

AGENDA

Regulatory Sub Committee

Date: **Tuesday 18 August 2009**

Time: **10.00 am**

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

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

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 in advance of the meeting.

Agenda for the Meeting of the Regulatory Sub Committee

Membership **Councillor JW Hope MBE**
 Councillor RC Hunt
 Councillor P Jones CBE

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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1. ELECTION OF CHAIRMAN To elect a Chairman for the hearing.	
2. APOLOGIES FOR ABSENCE To receive apologies for absence.	
3. NAMED SUBSTITUTES (IF ANY) To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.	
4. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
5. APPLICATION FOR A REVIEW OF THE PREMISES LICENCE 'THE HOP POLE, 9 THE SQUARE, BROMYARD, HR7 4BP.' To consider an application for a review of the premises licence relating to the Hop Pole, 9 The Square, Bromyard, HR7 4BP.	1 - 6
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6. APPLICATION FOR A PREMISES LICENCE 'ROCK ON THE PLOCK 2009, PITFIELD FARM, PEMBRIDGE, LEOMINSTER, HR6 9HY.' To consider an application for a premises licence in respect of Rock on the Plock 2009, Pitfield Farm, Pembridge, Leominster, HR6 9HY.	25 - 30
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- 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).
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HEREFORDSHIRE COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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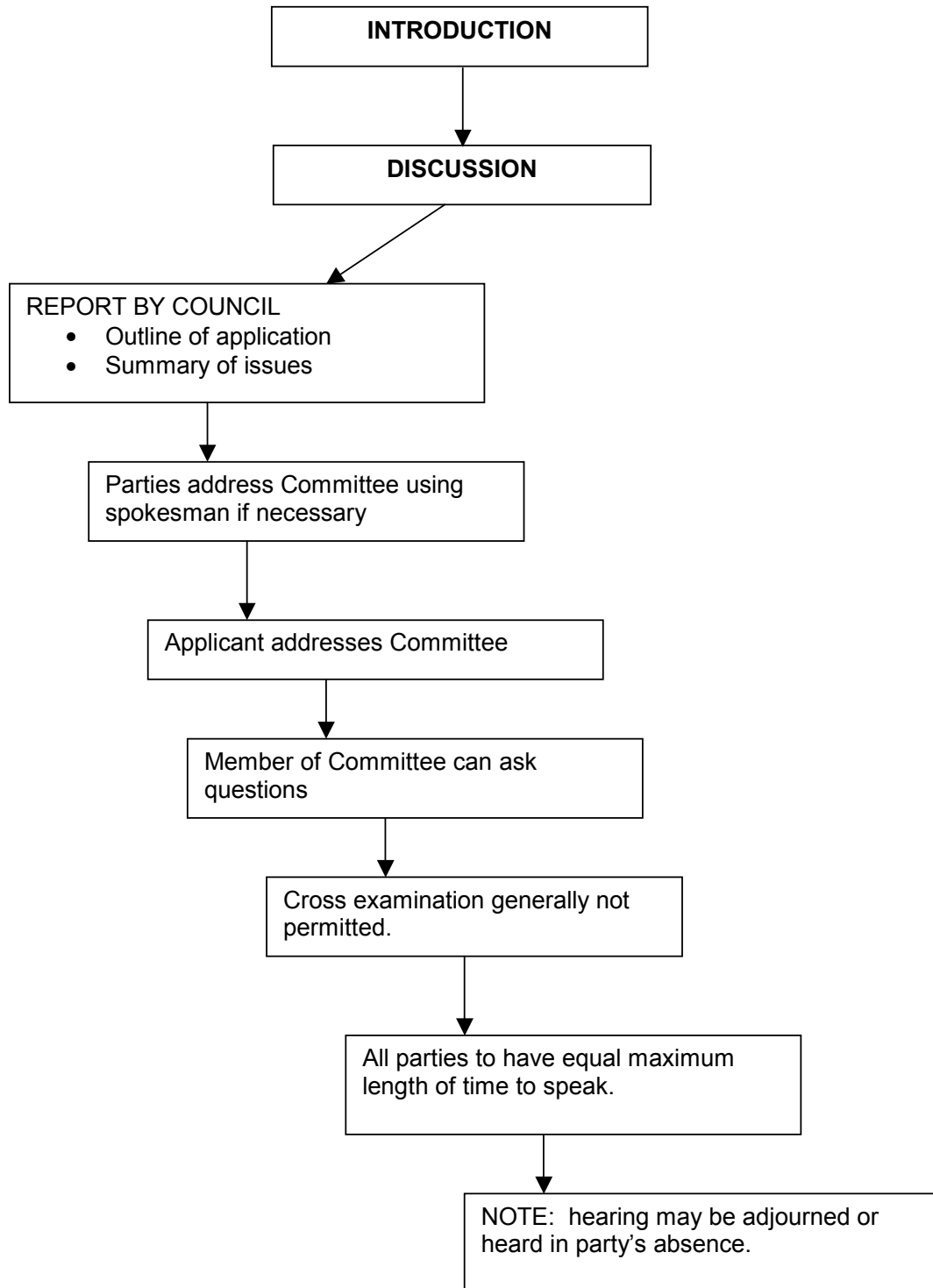
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LICENCING HEARING FLOW CHART



MEETING:	REGULATORY SUB-COMMITTEE
DATE:	18 AUGUST 2009
TITLE OF REPORT:	REVIEW OF PREMISES LICENCE: HOP POLE, 9 THE SQUARE, BROMYARD, HR7 4BP – LICENSING ACT 2003
PORTFOLIO AREA:	ENVIRONMENT & CULTURE

CLASSIFICATION: Open

Wards Affected

Bromyard

Purpose

To consider an application for a review of the premises licence relating to the Hop Pole, 9 The Square, Bromyard, HR7 4BP, called by West Mercia Police, Licensing Department, Hereford Police Station, Bath Street, Hereford, HR1 2HT on 3 July 2009.

Key Decision

This is not a Key Decision.

Recommendation

THAT Sub-Committee determine the application with a view to promoting the licensing objectives in the overall interests of the local community. They should 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, and
- The Herefordshire Council Licensing Policy.

Key Points Summary

- Review called on the grounds of prevention of crime and disorder and public nuisance.
- One application received for review
- Five further representations support the review

Options

- 1 Take no action or take any of the following steps: -
 - (a) to modify the conditions of the licence;

Further information on the subject of this report is available from
Claire Berrow – Licensing Officer 01432 383542

- (b) to exclude a licensable activity from the scope of the licence;
- (c) to remove the designated premises supervisor;
- (d) to suspend the licence for a period not exceeding three months; or
- (e) to revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

Where the authority takes a step mentioned in subsection (a) or (b), it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

Reasons for Recommendations

- 2 Ensures compliance with the Licensing Act 2003.

Introduction and Background

3 Background Information

Applicant	1. Scottish & Newcastle	
Premise Licence Holder	Scottish & Newcastle Pub Enterprises, 2 - 4 Broadway Park, South Gyle Broadway, Edingburgh, EH12 9JZ.	
Solicitor	TLT Solicitors, Bristol	
Type of application:	Date received:	28 Days consultation
Review	1. 3/07/09	31/07/09

4 Current Licence

The current licence authorises the following licensable activities during the hours shown: -

A performance of live music, any playing of recorded music; sale by retail of alcohol
Monday-Thursday: 11:00 - 11:00
Friday-Saturday: 11:00 – 01:00

Non standard hours, sale of alcohol, all Bank Holidays to 01:00 Christmas Eve, New Years Eve, Easter Saturday to 02:00 St Patricks Day, St George’s Day, Haloween to 01:00.

5 Summary of Application

The application for review relates to the following licensing objectives: -

- Prevention of Crime & Disorder
- Prevention of Public Nuisance

6 **The grounds for the review are: -**

West Mercia Police: -

- Loud music
- Shouting (bad language)
- Taking drinks into the street
- Police and ambulance called to attend to fights and disorder
- Smashing windows in High Street
- Windows and doors open

7 **The information provided to support this application is: -**

Full details in support of this application have been provided which are shown at page 4 of the application form. This can be found within the background papers.

8 **Summary of Representations**

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

9 **Responsible Authorities**

A representation has been received from the Police with a recommendation that the committee should attach 3 additional conditions to the licence to promote the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance.

10 **Interested Parties**

Five representations have been received from local residents supporting the calling of the review and one representation against the calling of the review.

Key Considerations

- 11 To consider what action should be taken, if any, to promote the four licensing objectives in accordance with the recommendation.

Guidance issued under Section 182 of the Licensing Act 2003 in respect of Reviews states at paragraph: -

11.18 In deciding which of these powers to invoke (*shown within the options*), it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response.

The attention of the Committee is drawn to the stated case of Daniel Thwaites Plc v Wirral Borough Magistrates' Court (Case No: CO/5533/2006) at the High Court of Justice Queen's Bench Division Administrative Court on 6 May 2008, [2008] EWHC 838 (Admin), 2008 WL 1968943, before the Honourable Mrs Justice Black.

In this case it was summed up that: -

"Among other things, section 4 of the 2003 Act provides that in carrying out its functions a licensing authority must have regard to guidance issued by the Secretary of State under section 182. The requirement is therefore binding on all licensing authorities to that extent.

However, it is recognised that the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and so long as the Guidance has been properly and carefully understood and considered, licensing authorities may depart from it if they have reason to do so. When doing so, licensing authorities will need to give full reasons for their actions. Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.”

Community Impact

12 It is felt that any decision made will have a minimal impact on the Community.

Legal Implications

13 Schedule 5 Section 8(2) gives a right of appeal to: -

- a) the applicant for the review,
- b) the holder of the premises licence, or
- c) any person who made relevant representation in relation to the application.

14 Section 9 states that any such appeal must be made to a Magistrates Court for the area in which the premises are situated within 21 days of notification of the decision.

Consultees

15 Responsible authorities and persons living or with a business interest within the vicinity of the premises.

16 A copy of the application was served on the responsible authorities. This was backed up by an email sent to them by the Licensing Authority.

17 The notice of review was displayed on the premises prior to the start of the consultation period and was displayed for 28 days. In addition the notice was also displayed at the offices of the Licensing Unit at Bath Street, Hereford over the same period.

Appendices

- 18 a. Application forms for review x 2
- b. Police representation
- c. Interested party representations

Background Papers

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

NOTES

REVIEWS

11.7 Representations must be in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing.

11.22 'A number of reviews may arise in connection with crime that is not directly connected with licensable activities'. 'Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts of law. Some reviews will arise after the conviction in the criminal courts of certain individuals but not all'. 'Where a review follows a conviction, it would also not be for the licensing authority to attempt to go behind any finding of the courts, which should be treated as a matter of undisputed evidence before them'.

11.25 There is certain criminal activity that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for unlawful gaming and gambling; and
- for the sale of smuggled tobacco and alcohol.

Section 52 (11) A determination under this section does not have effect—

- (a) until the end of the period given for appealing against the decision, or
- (b) if the decision is appealed against, until the appeal is disposed of.

Licensing Authority's 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.

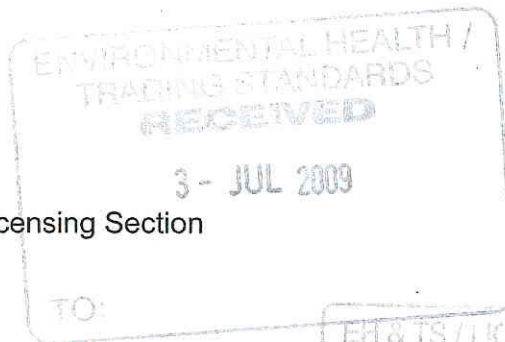
Licensing Department
Hereford Police Station
Bath Street
HEREFORD
HR1 2HT
Direct Dial 01432 364552 Fax:



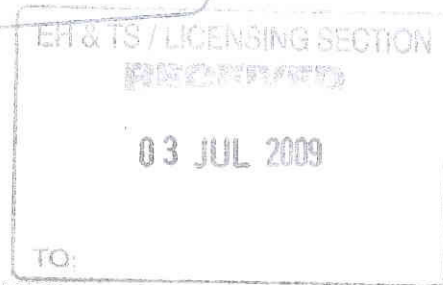
WEST MERCIA
CONSTABULARY
TOGETHER - WORKING FOR SAFETY AND JUSTICE

29th June 2009.

Our Ref:
Your Ref:



Herefordshire Council Licensing Section
The County Offices
PO Box 233
Bath Street
HEREFORD
HR1 2ZF



Dear Sir / Madam

REF: The HOP POLE 9 THE SQUARE, BROMYARD.
APPLICATION TO REVIEW PREMISE LICENCE
LICENSING ACT 2003

On behalf of the Chief Constable of the West Mercia Police, I have made an application to review the premise licence for, The Hop Pole, 9 The Square Bromyard, Herefordshire.

The application is made in accordance with section 51 of the Licensing Act 2003, and for the purpose of section 52 (7) the relevant representations concern the promotion of the licensing objectives of "the prevention of crime and disorder " and "the prevention of public nuisance "

The premise is licensed for the sale by retail of alcohol, and for the provision of regulated entertainment.

The premise licence was transferred in February 2009 from Tuns Taverns to Scottish and Newcastle, and in March 2009 a new DPS was put in place, Alan William JONES.

The premise is licensed for the sale of alcohol until 0000 hours Sunday to Thursday and 0100 on a Friday and Saturday.

The premise is licensed for the provision of regulated entertainment Monday to Sunday from 1100 to 0000 hours.

