities on the premises. The actions and control measures identified in the risk assessment must be effectively implemented.</li> <li>4. Adequate systems must be in place to control numbers of persons entering the premises to prevent over crowding and alleviate crowd control problems.</li> <li>5. The maximum number of persons attending at any one time must not exceed ,Ballroom -100, Great Hall – 76, Chapel- 60 , Library- 87, Drawing Room – 100, Restaurant – 100.</li> <li>6. All parts of the premises must be provided with adequate illumination during the whole time the premises are being used</li> </ol>  |                   |

|   |  |
|---|--|
| <p>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 two independent supplies and systems.</p>  |  |
| <p><b>PREVENTION OF PUBLIC NUISANCE</b></p> <p>7. Noise or vibration must not emanate from the premises so as to interfere with the use or enjoyment of any neighbouring premises.</p> <p>8. Amplified music must not be played in the outdoor areas after 23.00</p> <p>9. Fireworks will be discharged before 11pm and advance notice will be given to our neighbours.</p> |  |
| <p><b>PROTECTION OF CHILDREN FROM HARM</b></p> <p>10. Proven methods must be employed for the prevention of unlawful supply, consumption and use of alcohol, drugs and other products, which it is illegal to sell to children.</p> <p>11. There must be a lost children procedure in place. Notices will display this information to the public.</p>                       |  |

**REFERENCES**

Please Reference the industry guidance from which your representation has been sourced.

**A. TREZINS  
ENVIRONMENTAL PROTECTION MANAGER  
ENVIRONMENTAL HEALTH AND TRADING STANDARDS**

# MEMORANDUM

To : LICENSING OFFICER

From : Mike Hopkins

Tel : 01432 880565 My Ref PM 14.05.09

Date : 19<sup>th</sup> May 2009 Your Ref JLJ

**LICENSING ACT 2003  
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE**

Having assessed the above application, I would like to make the following representation:

| <b>Representation</b>  | <b>Industry<br/>Guidance</b> |
|--|------------------------------|
| Hope Under Dinmore Parish Council raised the following concerns  |                              |
| <p><b>PREVENTION OF CRIME &amp; DISORDER</b><br/>           Due consideration should be given to:<br/>           The possible noise from party revellers and vehicles when leaving Hampton Court late at night or in the early hours of the morning especially after consuming alcohol for long periods</p>  |                              |
| <p><b>PUBLIC SAFETY</b><br/>           Extreme traffic congestion (queues of 20 minutes plus) have already been experienced on the A417 and nearby main A49 at the end of a recently held event.</p>   |                              |
| <p><b>PREVENTION OF PUBLIC NUISANCE</b><br/>           Hampton Court is situated in a rural area, surrounded by farmland and animals. Due consideration should be given to:<br/>           Noise from any event held in the open air<br/>           Noise from any events involving fireworks which may cause distress to farm animals and annoyance to local residence.</p> |                              |
| <p><b>PROTECTION OF CHILDREN FROM HARM</b></p>   |                              |

**REFERENCES**

Please Reference the industry guidance from which your representation has been sourced.

**OFFICER** M J Hopkins

**POSITION** Parish Clerk

**AUTHORITY** Hope Under Dinmore Group Parish Council

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**From:** Grumbley, Keith (Cllr)  
**Sent:** 05 June 2009 09:24  
**To:** Lindsay-Jones, Joanna  
**Cc:** Jones, Peter (Cllr)  
**Subject:** Premises Licences - Fairview, Hampton Court

Dear Ms Lindsay-Jones,  
You asked for my comments on an application for a premises licence in respect of a web based hamper business at Fairview, The Moor, Bodenham. I have no comments to offer.

In respect of the Hampton Court application I have the following comments:

Prevention of Public Nuisance. It is unclear whether the applicant intends outdoor music events. These have potential for public nuisance in respect of the noise inevitably generated. I believe such events should be limited both by time and by number - suggest no later than 22.30 hrs and one per month.

Fireworks were previously routinely featured at Hampton Court, and they similarly can cause public nuisance and distress to livestock in this agricultural area. They should be limited by time and number. Also, fireworks should be governed by local protocol - the need to inform and warn local livestock owners of impending displays.

Public Safety. Recently there was huge traffic congestion in the local area in connection with an event at Hampton Court. Major events generating public interest must be properly licensed in respect of traffic controls in the area and entry/exit to/from the site.

Yours sincerely

*Keith Grumbley*  
Cllr K G Grumbley  
Hampton Court Ward

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