The nature of the operation of the premise changed at the same time as the changes in premise licence holder and DPS were made. The premise went from being a food led pub, in a market square of a small market town, to an entertainment venue, designed to attract the younger clientele.

The new DPS introduced discos on a Friday and Saturday night, live music, and SKY television showing sporting events.

Prior to the change of the DPS to Alan William JONES, the premise, and its operation did not give the West Mercia Police any cause for concern.

During the calendar year 2008 only two calls were made to the premise, one being a reported fight in the Square on the 23rd December 2008, and the other being a drunk in the Square on the 23rd March 2008.

During the same calendar year the West Mercia Police were not informed of any noise complaints from the premise.

Since the change of DPS in March 2009, the premise has been the subject of numerous complaints to the police concerning noise issues, emanating from the premise, and of anti social behaviour, involving customers who congregate at the front or rear of the premise to smoke, drink and socialise.

Enclosed with these review documents are witness impact statements provided by PS Andrew Scott, who is the local policing sergeant responsible for Bromyard, who details the issues raised by local residents.

As a result of the complaints concerning the noise and anti social behaviour from the premise, made to the West Mercia Police, both the DPS and the area manager were appraised of the situation.

At the same time it became apparent that the premise was operating regulated entertainment until 0100 on Friday and Saturday nights, whilst the premise was only licensed for regulated entertainment until 0000 hours. The West Mercia Police fully accept that this breach of licence conditions was unintentional and can be attributed to the wording of the premise licence.

As a direct result of both the DPS and area manager being appraised of the situation, concerning complaints and the discovery of the anomaly on the premise licence, Herefordshire Council licensing department re issued the premise licence, and clearly identified to hours for which regulated entertainment was authorised. This re issue took place on the 18th May 2009.

Since the DPS and area manager were appraised of the situation noise complaints by local residents have continued to be made.

The DPS knowing that the premise is the subject of noise complaints directly linked to his provision of entertainment by way of a disco, has applied for and being granted a Temporary Event Notice for Saturday 4th July, 2009 to provide regulated entertainment by way of a disco until 0100.

The change in the method of operation at the premise has also brought about a change in the clientele, and in doing so the premise is now the subject of incidents of alcohol related crime and disorder.

The premise has been the location of disorder and fights for the past 3 weekends

On Saturday 13th June 2009, the Ambulance service and police were called to the premise, following a report of a male being assaulted.

One male was taken by Ambulance to the A&E department at Hereford hospital.

The DPS informed the officers that some sort of scuffle had taken place. None of the witness present were prepared to give the police any information, and no subsequent complaint was forthcoming.

On Saturday 20th June 2009, the police were called to a large disturbance outside the premise. This incident is currently under investigation, with allegations of both an assault and damage to property.

There is a DVD taken from the towns' council CCTV system showing this incident. The DVD will show patrons outside the pub, it shows the same people being involved in a fight, which moves from the front of the pub, into the Square and on into the High Street. The DVD will show approximately 20 people involved in the incident.

On Saturday 28th June 2009 the police were called to attend two incidents at the premise.

At about 0014 hours, there was a disturbance outside which resulted in one male being detained for drunk and disorderly.

At 0042 the police were called to a further disturbance at the premise, which subsequently resulted in one male smashing a plate glass window in the High Street, and in doing so causing severe injury to his arm. There is again a DVD of this incident.

It is the view of the West Mercia Police that this premise is not suited to the type of operation currently being operated by the DPS and premise licence holder. The building is a converted hotel, which is a listed building. It has large single glazed bay windows fronting the Square. It has no outside drinking or smoking area, which causes patrons to congregate in the Square.

It has no ventilation or air conditioning, which results in doors or windows being left open.

The operators have no security staff, and exercise no control over the patrons at the front of their premise.

The DPS who is aware of the issues continues to operate the discos on a weekly basis, and has failed to control the noise issues associated with that form of entertainment, and has subsequently applied for a later licence for this form of entertainment.

In order to promote the licensing objectives of both the " Prevention of Crime and Disorder " and the " Prevention of a public nuisance " the West Mercia Police would seek the Licensing authority to take the following steps in accordance with section 52 (4) of the licensing Act 2003.

- To exclude the licensable activity of the provision of regulated entertainment from the premise licence.
- To modify the premise licence to allow the licensable activity of the sale of alcohol by retail until 2300 Monday to Sunday

- To remove Alan William JONES as the DPS.

These are the minimum conditions the West Mercia Police would wish to see imposed if the premise is to continue to be licensed.

S G Thomas
Licensing Officer

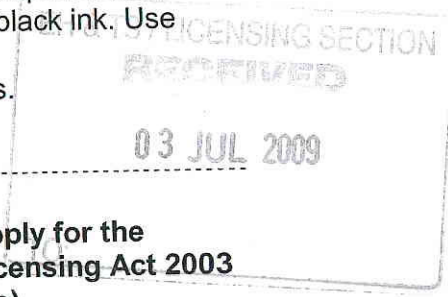


PC697

Application for the review of a premises licence or club premises certificate 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 Paul West Chief Constable West Mercia Police
(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description The Hop Pole 9 The Square	
Post town Bromyard	Post code (if known) HR7 4 BP

Name of premises licence holder or club holding club premises certificate (if known) Scottish & Newcastle Pub Enterprises (management) LTD 2-4 Broadway Park South Gyle Broadway EDINBURGH EH 12 9JZ

Number of premises licence or club premises certificate (if known) PR 00574

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises

- d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

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

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Stephen Gomer THOMAS Police Constable 697, on behalf of the Chief Constable of
the West Mercia Police
Hereford Police Station
Bath Street
HEREFORD
HR1 2HT

Telephone number (if any)
01432 364552

E-mail address (optional)
stephen.thomas@westmercia.pnn.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Please state the ground(s) for review (please read guidance note 1)

The premise licence was transferred in February 2009, to Scottish & Newcastle

The DPS was varied in March 2009, to the present DPS Alan William JONES

Prior to these dates the premise was not the subject of complaints of public nuisance and the premise was not the site of incidents of public disorder.

The building is a large converted hotel, located in a quite market town.

It has no outside drinking areas.

It is in the middle of a mixed residential and commercial area.

The building has large single glazed bay windows fronting the Market Square.

The building has no noise control measures in place .

The new DPS has changed the way the pub operates from what was a predominantly food operation.

It now operates weekly discos or live music, and shows SKY sports events.
The premises has changed the clientele it seeks to attract, as part of its commercial and business strategy.

The premise now operates as a late night venue for the younger clientele and is more in line with the venues found operating as part of the night time economy in larger towns and cities , than with a traditional pub , located in the main square of a small market town.

The premise is now the subject of complaints from local residents in respect of loud music.

It is also the subject of complaints concerning the noise caused by customers who congregate at the front and rear of the premise to smoke and talk.

The premise is the subject of complaints from local residents in respect of the anti social behavoiur of customers leaving the premise, and of customers being abusive and threatening towards neighbours.

The premise is now the location of incidents of public disorder and offences of damage, assaults, drunkenness and public disorder involving patrons from the pub.

Please provide as much information as possible to support the application
(please read guidance note 2)

At 0026 hours on Saturday 18th April 2009 a local resident complained about the loud music caused by a disco in the premise.

At 0048 hours on Saturday 2nd May 2009, a lone officers patrolling Bromayrd requested assistance from officers in Hereford and Leominster , because of the disorder taking place at the premise. The officers also reported that the loud music was still being played at that time which was unusual.

At about 0130 hours on Saturday 2nd May 2009, serious public disorder took place in Ballhurst Bromyard, involving the same individuals involved in the disorder at this premise. Two males were arrested for offences under section 3 of the Public Order Act 1986.

At about 1755 hours on Monday 11th May 2009, a resident in the square reported damage caused to his property the previous night.

At 0100 hours on Saturday May 16th a patrolling officer reported loud disco music being played , in contravention of the premise licence which only authorised music until midnight

At 0137 on the 17th May 2009, a local resident reported disorder in the square involving patrons from this premise. Officers attended and one male arrested for being drunk and disorderly
There s a DVD from the town council CCTV system showing the large number of people outside the pub, going in and out from 0020 until 0150 hours.

At 1414 hours on the 23rd May 2009 a local resident complained about abuse from customers who were now using the rear of the pub to smoke.

At 0103 hours on Sunday 24th May 2009 a local resident complained about youths in the square screaming and shouting and causing a disturbance. Officers attended and a group of youths were advised about their behaviour.

At 0040 hours on Sunday June 7th a local resident complained about disorder in the square involving a drunk female. Police Officers attended, but none of those involved in the incident were prepared to give the police any information. The DPS was spoken to and the premise closed.

At 2356 hours on Saturday June 13th 2009 the Ambulance service informed the police they were attending a 21 year old male assaulted outside the premise. Police officers attended, and a male person was removed by the ambulance service to A&E. The DPS informed the officers that he was aware of a scuffle outside. No complaints were made by the male and no witnesses were willing to say what had taken place.

At 0144 hours on Sunday 14th June 2009, a police officer on patrol reported a well known 17 year old male , drunk outside the premise. The male stated he had been drinking in the premise.

At 0021 hours on Saturday 20th June 2009, police were called to a large scale disturbance outside the premise. Officer were depoloyed and enquiries are ongoing into an alleged assault and damage caused to shop.

A DVD from the town council CCTV system shows large numbers of patrons from the premise in the square and a large scale fight breaking out which moves from the Square and along the High Street. There are 20 plus people involved in the disorder

At 0021 hours on Sunday 21st June 2009 patrons from the premise were involved in a fight in the street outside. This incident was not reported to the police, but was captured on CCTV. A DVD from the town council CCTV system is available.

At 0014 hours on Sunday 28th June 2009, police were called to a disturbance outside the premise. One male was arrested for being drunk and disorderly, and subsequently issued a notice under section 27 of the Violent Crime Reduction Act.

At 0042 hours on Saturday 28th June 2009 officers were called to a fight at the premise. This incident has spilled out into the Square and subsequently results in a male persons putting his arm through a window causing severe injury to his arm. That male is presently at Frenchay hospital in Bristol.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Month
Year

Day

If you have made representations before relating to this premises please state what they were and when you made them
N/A

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent
(See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

J S Thomas P1697

Date 29th June 2009

Capacity Divisional Licencing officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

HEREFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM – INTERESTED
PARTIES

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

When completing this form please print clearly and legibly.

Please return this form, and any additional information within the statutory period to:
The Licensing Section,
County Offices,
PO Box 233,
Bath Street, Hereford,
HR1 2ZF
licensing@herefordshire.gov.uk

Your Name:	Contact Telephone No.
Add	
Name about:	
THE HOP POLE THE SQUARE BROMWICH HEREFORDSHIRE	

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

To Prevent Crime & Disorder	DURING THE TENANCY OF THE CURRENT LANDLORD THE NUMBER OF INCIDENTS HAVE INCREASED DRAMATICALLY THE POLICE HAVE RECORDED THE MAIN CONCERNS THESE THE LICENSEE'S EXPRESSED ATTITUDE IS IF IT IS OUTSIDE MY PREMISES IT IS NOT MY CONCERN
Public Safety	ALTHOUGH BY HIS INEFFECTUAL MANAGEMENT WITHIN HIS BUILDING HE HAS FUELED THE GOALS ON OUTSIDE TO PREVENT CRIME + DISORDER PROTECT PUBLIC SAFETY AND AVOID PUBLIC NUISANCE HIS LICENSE SHOULD BE REVOKED
To Prevent Public Nuisance	
To Protect Children from Harm	

Si
D:
ELI

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105

The Licensing Section,
County Offices,
PO Box 233,
Bath Street,
Hereford,
HR1 2ZF

13th July 2009

Dear Sirs,

Living and working directly opposite The Hop Pole Public House in market Square, Bromyard, we have been in a position to see and hear the dramatic increase of disturbance emulating from the premises since the currant landlords took over in March 2009.

Noise levels from music alone have been excessive mainly on Friday and Saturday evenings, sometimes through to approximately 1.30am with the addition of up to 30 or 40 people drinking, singing and fighting in the square until later.

The front entrance of the Hop Pole leads directly onto a public highway and during the course of an evening and well into early hours members of the public of all age groups have to walk in the road to avoid the drinkers as intimidated by their presence, many have described taking a much longer route to avoid the situation altogether.

We have often found the pavements, benches and the highways in the square littered with glasses, bottles and broken glass in the morning and have to take steps with other traders to make the area safe.

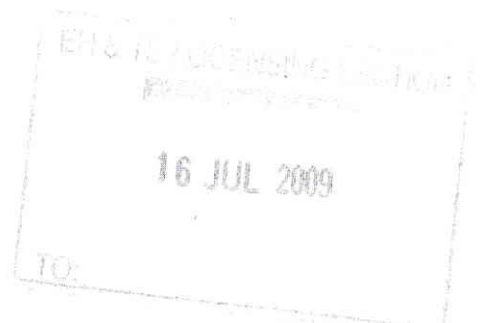
We have also seen many young children going in and out of the front entrance and playing in the roadway mostly unsupervised.

During the course of the past few months at weekends there has also been much disturbance throughout the town emulating from the square, with broken windows, damaged notice boards, plants uprooted etc, and two persons have climbed the front of our own building causing some damage.

We live presently with the fear of damage to our property and intimidation outside our property and cope with the problems of very little sleep for at least two nights each week.

We believe that the examples we have described in this letter contravene all four of the licensing objectives, therefore the licence should be revoked.

Yours faithfully





Representation Form – Interested Parties
Suggested Conditions

Premise: _____

It would help
happy for the
experiencing.

Your name: _____

You could suggest
to rectify the problem

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

To Prevent Crime and Disorder NO DRINKING AFTER 11.30 - WITH 30 MIN DRINKING UP TIME. CHECK I.D. OF ALL YOUNG PEOPLE UNDER 25.
Public Safety NO DRINKING IN THE SQUARE
Prevent Public Nuisance NO DRINKING IN SQUARE NO MUSIC AFTER 11 P.M. DOOR KEPT SHUT WHEN THERE IS MUSIC FIRE DOOR KEPT SHUT ENSURE SQUARE CLEAR OF DRINKERS BY 12.30.
Protect Children from Harm

Signed: *[Signature]*

Date: *12 July 09*

If you have any queries about this form or are unsure
of when the statutory period ends please contact the
Licensing Helpline on 01432 260105

BT

The Licensing Section
Hereford County Council
County Offices
Hereford HR1 2ZF

RECEIVED
10 JUL 2009

Dear Sirs,

I write to object to a licence renewal
for "The Hopole", The Square, Bromyard.

Since the present tenants took over we,
the residents of Broad Street & High
Street, Bromyard have been subjected
to noise, vandalism and general
mayhem on Friday & Saturday nights.

I appreciate that if one lives in the
centre to town one has to tolerate

a certain amount of disturbance but
the level of noise and actual fistknuffs
as well as shop windows being broken
late at night has increased enormously
since the present tenants took over.

Yours faithfully

Mps.

MEETING:	REGULATORY SUB-COMMITTEE
DATE:	18 AUGUST 2009
TITLE OF REPORT:	APPLICATION FOR GRANT OF PREMISES LICENCE 'ROCK ON THE PLOCK, J & C THOMAS, PITFIELD FARM, LEOMINSTER.' - LICENSING ACT 2003
PORTFOLIO AREA:	ENVIRONMENT & CULTURE

CLASSIFICATION: Open

Wards Affected

Leominster

Purpose

To consider an application for a premises licence in respect of Rock on the Plock 2009, Pitfield Farm, Pembridge, Leominster, HR6 9HY.

Key Decision

This is not a Key Decision.

Recommendation

THAT Sub-Committee determine the application with a view to promoting the licensing objectives in the overall interests of the local community. They should 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, and
- The Herefordshire Council Licensing Policy.

Key Points Summary

- One off premises licence.
- Licensed for 2 days (5 September to 6 September 2009).
- Licensed for up to 4,999.
- Representations from Responsible Authorities which have not been withdrawn.
- Four representations from interested parties.

Further information on the subject of this report is available from
Fred Spriggs – Licensing Officer 01432 383542

Options

- 1
 - a) 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,
 - b) 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 conditions set out in the Licensing Act 2003,
 - c) To exclude from the scope of the licence any of the licensable activities to which the application relates,
 - d) To refuse to specify a person in the licence as the premise supervisor, or
 - e) To reject the application.

Reasons for Recommendations

- 2 Ensures compliance with the Licensing Act 2003.

Introduction and Background

3 Background Information

Applicant	J & C Thomas Pitfield Far, Pembridge, Leominster, HR6 9HY.	
Solicitor	Nil	
Type of application: New Application	Date received: 29/06/09	28 Days consultation 27/07/09

Licence Application

- 5 The application for a new premises licence has received representations from the Environmental Health Officers (EHOs), the Police and two local residents.

Summary of Application

- 6 The application is for a time limited licence to operate between 5 September and 6 September 2009.

- 7 The licensable activities applied for (all indoors and outdoors) are as follows during the times shown: -

Live music, recorded music: -

Saturday (5 Sep); 12:00 – 24:00

Sale by retail of alcohol: -

Saturday (5 Sep); 12:00 – 23:00

Premises to be open to the public: -

Saturday (5 Sep); 12:00 – 01:00

Summary of Representations

- 8 Copies of the representations and suggested conditions can be found within the background papers.
- 9 Representations have been received from the Environmental Health Officer (Pollution), the Environmental Health Officer (Commercial) and the Police.

Interested Parties

- 10 Two representations were received from interested parties, both of whom are local residents.

Key Considerations

- 11 To consider what action should be taken, if any, to promote the four licensing objectives in accordance with the recommendation.
- 12 The attention of the Committee is drawn to the stated case of Daniel Thwaites Plc v Wirral Borough Magistrates' Court (Case No: CO/5533/2006) at the High Court of Justice Queen's Bench Division Administrative Court on 6 May 2008, [2008] EWHC 838 (Admin), 2008 WL 1968943, before the Honourable Mrs Justice Black.
In this case it was summed up that: -

“Among other things, section 4 of the 2003 Act provides that in carrying out its functions a licensing authority must have regard to guidance issued by the Secretary of State under section 182. The requirement is therefore binding on all licensing authorities to that extent. However, it is recognised that the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and so long as the Guidance has been properly and carefully understood and considered, licensing authorities may depart from it if they have reason to do so. When doing so, licensing authorities will need to give full reasons for their actions. Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.”

Community Impact

- 13 The decision made will have differing impacts on the Community. If the application was to be granted it is difficult to gauge the extent of the impact. If the application was to be refused then clearly this will affect the large number of people who are likely to attend the event.

Legal Implications

- 14 Schedule 5 gives a right of appeal to: -
Rejection of applications relating to premises licences

1 Where a licensing authority—

(a) rejects an application for a premises licence under section 18,

(b) rejects (in whole or in part) an application to vary a premises licence under section 35,

(c) rejects an application to vary a premises licence to specify an individual as the premises supervisor under section 39, or

(d) rejects an application to transfer a premises licence under section 44,

the applicant may appeal against the decision.

Decision to grant premises licence or impose conditions etc.

2 (1) This paragraph applies where a licensing authority grants a premises licence under section 18.

(2) The holder of the licence may appeal against any decision—

(a) to impose conditions on the licence under subsection (2)(a) or (3)(b) of that section, or

(b) to take any step mentioned in subsection (4)(b) or (c) of that section (exclusion of licensable activity or refusal to specify person as premises supervisor).

(3) Where a person who made relevant representations in relation to the application desires to contend—

(a) that the licence ought not to have been granted, or

(b) that, on granting the licence, the licensing authority ought to have imposed different or additional conditions, or to have taken a step mentioned in subsection (4)(b) or (c) of that section,

he may appeal against the decision.

(4) In sub-paragraph (3) “relevant representations” has the meaning given in section 18(6).

15 Section 9 states that any such appeal must be made to a Magistrates Court for the area in which the premises are situated within 21 days of notification of the decision.

Consultees

16 Responsible authorities and persons living within the vicinity or with a business interest within the vicinity of the premises.

17 A copy of the application was served on the responsible authorities. This was backed up by an email sent to them by the Licensing Authority.

18 The notice of application was displayed on the premises prior to the start of the consultation period and for a period of 28 days. In addition, notice of the application was required to be published in a newspaper which was circulated within the vicinity of the premises.

19 The applicant has produced a copy of that advertisement which complies with the legislation.

Appendices

- 20
- a. Application form
 - b. Public representations
 - c. Representations from environmental health officer
 - d. Police representation

Background Papers

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

NOTES

Licensing Authority's 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.

receipt 410834
£100 paid
15 June 09
RS

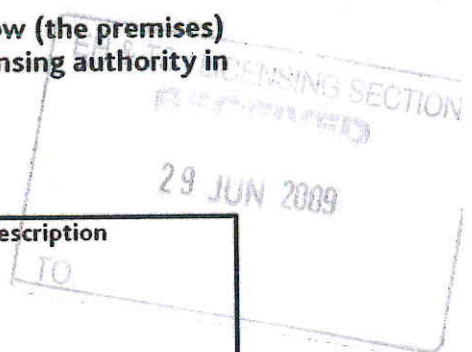
[Insert name and address of relevant licensing authority and its reference number (optional)]

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.

We J. A. C. THOMAS 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 PITFIELD FARM PEMBRIDGE	
Post town LEOMINSTER	Post code HR6 9HY

Telephone number at premises (if any)

01544 388471

Non-domestic rateable value of premises

£ N/A

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: THOMAS First names: JACQUELINE

I am 18 years old or over

Current postal address if different from premises address: PITFIELD FARM, PEMBRIDGE

Post Town: LEOMINSTER Postcode: HR6 9HY

Daytime contact telephone number: 01564 385471

E-mail address (optional): JACQUI.PITFIELD@YAHOO.CO.UK

SECOND INDIVIDUAL APPLICANT (if applicable)

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

Surname
 THOMAS

First names
 CHRISTOPHER

Please tick
 ✓ yes

I am 18 years old or over

Current postal address if different from premises address

As First Applicant

Post Town

Postcode

Daytime contact telephone number

01544 388471

E-mail address (optional)

Chris.pitfield@ymbo.com

(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
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
0	5	09
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
0	6	09
2	0	09

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 note1)

PLEASE REFER TO EVENT MANAGEMENT PLAN

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 Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			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)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			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)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			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 (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Both		Please give further details here (please read guidance note 3)
Tue					
Wed					State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)
Thur					
Fri					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 (please read guidance note 5)
Sat					
Sun					

E

Live music Standard days and timings (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			<p>Please give further details here (please read guidance note 3) LIVE PERFORMERS ON STAGE AMPLIFIED TO MAIN AUDIENCE. JAZZ CAFE PERFORMERS IN TENT PLAYING TO LIMITED INDOOR AUDIENCE</p> <p>State any seasonal variations for the performance of live music (please read guidance note 4)</p> <p>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)</p>	Both	Y
Tue					
Wed					
Thur					
Fri					
Sat	12:00	24:00			
Sun					

F

Recorded music Standard days and timings (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			<p>Please give further details here (please read guidance note 3) RECORDED MUSIC WILL BE AMPLIFIED FROM STAGE TO MAIN AUDIENCE JAZZ CAFE RECORDED MUSIC PLAYED TO LIMITED AUDIENCE IN TENT</p> <p>State any seasonal variations for playing recorded music (please read guidance note 4)</p> <p>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)</p>	Both	Y
Tue					
Wed					
Thur					
Fri					
Sat	12:00	24:00			
Sun					

G

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

H

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

Sat			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 (please read guidance note 5)
Sun			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing							
			Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors		Both	
Indoors										
Outdoors										
Both										
Day	Start	Finish								
Mon			Please give further details here (please read guidance note 3)							
Tue										
Wed			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)							
Thur										
Fri			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 (please read guidance note 5)							
Sat										
Sun										

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)							
			<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors		Both		
Indoors										
Outdoors										
Both										
Day	Start	Finish								
			Please give a description of the facilities for dancing you will be providing							

Mon			<u>Please give further details here</u> (please read guidance note 3)
Tue			
Wed			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)
Thur			
Fri			<u>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</u> (please read guidance note 5)
Sat			
Sun			

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)			<u>Please give a description of the type of entertainment facility you will be providing</u>	
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick [Y]</u> (please read guidance note 2)	Indoor
Mon				Outdoor
				Both
Tue			<u>Please give further details here</u> (please read guidance note 3)	
Wed				
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k</u> (please read guidance note 4)	
Fri				
Sat			<u>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</u> (please read guidance note 5)	
Sun				

L

Late night refreshment 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			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed					
Thur			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Fri					
Sat					
Sun			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)		

M

Supply of alcohol 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	Y
Day	Start	Finish		Off the premises	
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	
Tue					
Wed					
Thur			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)		
Fri					
Sat	12:00	23:00			

Sun			
-----	--	--	--

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

Name..... LUKE ANDREW RIGHTON

Address..... THE RED LION, HIGH STREET,
PEMBRIDGE HEREFORDSHIRE

Postcode..... HR6 9DS

Personal Licence number(if known)..... 1458

Issuing licensing authority (if known)..... HEREFORDSHIRE COUNCIL

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)

NOT APPLICABLE

O

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon			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)
Tue			
Wed			
Thur			
Fri			
Sat	12:00	01:00	
Sun			

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)

PLEASE REFER TO EVENT MANAGEMENT PLAN
FOR FULLER DETAIL

b) The prevention of crime and disorder

IT MUST BE Borne IN MIND THIS IS A SCHOOL
BASED FAMILY EVENT. IT IS STAGED IN AN ENCLOSED
ENVIRONMENT. STEWARDS WILL CHALLENGE DRUNK OR
AGGRESSIVE CLIENTELE IF INSUFFICIENT NUMBERS TO DO
SO SAFELY OR CALL IN APPROPRIATE HELP.

c) Public safety

STEWARDS WILL BE ON SITE IN SUFFICIENT
NUMBERS. TRAFFIC STEWARDS WILL BE ON DUTY AT
IMPORTANT TIMES. EVENT HAS ADMISSIONS LIMIT.
FIRE POINT AND FIRST AID POINT WILL BE PROVIDED
ALL CONTRACTORS WILL NEED APPROPRIATE CERTIFICATION INC ELECTRICAL
- CIAN

d) The prevention of public nuisance

STEWARDS WILL BE PROVIDED IN ADEQUATE NUMBERS
TO MANAGE NUISANCE. TRAFFIC STEWARDS WILL BE PROVIDED
TO MANAGE INGRESS AND EGRESS OF VEHICLES AT KEY TIMES
NOISE LEVELS WILL BE APPROPRIATELY MONITORED THROUGHOUT THE
DAY.

e) The protection of children from harm

UNDER 16'S ONLY ADMITTED WITH AN ADULT.
LOST CHILD POLICY IN OPERATION INCL USE OF P. A SYSTEM
STEWARDS WILL CHECK FOR INCIDENTS/SIGNS OF UNDER AGE
DRINKING
BAR STAFF WILL CHALLENGE YOUNG CUSTOMERS TO PROVE AGE.

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 J. C. Thomas

Date 13-5-09 15 06 09

Capacity Applicant

For joint applications signature of 2nd applicant or 2nd 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 M. Thomas

Date 13-05-09 15 06 09

Capacity Applicant

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)	

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



HEREFORDSHIRE
COUNCIL

Form of consent given by the person whom the applicant wishes to be the premises supervisor

I, Luke Righton.....[insert first names and surname of prospective premises supervisor] hereby consents to being named as the premises supervisor in a new licence granted under paragraph 4 of Schedule 8 to the Licensing Act 2003 to Jacqui and Christopher Thomas.....[insert full name of applicant] in ~~respect of the application to convert an existing justices' licence held by the applicant/~~ where the holder of the licence has consented to the application being made by the applicant [delete as applicable] for Pitfield Farm, Pembridge, Herefordshire.....[Insert name and address of the existing licensed premises] if that application is successful.

Signed [Signature]
Dated 13-5-09

ELI PREM -4
29 JUN 2009



SITE PLANS including emergency access and safety zones can be reviewed on the following page (page 2)

Detailed venue plan

Page 3

MAIN STAGE

Rock on the Plock is an outdoor event the main stage will consist of two curtain sided trailers fitted together to house the performing bands. Therefore the main stage will be just under 14metres long and 6metres wide. This area will house the band, the PA System and the sound engineer. Stage Access will be mainly from the back on and off ramps. During the performance the front area protected from the audience with site fencing and security guards appointed at either side. This has been drawn to a 1.50 scale.

Page 4

BAR AREA

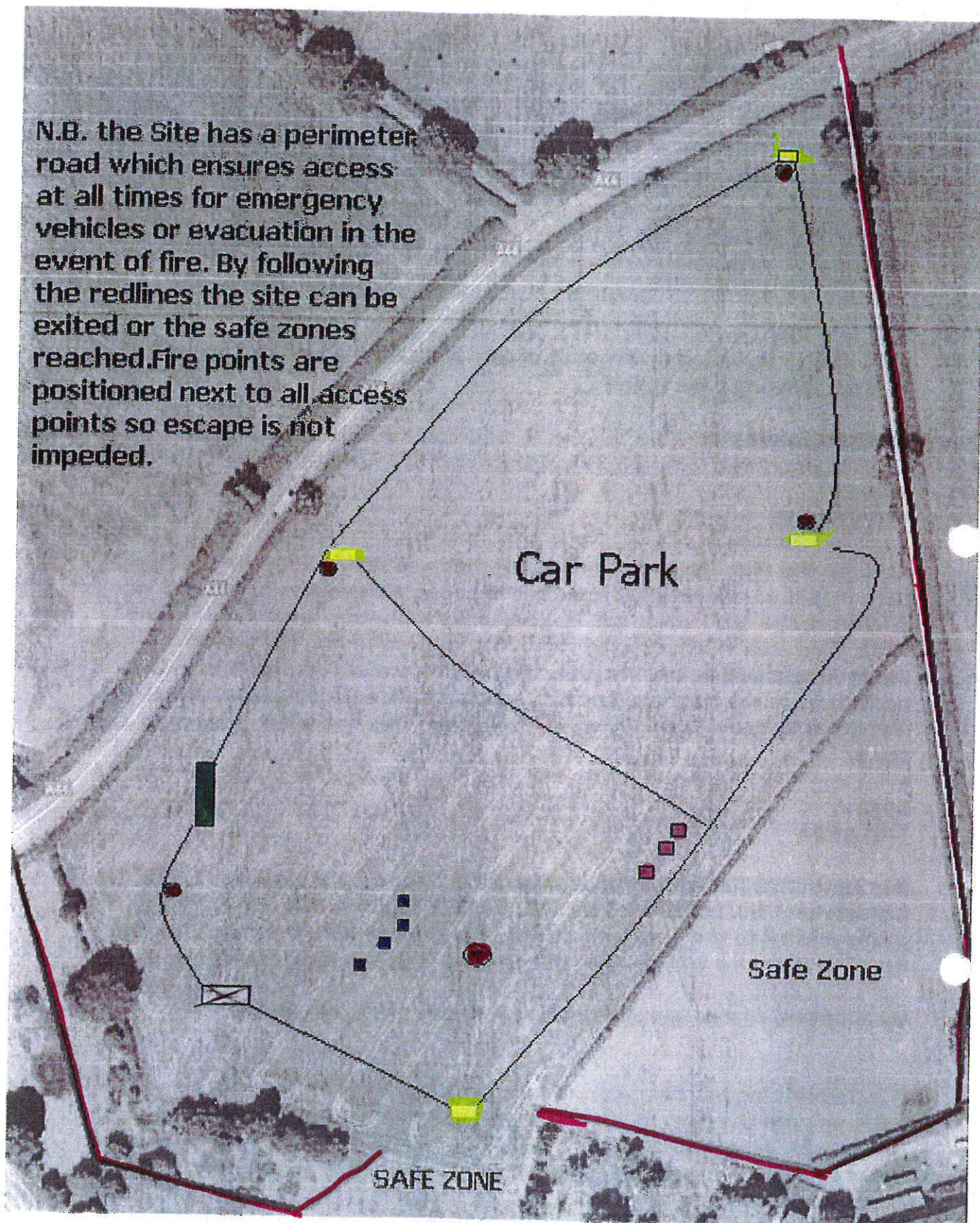
Bar Tent to fit this onto A4 the scale for the bar tent is scaled to 1.100. The bar workers will be covered by a 45ft x 30ft traditional marquee (7ft at the eaves and 14 to the Apex). Within the marquee will be a sturdy 10metre bar. The marquee will be open at the front with two fire exits at the back.

By adopting a large bar and ten bar staff this area is expected

N.B. Everything has been done to ensure the design of these two areas adheres with the current regulatory requirements. Should you have any comments, suggestions or remedial action that is required to bring these areas up to current safety levels we will happily alter accordingly.

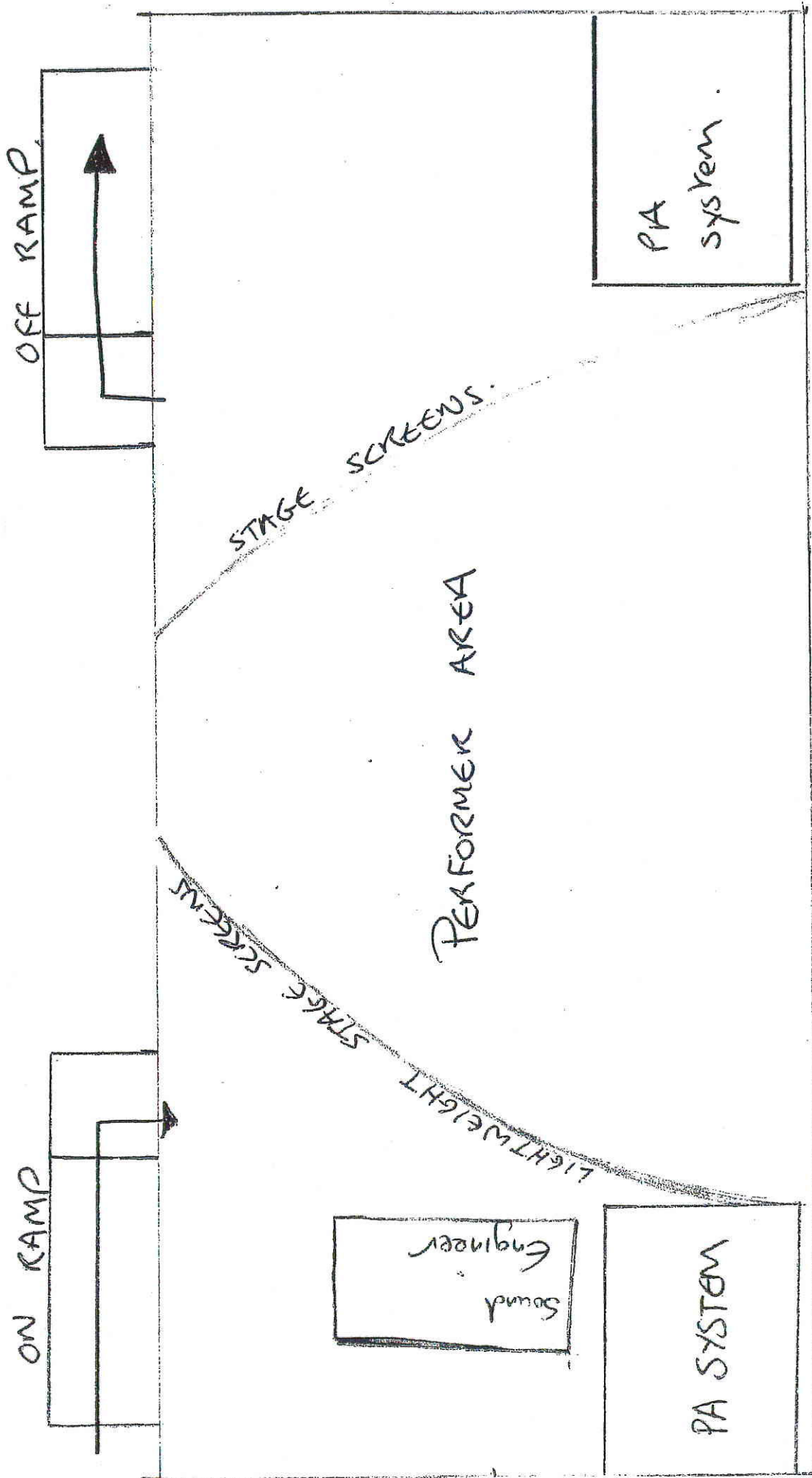
If any adjustments are required please do not hesitate to contact Ivor Meredith on +44(0)7887831215 or ivor.meredith@insulation.kingspan.com

N.B. the Site has a perimeter road which ensures access at all times for emergency vehicles or evacuation in the event of fire. By following the redlines the site can be exited or the safe zones reached. Fire points are positioned next to all access points so escape is not impeded.



150meters

- | | | |
|--------------|--------------------|---------------------|
| ☒ Main Stage | ■ Traders | □ Access Checkpoint |
| ■ Bar | ■ Toilets | ■ Cafe / tea tent |
| ● Fire Point | — Emergency Access | |

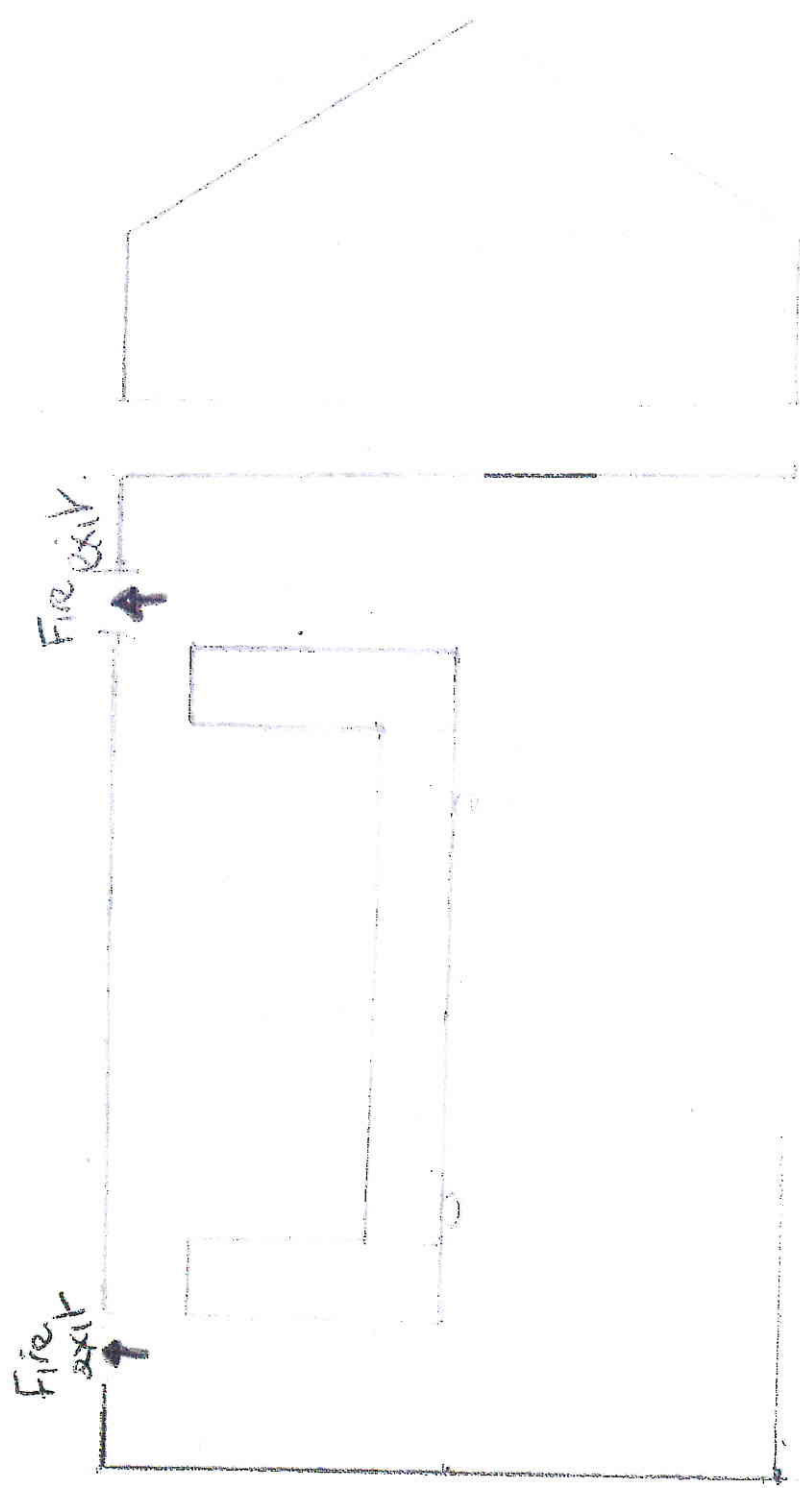


Front of house

Open Air stage plan. 1.50.

3

Rock on the Plock : Bar Area 1:100



Open fronted.

Scale 1:100

Rock on the Plock Saturday 5th September 2009



Event Management Plan

Details of the Event

**“Rock on the Plock”
Saturday, 5th September 2009**

**A one day Family Music Festival to raise funds for
Pembridge Primary School redevelopment**

Venue

Pitfield Farm, Pembridge, Herefordshire.

Times of Opening

Festival open to the public from 12:00 to 24:00.

Capacity

No more than 2,000 guests at any one time during the day. Visitors are primarily expected to be families associated with the school and local area.

Premises Supervisor

Luke Righton

Committee Members

Dr D Griffith

Mr A Teale

Mrs M Griffith

Mrs J Thomas

Mr I Meredith

Mr C Thomas

Licensable Activities

The following licensable activities will take place.

The sale of alcohol.

Bar Tent open from 12:00 to 23:00

The provision of regulated entertainment.

- i. Live music between 12:00 and 24:00
- ii. Recorded music between 12:00 and 24:00

The provision of entertainment facilities for

- i. Making music
- ii. Dancing

Management of the event

An Event Management Team will control all aspects of the event. Management functions during the event will be co-ordinated through Event Control, which will be based on-site. Event Control will co-ordinate security, traffic, site management, emergency service requests etc.

All staff will be briefed before the event and wear distinctive clothing (including high visibility) where appropriate.

Site Manager

The Site Manager will be responsible for the planning, setting up and taking down of the site and overseeing installation of all items on the site e.g. stage, marquees, toilets, electrics.

Event Safety Manager

The Event Safety Manager will work with the Site Manager to ensure that health & safety is considered at all times.

The Bar Manager

The Bar Manager is the designated Premises Supervisor for the provision of the Licensing Act 2003.

Chief Event Steward

A Chief Event Steward will be appointed to be responsible for the management of the other stewards and will liaise with the site manager.

Event Stewards

There will be a sufficient number of SIA registered and general stewards on site from 12:00 to 01:00.

Event Stewards main responsibilities will be crowd management, site patrols, checking 'no access areas' and the car park. They will also assist the police and any emergency services if necessary.

Any disturbances will be reported to the premises supervisor.

Anybody exhibiting any unruly, violent or drunken behaviour will be escorted from the premises.

Chief Traffic Steward

A Chief Traffic Steward will be appointed to be responsible for the management of Traffic Stewards and will direct operations at the entrance gate and car park.

Traffic Stewards

Traffic Stewards, under the direction of the Chief Traffic Steward, will regulate the traffic intake, ensuring no build up of traffic on the main road (A44), manage correct parking and manage the exit of traffic at the end of the event.

Gate Stewards

The Gate Stewards will regulate pedestrians onto the entertainment site, checking payments and giving general information to the public.

Safety

Volunteer Stewards will be briefed before the event as to their responsibilities, which they will receive in writing.

Members of the St John Ambulance Brigade will be present on the festival day.

There will be a designated Fire Point with suitable fire extinguishers.

A suitably qualified electrician will oversee the installation of electrical equipment and will be on site throughout the day.

All children under 16 will have to be accompanied by a responsible guardian.

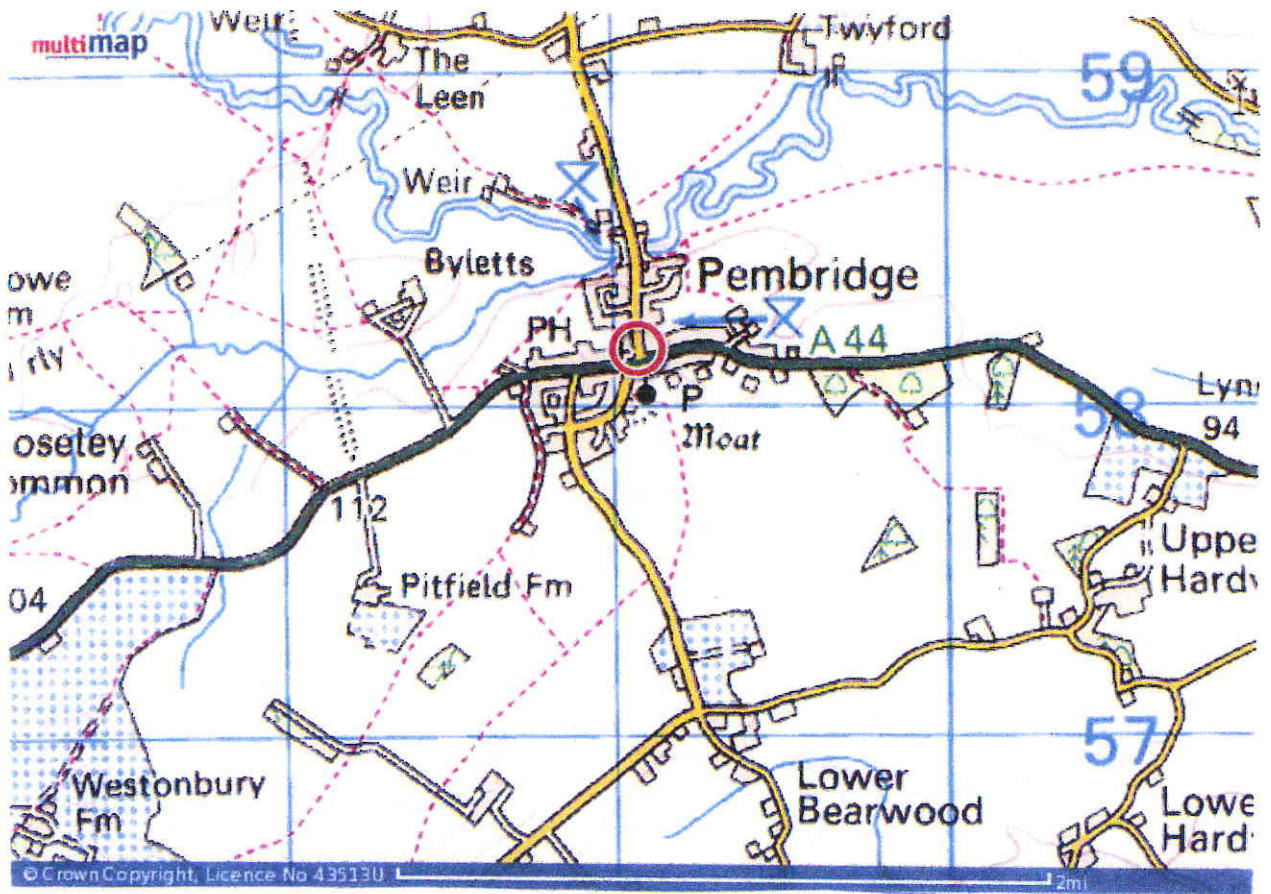
All stewards will be alerted in the case of a lost child. A child who has lost their parents will be escorted by a steward to Event Control to wait for their parents.

In case of emergency

- Traffic stewards will stop admission except for emergency services.
- Stewards will direct the public to safe areas, through the emergency exits.
- The public address system will be used to communicate instructions and information to the public.
- There will be designated safety areas and the public will be asked to proceed there calmly and in an orderly fashion, and to remain there until further instructions are given.
- If emergency services are on site then they are in authority and their instructions must be followed.
- The public won't be allowed to return to the site or car park until the emergency services have given permission.

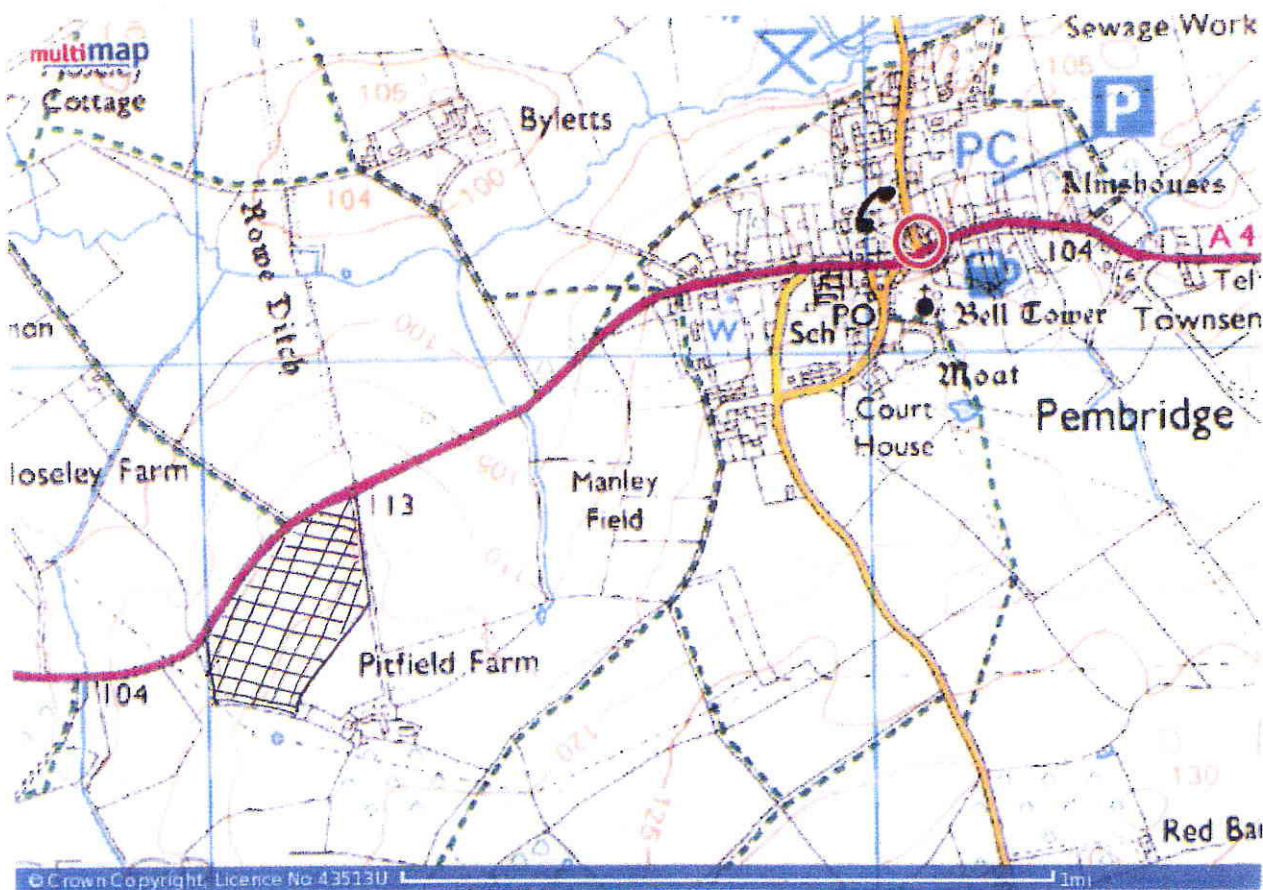
Map of Site

Festival Field Marked



Map of Site

Festival Field Marked



Site Description

General description

The field has an area of 4.91 hectares.
There is a slight gradient down to the road.
The overflow field has an area of 4.7 hectares.

Structures

- The Stage will be made up of two flat bed, curtained lorries with an awning to cover the designated dance area.
- Bar Tent
- Jazz Café Tent
- Tea Tent

Access

The entrance gate is situated at a corner of the field off the main road – A44. Cars will be brought in off the road to queue, to avoid a build up of traffic on the main public highway.

Transport and Parking

We anticipate that the general public will arrive by car, as there is little public transport.

Car parking will be in the area immediately after entry into the field, away from the entertainment area, in the other half of the field.

The parking area will be roped off from the entertainment area, with barriers and stewards guiding the cars to the designated parking places.

Experienced stewards will direct the flow of cars. There will be space for cars to pull into the site and queue as stewards welcome the public and direct each car to designated parking spaces.

Food vendors will be informed that they will have access to the site prior to the opening time, to set up.

Crowd Management

Pedestrians will leave their cars in the car park and proceed through a separate admissions point into the entertainment area, without crossing any vehicle routes. The entrance will be clearly signed and served by several stewards in high visibility vests.

Emergency Exits

Emergency exits will be well marked. (See Site Plan)

In an emergency it will be possible for vehicles to exit through the caravan site and farm lane to the main road. It would also be possible for emergency vehicles to enter the site via this route.

No Access Area

An area will be roped off around the entertainment/public area in order to maintain a driveway all the way around it allowing access to emergency exits. The stewards will keep this clear throughout the event

Performers and Food Vendors

Performers and food vendors will be given full details of how to reach the site prior to the event, together with a full itinerary and access times.

Noise Nuisance

The main source of noise will be from the live performance of music and recorded music during the event. This will be controlled at a reasonable level of volume such as to avoid noise nuisance to the nearest neighbours and the residents of the village. All houses in the close proximity of the site will be notified of the situation prior to the event.

Power Supply

The power supply for the stage and lighting will be run from a generator. There will be a Qualified Site electrician appointed. Outside lighting for the site will be hired. Mains electricity is available from the adjoining caravan site.

Water Supply

A water supply is available from the adjoining caravan site.

Sanitary Facilities

An adequate number of self contained toilet units, including toilet and washing facilities, will be provided for the number of people expected to attend the event. Consideration will be given to their location and they will be adequately lit.

Refuse Collection

The public will be provided with black bin bags when they enter the site. They will be asked to deposit these in a designated area at the end of the event. All rubbish will be collected and disposed of within a few days of the event.

Fire Point

There will be designated fire points, each with appropriate fire extinguishers – CO2 or powder, and a bucket of sand. This will be adequately lit. There will be suitable fire extinguishers in close proximity to the stage.

First Aid Post

There will be a first aid area, served by members of the St John Ambulance.

The following notices will be displayed on site.

SAFETY NOTICES

Please read these notices carefully

FIRE

In the event of a fire please inform a steward (wearing high visibility vests). He/she will raise the alarm and, along with other stewards, will direct the public to safe areas. Fire exits are well marked. Please be aware of these.

FIRST AID

There is a first aid post on site, served by St John Ambulance. Please familiarise yourself of it's location. If you see anyone who may need help, please inform a steward.

CARE OF CHILDREN

A responsible guardian must accompany all children under the age of 16. Please pre-arrange a meeting point should your group be split up. Lost children should be reported to a steward.

RUBBISH

Please dispose of your rubbish carefully in the black bin bags that have been provided and then deposit them in the designated area. Please take extra care, as this is a working farm.

LOST PROPERTY

Please inform a steward of any lost property or anything that you have found.

Guidance to Volunteers

General Responsibilities

- Always wear the high visibility vest when on duty to make yourself identifiable
- While on duty you must not be under the influence of alcohol.
- You must behave in a professional manner.
- You must promote the safety of yourself and those around you.
- Be observant at all times.
- Ensure that you are familiar with the site so that you can direct the public.
- Make sure that you are aware of the evacuation plan.
- If there is an accident, inform the St John Ambulance. Do not move anyone who has been hurt.
- If you see people in need, ask if you can be of assistance.
- If you see things that need doing, inform the appropriate person or, if you are able, deal with the situation yourself.

Dealing with anyone aggressive or drunk

- Do not approach by yourself. Call for another steward.
- Do not place yourself at risk.
- Stay calm and do not raise your arms above your waist.
- Eye contact – remove sunglasses.
- Do not raise your voice or argue with the person.
- If you cannot resolve the situation, **walk away**, and inform a higher authority.

Protection of Children / Missing Children

- Make sure the child is safe.
- Let your Supervisor know situation and escort child to Event Control.

In Case of Fire

- Respond calmly and with authority.
- Help others to remain calm.
- Raise the alarm and report to Event Control so that the fire brigade can be called.
- Evacuate the immediate area around the fire.
- Try to contain the fire if possible, until help arrives.
- Do not put yourself at risk to save property or equipment.
- Do not attempt to put out a vehicle fire.
- Evacuate the area and wait for the emergency services.

Evacuation of the Site

In the event of a major emergency, you must ask all visitors to leave the site at the nearest exit points.

There will be designated safety areas, and the public will be asked to proceed there calmly and in an orderly fashion, and to remain there until given further instructions.

If the emergency services are on site then they are in charge and you must follow their instructions.

The public will not be allowed to return to the site or the car park until the emergency services have given their permission.

Rock on the Plock 2009 Child Safety Policy

Rock on the Plock will take all reasonable steps to ensure the safety of children within the event. Children are persons under 18 years of age (this policy also covers vulnerable adults of any age). Rock on the Plock believes that the safety of children is paramount on all occasions.

Safe environment

Rock on the Plock will endeavour to create, as far as is reasonably practicable, in partnership with parents/carers/guardians a safe environment. Responsibility for the supervision of children attending in any capacity lies with parents/guardians/carers who should ensure that their children are accompanied and supervised by responsible adults acting on their behalf at all times. Where parents are not personally attending the event, this policy requires them to be satisfied that their children will be accompanied and adequately supervised by responsible adults acting on their behalf at all times.

The venue

The event venue will have

- Supervised and controlled entry and exit
- Clearly labelled exits
- Access to toilets and running water
- Provision for regular & safe disposal of rubbish
- Adequate lighting

Protecting children

It is neither practical nor legally required for all people working at the event to be police checked or have a CRB disclosure. However the event reserves the right not to employ in any capacity

- any person with a known history of sexual abuse to children
- any other person they feel present a danger or threat to the safety of children.

Rock on the Plock will endeavour to take all reasonable steps to ensure that there is no situation where a person working on their behalf, has sole and unsupervised contact with children.

Responsibility of Rock on the Plock

The welfare of children is paramount at all times. Any concern about a child directly relevant to their attendance at the event should be reported to Event Control.

In case of emergency the event organisers will ensure that medical attention is received or the police alerted as appropriate as quickly as possible.

Rock on the Plock 2009 Health & Safety Policy

The aims and objectives of the Health & Safety policy are:

- To protect and maintain standards and to comply fully with the Health & Safety at Work Act 1974 and all other relevant legislation, regulations and codes of practice.
- To protect employees and others, including the public, from foreseeable hazards.
- To provide all persons with the necessary information, instruction, training and supervision needed to ensure that safe working practices are adhered to and safety awareness is developed.
- To ensure that everyone involved with the organisation and running of this event are aware of their responsibilities to take care of themselves and others.
- To encourage consultation and co-operation, and where necessary, consult with outside bodies in order to maintain a safe working environment.
- To ensure the provision and maintenance of plant and systems of work that are, so far as is reasonably practicable, safe and without risk to health.
- To provide arrangements for ensuring, so far as is reasonably practicable, safety and absence of risks to health in connection with the use, handling, storage and transport of articles and substances.

The event health and safety objective is to minimize the number of accidents and incidents that may endanger the health, safety and welfare of all persons working at or attending this event.

While the event management team will do all that is within its powers to ensure the health and safety of all persons, it is recognised that health and safety is the responsibility of each person associated with the event. It is the duty of each and every person working on this event to take reasonable care of their own and other people's welfare and to report any situation, which may pose a threat to the well-being of any other person.

The organisers of this event will ensure that professional contractors holding the required certificates of competence carry out the installation and maintenance of all equipment, plant and services related to this event. Where appropriate suppliers will be asked to submit relevant risk assessments, method statements and insurance for the work that they are doing. All suppliers must comply with the event H&S policy and control measures identified in the event risk assessment.

Rock on the Plock 2009 – Risk Assessment

A comprehensive risk assessment has been compiled covering the build, event and pull out elements of this event. The Risk Assessment was compiled on 14th April 2009, however an on-going assessment will take place throughout the duration of the event by Event Managers and Managers of each function. Any changes resulting in the escalation of either the severity or the probability rating of an identified hazard or the discovery of a new hazard are to be reported immediately.

Risk Assessment Explanatory Notes

Severity	Probability
1 Minor Injury	1 Unlikely
2 Significant Injury	2 Possible
3 Serious Injury	3 Highly Possible
4 Major Injury	4 Probable
5 Major incident/Fatality	5 Certainty

1-7 Acceptable Risk 8-14 Risk Acceptable with Adequate Control Measures 15-25 Unacceptable Risk

The probability and severity rating associated with each individual hazard, is calculated before the controls are put into place. Once the controls are in place, the hazard and its severity may not change, but the probability will be reduced to a maximum of 'Possible'.

Build-up & breakdown periods of event

Subject Area	Hazards	To Whom	Severity Rating x Probability = Primary risk based on no controls S x P = R	Control Measures	Severity Rating x Probability = Residual Risk S x P = R	Action Required Where Risks are Not Adequately Controlled and other Comments
Environmental Factors	Sunburn, heat exhaustion Rain, Hypothermia	Contractors and event staff	2 3 6	Facilities to be available for hot and cold drinks Event to be cancelled if weather conditions make working conditions unsafe	2 1 2	All contractors to provide their employees with appropriate PPE and sufficient environmental protective measures.
Vehicle Movements	Collision RTA	Contractors and event staff	5 3 15	All drivers to observe site speed limit. "5mph" Drivers to use four-way flashers or orange beacon at all times whilst on site. All crew working near vehicles to wear hi-vis equipment (PPE) Vehicles only to move in designated areas. No access to site without permission of the Site Manager Mobile phones and radios not to be used whilst driving unless fitted with hands free adapter	5 1 5	Vehicle movements co-ordinated by Site Manager.
Movement of Equipment	Failure to maintain control of equipment and plant	Contractors and event staff	5 3 15	A competent Site Manager has been appointed to oversee the work of installation and to liaise with production and contractors. Event Safety Manager will be on site during the build period to maintain H&S compliance.	5 2 10	No person to operate plant unless the Site Manager is satisfied of their competence
Movement of Equipment	Manual Handling	Contractors and event staff.	5 4 20	Delivery of materials to as close as possible to point of use. Manual handling to be undertaken only where necessary. Lifting equipment (forklift) available for heavy lifting operations All gangways and access/egress routes to be kept clear at all times	5 1 5	Heavy lifting operations unlikely.

Use of temporary electric generators	Electrical Shocks or Burns Fire	Contractors and event staff.	5 5	4 5	20 25	All electrical supplies to be installed by competent electrician to be on-site during build-up/break-down and event day. All individual contractors own power supplies to be certified as appropriate.	5 5	1 1	5 5	All electrical problems MUST be referred to the event electrician.
Distribution of power and control cables.	Electric Shock Burns Fire Tripping		5 5 5 3	3 3 3 2	15 15 15 6	Metal structures to be earth bonded as appropriate. Suitable fire-fighting equipment to be provided All cables to be installed by a competent person, in such a way as not to obstruct walkways, exits or cause trip hazards. Tools only to be used for purpose intended by persons who have received appropriate training.	5 5 5 3	1 1 1 1	5 5 5 3	
Use of power tools	Electrocution Personal Injury Tripping		5 3 3	3 3 3	15 9 9	All electrical installations to be checked by competent person. All electrical appliances to be earth bonded. PPE to be worn where appropriate.	5 3 3	1 1 1	5 3 3	
Stacking and handling of equipment	Manual handling injury Falling objects Obstruction	Contractors and event staff.	3 4 3	3 3 2	9 12 6	Manual handling procedures to be implemented. All crew to be competent and able in the task they are to undertake and all work to be supervised by a competent person. All equipment to be positioned in a way that will not obstruct walkways, emergency routes or fire exits and will not endanger the health and safety of others. All stacked equipment to be positioned in such a way so as it is not unstable	3 4 3	2 1 2	6 4 6	Adequate medical facilities to be available on site at all times. All injuries to be reported to Event Safety manager.
Fire	Damage by fire or smoke to persons and/or property	Contractors and event staff.	5	3	15	Combustible materials to be kept to minimum on site. Good housekeeping to prevent build up of flammable waste. Fire extinguishers to be kept easily accessible. Event Control to be advised of any fires, even after they are considered out Robust system for alerting fire service. Any flammable materiel such as paints, thinners etc. to be stored appropriately All drapes and other cloth materials to have fire retardancy certs or proof of flambarding	5	2	10	
General Production	Trips/ falls caused by infrastructure Lack of welfare and first aid facilities	Contractors and event staff	3 3	3 2	9 6	Contractors to be aware of site responsibilities Contractors responsible for their own working areas during build/break period Good housekeeping to prevent accumulation of hazardous material. Drinking water, catering and sanitary facilities to be provided during build-up/break-down phase.	3 2	1 1	3 2	Site Manager to report any noted trip hazards or obstacles that become apparent.

Open period of event

Subject Area	Hazards	To Whom	Severity Rating x Probability = Primary risk based on no controls S x P = R	Control Measures	Severity Rating x Probability = Residual Risk S x P = R	Action Required Where Risks are Not Adequately Controlled and other Comments
Environmental Factors	Sunburn, heat exhaustion Rain, Hypothermia	Public, Contractors and event staff	2	Hot and cold drinks and food available on-site Tents available for shelter	2	Event will be cancelled if adverse weather conditions create potentially unsafe conditions
			3		3	
Public vehicular access onto/off site	Collision RTA	Public and event staff	5	Cars queued for parking within site All drivers to observe site speed limit. "5mph" One way system around site	5	Vehicle movements co-ordinated by stewards
			3		3	
Public movement between car park & entertainment area	Collision	Public and event staff	5	Pedestrian route to Admissions Point into entertainment Area Pathway clearly signed and lit	5	Stewards to marshal route.
			3		3	
Capacity	Overcrowding Crushing Tripping Crowd disturbance	Public and event staff	4	Event ticketed to ensure no unauthorised admission Sufficient exits to allow for evacuation Management by stewarding teams	4	
			5		5	
			3		3	
			4		4	
Unstable Structures	Collapse Crushing Trapping	Public and event staff	5	Site Manager to be satisfied of integrity of any structures prior to public opening.	5	
			5		5	
			4		4	
			2		2	
Noise	Permanent hearing damage Noise nuisance to neighbours	Public and event staff	3	Sound levels will be monitored throughout the event Neighbours to be informed of event	3	
			3		3	

Subject Area	Hazards	To Whom	Severity Rating x Probability = Primary risk based on no controls S x P = R	Control Measures	Severity Rating x Probability = Residual Risk S x P = R	Action Required Where Risks are Not Adequately Controlled and other Comments
Fire	Burn injuries Smoke inhalation	Public and event staff	5	Good housekeeping to ensure no build up of flammable waste. Fire control equipment positioned strategically around event site. Consistent patrolling by event stewards Sufficient means of evacuation.	5	No smoking policy within tented areas
			2		10	
Audience activity	Drunkenness Drug use Assault on staff	Public and event staff	5	Security team to manage any incidents. Audience profile makes extreme drunkenness and drug abuse unlikely Bars to restrict service to intoxicated persons No glass permitted	5	
			3		15	
Audience Movement	Trips, slips and falls	Public and event staff	4	All tripping hazards removed on pre-show inspection	4	
			4		16	
Stage Performers/Artists	Slips, trips, falls from stage	Artists, stage crew	3	All artist briefed re: floor conditions Artist have opportunity for stage familiarisation No drinks on stage Stage Manager to observe floor conditions	3	
			3		9	
Event Catering vendors	Illness, food poisoning	Public and event staff	4	Vendors to supply Event Management Team with relevant health & safety documentation and insurances First aid provision on site	4	Any illness to be reported to Event Control.
			4		16	
Public Emergency Egress	Movement of large numbers of people under duress leading to: Crushing Tripping Public disorder	Members of the public, contractors and staff	5	All staff to be aware of such procedures. Movement of crowd to be monitored and managed by security/steward teams. All evacuation routes to be staffed and kept clear at all times. PA to form focal delivery point of evacuation messages	5	
			4		20	

ROCK ON THE PLOCK, PITFIELD FARM, PEMBRIDGE.



SITE PLANS including emergency access and safety zones can be reviewed on the following page (page 2)

Detailed venue plan

**Page 3
MAIN STAGE**

Rock on the Plock is an outdoor event the main stage will consist of two curtain sided trailers fitted together to house the performing bands. Therefore the main stage will be just under 14metres long and 6metres wide. This area will house the band, the PA System and the sound engineer. Stage Access will be mainly from the back on and off ramps. During the performance the front area protected from the audience with site fencing and security guards appointed at either side. This has been drawn to a 1.50 scale.

**Page 4
BAR AREA**

Bar Tent to fit this onto A4 the scale for the bar tent is scaled to 1.100. The bar workers will be covered by a 45ft x 30ft traditional marquee (7ft at the eaves and 14 to the Apex). Within the marquee will be a sturdy 10metre bar. The marquee will be open at the front with two fire exits at the back.

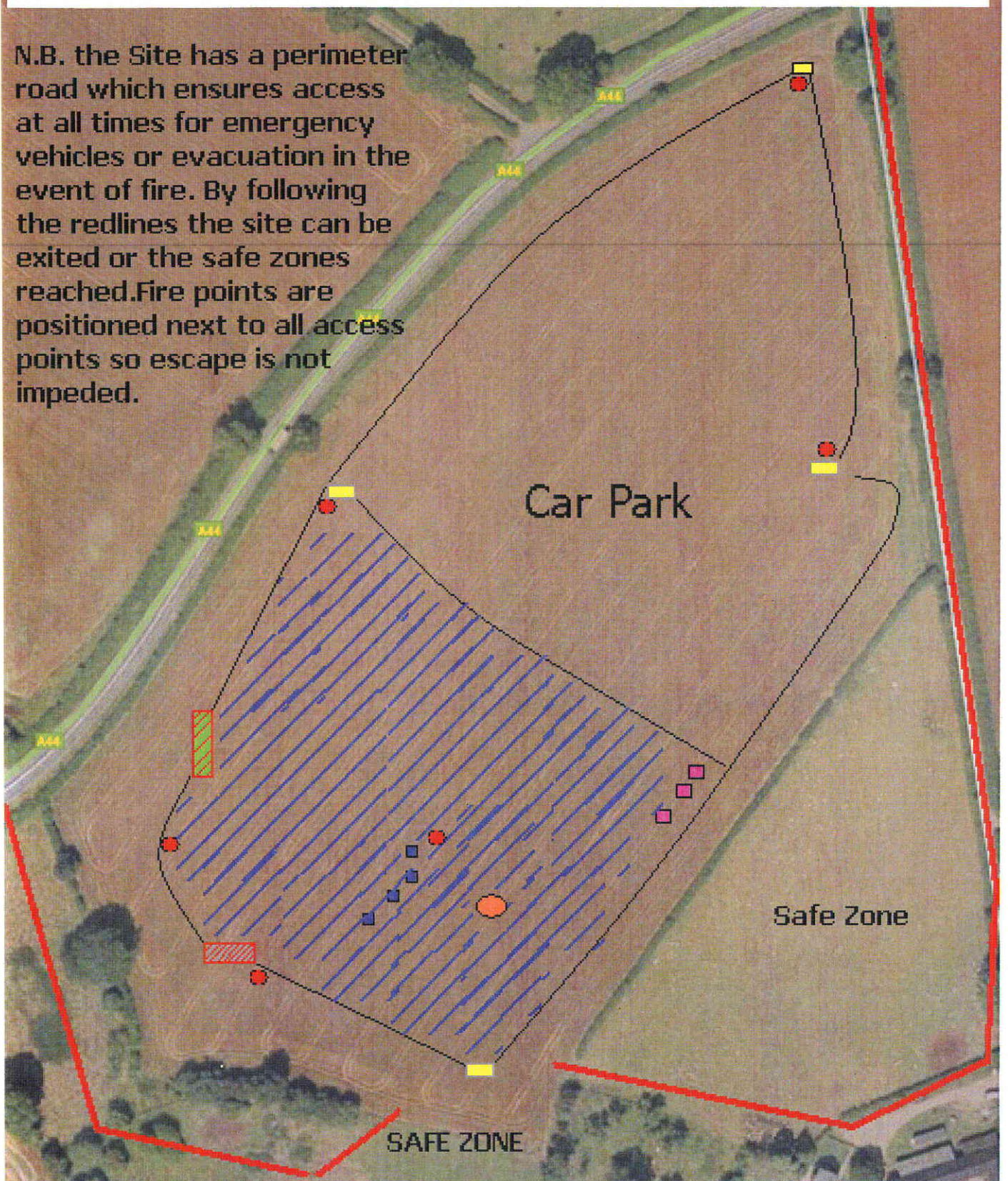
By adopting a large bar and ten bar staff this area is expected

N.B. Everything has been done to ensure the design of these two areas adheres with the current regulatory requirements. Should you have any comments, suggestions or remedial action that is required to bring these areas up to current safety levels we will happily alter accordingly.

If any adjustments are required please do not hesitate to contact Ivor Meredith on +44(0)7887831215 or ivor.meredith@insulation.kingspan.com

ROCK ON THE PLOCK, PITFIELD FARM, PEMBRIDGE.- SITE PLAN

N.B. the Site has a perimeter road which ensures access at all times for emergency vehicles or evacuation in the event of fire. By following the redlines the site can be exited or the safe zones reached. Fire points are positioned next to all access points so escape is not impeded.



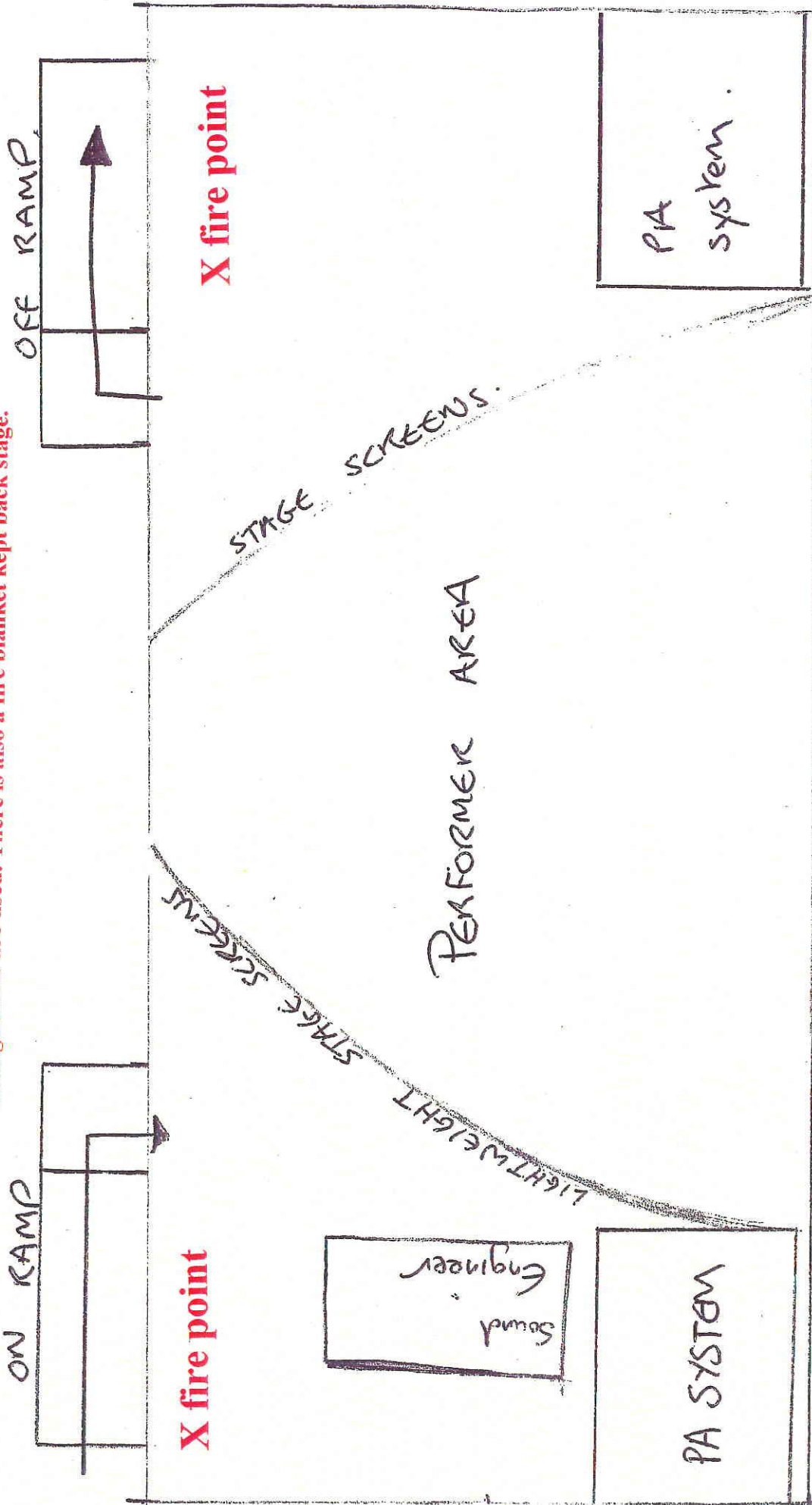
150meters

- | | | | |
|------------|------------------|-------------------|---------------------|
| Main Stage | Traders | Access Checkpoint | Alcohol consumption |
| Bar | Toilets | Cafe / tea tent | |
| Fire Point | Emergency Access | | |

Each F.P. has a flag so its clearly visible. All points includes a bucket of sand and a Co2 fire extinguisher. Fire points by the traders and the bar include a fire blanket aswell.

ROCK ON THE PLOCK, PITFIELD FARM, PEMBRIDGE.-

Due to the risk of electrocution on the stage area CO2 and powder fire extinguishers are used. There is also a fire blanket kept back stage.

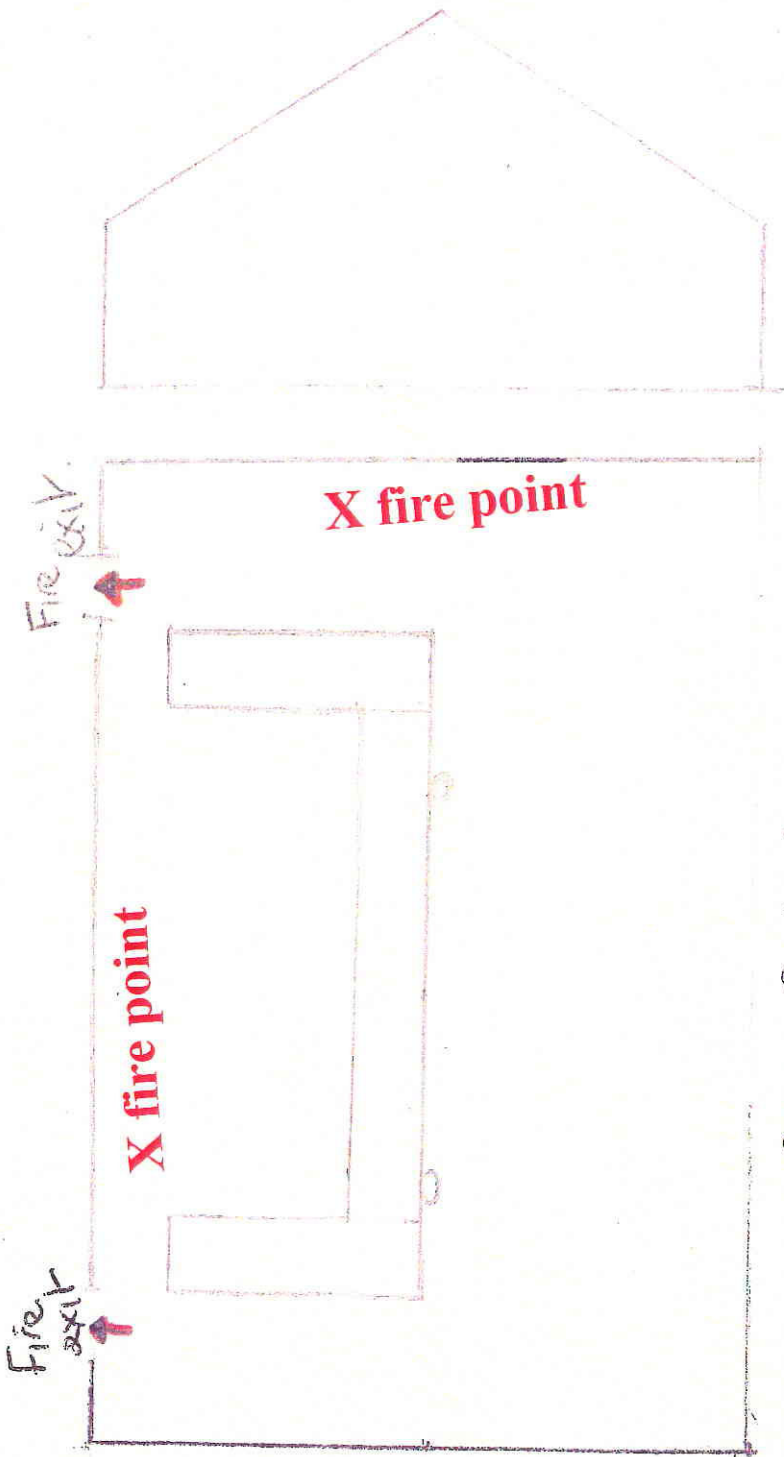


Stage height = 1.4 m
 Stage roof 4m

front of house

Open Air stage plan. 1.50.

Rock on the Plock : Bar Area 1:100



open fronted,

Scale 1:100

Inside the bar there are Water and CO2 fire extinguishers.
There is also a fire blanket kept at the side of the bar – for easy access for the bar staff and punters

Holly Lodge
Lyonshall
Kington
Herefordshire
HR5 3JP
01544 340381
porthcelyn@btinternet.com

Planning Services
Herefordshire Council
Development Control
Blue School House
Hereford
HR1 2ZB

SOCIAL CARE & STRATEGIC
HOUSING

18 JUL 2009

COMMUNITY OFFICES

1st July 2009

**Re : APPLICATION FOR GRANT OF A PREMISES LICENCE
[Rock on The Plock, Pitfield Farm, Pembridge, Leominster]**

Dear Sir/Madam

Please find enclosed amendments to the above application.

Yours sincerely



Meryl Griffith
Rock on the Plock Committee



Sun			
-----	--	--	--

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

Name..... LUKE ANDREW RIGHTON
 Address..... THE RED LION, HIGH STREET,
PEMBRIDGE, HEREFORDSHIRE
 Postcode..... HR6 9DS
 Personal Licence number(if known)..... 1458
 Issuing licensing authority (if known)..... HEREFORDSHIRE COUNCIL

X

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)

NOT APPLICABLE

O

Hours premises are open to the public Standard timings (please read guidance note 6)		
Day	Start	Finish
Mon		
Tue		
Wed		
Thur		
Fri		
Sat	12:00	01:00
Sun		

State any seasonal variation (please read guidance note 4)

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)

EH & TS / LICENSING SECTION
 RECEIVED
 08 JUL 2009
 TO:

HEREFORDSHIRE COUNTY COUNCIL
 PLANNING SERVICES
 DEVELOPMENT CONTROL
 - 2 JUL 2009
 To
 Ack'd File

**“Rock on the Plock”
Saturday, 5th September 2009**

**A one day Family Music Festival to raise funds for
Pembridge Primary School redevelopment**

Venue

Pitfield Farm, Pembridge, Herefordshire.

Times of Opening

Festival open to the public from 12:00 to 24:00.

Capacity

No more than 2,000 guests at any one time during the day. Visitors are primarily expected to be families associated with the school and local area.

Premises Supervisor

Luke Righton

Committee Members

Dr D Griffith

Mr A Teale

Mrs M Griffith

Mrs J Thomas

Mr I Meredith

Mr C Thomas

Licensable Activities

The following licensable activities will take place.

The sale of alcohol.

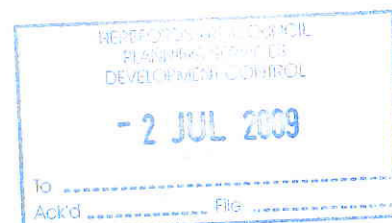
Bar Tent open from 12:00 to 23:00

The provision of regulated entertainment.

- i. Live music between 12:00 and 24:00
- ii. Recorded music between 12:00 and 24:00

The provision of entertainment facilities for

- i. Making music
- ii. Dancing



Management of the event

An Event Management Team will control all aspects of the event. Management functions during the event will be co-ordinated through Event Control, which will be based on-site. Event Control will co-ordinate security, traffic, site management, emergency service requests etc.

All staff will be briefed before the event and wear distinctive clothing (including high visibility) where appropriate.

Site Manager

The Site Manager will be responsible for the planning, setting up and taking down of the site and overseeing installation of all items on the site e.g. stage, marquees, toilets, electrics.

Event Safety Manager

The Event Safety Manager will work with the Site Manager to ensure that health & safety is considered at all times.

The Bar Manager

X The Bar Manager is the designated Premises Supervisor for the provision of the Licensing Act 2003.

Chief Event Steward

A Chief Event Steward will be appointed to be responsible for the management of the other stewards and will liaise with the site manager.

Event Stewards

There will be a sufficient number of SIA registered and general stewards on site from 12:00 to 01:00.

Event Stewards main responsibilities will be crowd management, site patrols, checking 'no access areas' and the car park. They will also assist the police and any emergency services if necessary.

Any disturbances will be reported to the premises supervisor.

Anybody exhibiting any unruly, violent or drunken behaviour will be escorted from the premises.

Chief Traffic Steward

A Chief Traffic Steward will be appointed to be responsible for the management of Traffic Stewards and will direct operations at the entrance gate and car park.

Traffic Stewards

Traffic Stewards, under the direction of the Chief Traffic Steward, will regulate the traffic intake, ensuring no build up of traffic on the main road (A44), manage correct parking and manage the exit of traffic at the end of the event.

Gate Stewards

The Gate Stewards will regulate pedestrians onto the entertainment site, checking payments and giving general information to the public.



Noise Nuisance

The main source of noise will be from the live performance of music and recorded music during the event. This will be controlled at a reasonable level of volume such as to avoid noise nuisance to the nearest neighbours and the residents of the village. All houses in the close proximity of the site will be notified of the situation prior to the event.

Power Supply

The power supply for the stage and lighting will be run from a generator. There will be a Qualified Site electrician appointed. Outside lighting for the site will be hired. Mains electricity is available from the adjoining caravan site.

Water Supply

A water supply is available from the adjoining caravan site.

Sanitary Facilities

An adequate number of self contained toilet units, including toilet and washing facilities, will be provided for the number of people expected to attend the event. Consideration will be given to their location and they will be adequately lit.

Refuse Collection

The public will be provided with black bin bags when they enter the site. They will be asked to deposit these in a designated area at the end of the event. All rubbish will be collected and disposed of within a few days of the event.

Fire Point

There will be designated fire points, each with appropriate fire extinguishers – CO2 or powder, and a bucket of sand. This will be adequately lit.

There will be suitable fire extinguishers in close proximity to the stage.

First Aid Post

There will be a first aid area, served by members of the St John Ambulance.



MEMORANDUM

To : LICENSING OFFICER

From : A TREZINS , ENVIRONMENTAL PROTECTION MANAGER

Tel : 1765 My Ref :

Date : 17TH July 09 Your Ref :

**LICENSING ACT 2003
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE
ROCK ON THE PLOCK .PITFIELD FARM PEMBRIDGE**

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

Representation	Industry Guidance
<p>GENERAL</p> <p>1. A responsible person shall be available on the premises at all times that they are open to the public. This person shall 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.</p>	
<p>PREVENTION OF CRIME & DISORDER</p> <p>none</p>	
<p>PUBLIC SAFETY</p> <p>None –see memorandum from J Coxwell 16/7/09</p>	
<p>PREVENTION OF PUBLIC NUISANCE</p> <p>I have no objection to the proposed event but would suggest that the following condition is attached to the license;-</p> <p>2. Noise or vibration shall not emanate from the premises so as to interfere with the use or enjoyment of any neighbouring premises.</p> <p>3. Staff shall check to ensure that noise emanating from the premises does not cause public nuisance at least on an hourly basis whilst recorded or amplified live music is being played other than background music. If the noise is observed to be at an unacceptable level immediate action</p>	

<p>must be taken to address the problem. A written log showing the time , the person making the check , observations made and any actions taken must be kept on the premises during the event and retained for at least a calendar month after the event and must be made available at the request of the Licensing Authority.</p>	
<p>PROTECTION OF CHILDREN FROM HARM</p> <p>4. Proven methods shall be employed for the prevention of unlawful supply, consumption and use of alcohol, drugs and other products, which is illegal to sell to children. E.g. Challenge 25</p>	

REFERENCES

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



**OFFICER
POSITION
AUTHORITY**

MEMORANDUM

To : JOANNA LINDSAY-JONES
From : JANE COXWELL
Tel : 01432 260075 My Ref :
Date : 16/07/09 Your Ref : JLJ

**LICENSING ACT 2003
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE
ROCK ON THE PLOCK, PITFIELD FARM, PEMBRIDGE, HEREFORDSHIRE, HR6 9HY**

HAVING ASSESSED THE APPLICATION FOR THE ABOVE EVENT, I WOULD LIKE TO MAKE THE FOLLOWING REPRESENTATION:

Representation

PUBLIC SAFETY

Electrical Installations

All electrical installations and equipment are to be provided in accordance with the advice and guidance outlined in the Event Safety Guide [ISBN 0 7178 2453 6].

On completion of electrical installations on the site, and prior to commencement of the event, a competent person shall sign-off all electrical installations as safe. A current inspection certificate shall be held for all electrical installations in accordance with BS 7671 and BS5266-1.

Demountable Structures

A satisfactory completion certificate shall be provided by a competent person for all temporary demountable structures prior to the start of the event.

Number of people

The site is restricted to a maximum of 2000 people permitted on site.

Regulating Numbers of Persons in Tented Structures

The licensee shall nominate a person to manage each tented area whilst open to the public and that person shall, on request of an authorised officer, demonstrate the means of regulating numbers.

Marshalls/Security

A sufficient number of marshalls/security staff shall be provided in all entertainment areas to the satisfaction of Environmental Health.

All marshalls/security shall be fit to carry out their allocated duties, aged 18 years or over and shall not consume or be under the influence of alcohol or other drugs.

All marshalls/security must be trained, briefed and equipped (including appropriate PPE) to a standard that reflects their responsibilities.

All marshals/security are to be readily identifiable by the wearing of distinctive tabards (or similar).

Water Supplies

Free and unrestricted access to drinking water shall be provided at all times and without charge.

Vehicles

Maximum 5mph signs to be displayed at the vehicular entrance(s) to the site and at suitable intervals along vehicle routes throughout the site.

Other

No glass allowed on site as described in the risk assessment.

REFERENCES

The Event Safety Guide (Purple Guide) – A guide to health, safety and welfare at music and similar events. Health and Safety Executive, 2002. [ISBN 0 7178 2453 6].

JANE COXWELL

ENVIRONMENTAL HEALTH OFFICER

ENVIRONMENTAL HEALTH AND TRADING STANDARDS

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



WEST MERCIA
CONSTABULARY
TOGETHER - WORKING FOR SAFETY AND JUSTICE

24th July 2009

Our Ref:
Your Ref:

Herefordshire Council Licensing Section
The County Offices
PO Box 233
Bath Street
HEREFORD
HR1 2ZF

Dear Sir or Madam:

REF: ROCK ON THE PLOCK
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.

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 in impose the following condition

- The provision of SIA registered door supervisors on a risk-assessed basis by the licence holder.

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

S G Thomas
Licensing Officer
Herefordshire Division

Please return this form, and any additional information within the statutory period to:

**The Licensing Section,
County Offices,
PO Box 233,
Bath Street, Hereford,
HR1 2ZF**

licensing@herefordshire.gov.uk

HEREFORDSHIRE COUNCIL

Licensing Act 2003

REPRESENTATION FORM – INTERESTED PARTIES

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

When completing this form please print clearly and legibly.

Your Name

Address:

TFORD
JEY

Contact Telephone

E-mail address:

Please state your interest in the premises you are making a representation about: eg local

Name & Address of premises you are making a representation about:

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

EH & TS / LICENSING SECTION
RECEIVED
22 JUL 2009
TO:

"Rock on the Plock", 5-6 September, Pitfield Farm HR6 9HY

To Prevent Crime & Disorder

We're sure most people just want to have fun and enjoy the concert, but an outdoor venue which is a camping site is likely to have a mixture of types, doubtless including a few with a police record.

Not only would our un-overlooked property be vulnerable to any mindless vandalism, any opportunistic burglars would likely feel that our alarm would not be heard under the noise of the music.

Having raised this warning to the Council, we feel sure we'd have grounds for a legal action should anything happen.

Public Safety

To Prevent Public Nuisance

An outdoor rock concert of course features loud music. We are too old to want to join in, but since we live in on adjoining land we couldn't escape it.

So we have the choice of going without sleep for 36 hours, not good for health, or staying away overnight - which would leave our house and outbuildings vulnerable to burglary (see above).

To Protect Children from Harm

Signed:

Date:

Representation Form - Interested Parties

Suggested Conditions

A a one-off to celebrate something in the Thomas family is one thing. But it would establish a precedent for subsequent applications. Since alcohol is being sold (and perhaps there is an admission fee) we feel this might be a tryout for a commercial opportunity.

Premise: MOSELEY HOUSE — — — — — Your name: N. D. WHITFORD