

AGENDA

Regulatory Sub Committee

Date: **Wednesday 7 July 2010**

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 PGH Cutter**
 Councillor JHR Goodwin
 Councillor JW Hope MBE

GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS

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

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

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

AGENDA

	Pages
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 NEW OCCASIONAL PREMISES LICENCE 'ROSS COUNTRY AND WESTERN FESTIVAL 2010'	1 - 6
To consider an application for a new premises licence in respect of Ross Country and Western Festival 2010.	
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Background Papers - Environmental Health Memo 2	27 - 28

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

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- The nearest bus stop to Brockington is located in Vineyard Road near to its junction with Old Eign Hill. The return journey can be made from the same bus stop.

HEREFORDSHIRE COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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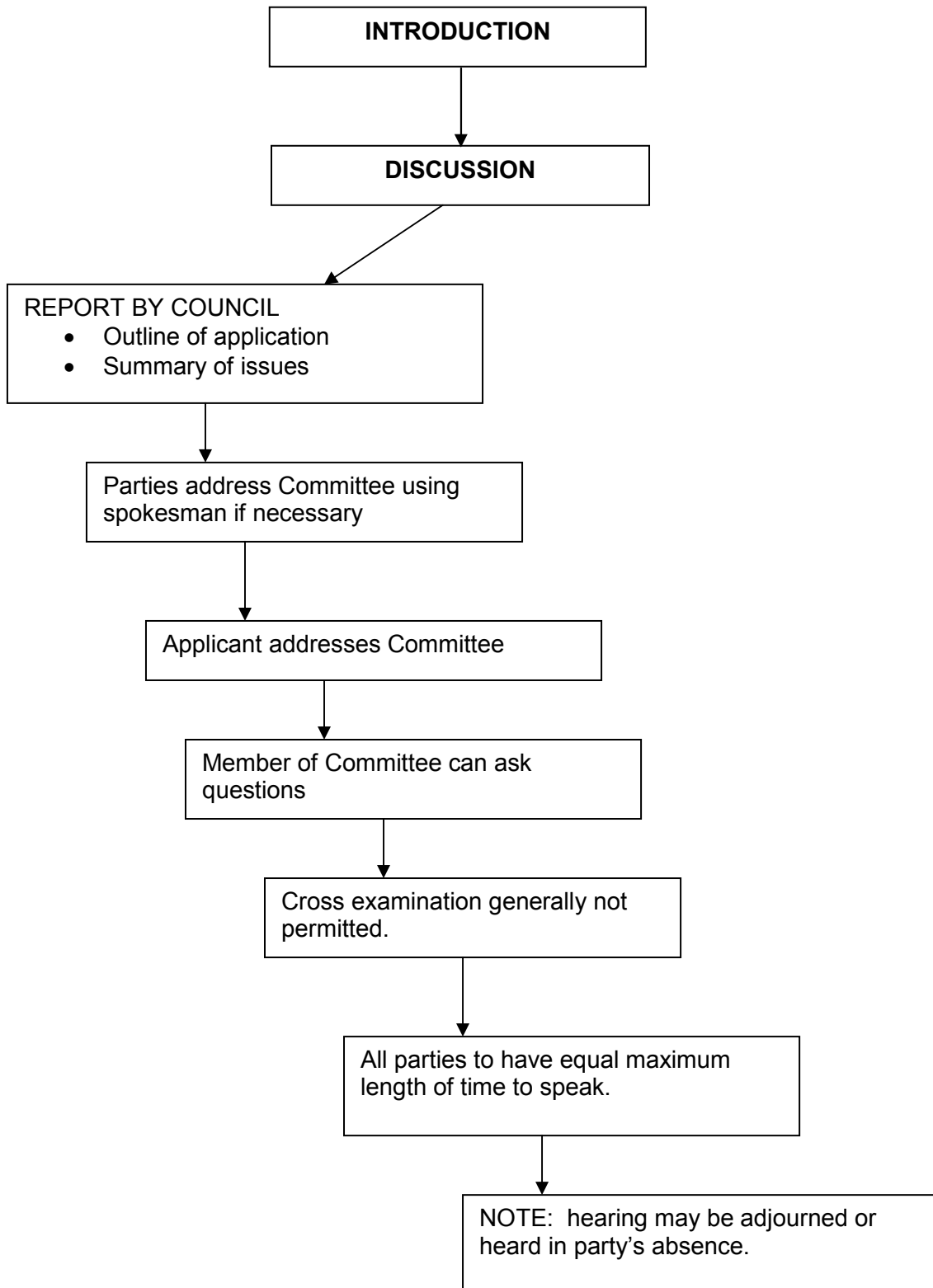
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LICENCING HEARING FLOW CHART



MEETING:	REGULATORY SUB-COMMITTEE
DATE:	7 JULY 2010
TITLE OF REPORT:	APPLICATION FOR GRANT OF PREMISES LICENCE ROSS COUNTRY AND WESTERN FESTIVAL 2010 - LICENSING ACT 2003
PORTFOLIO AREA:	ASSISTANT DIRECTOR – ENVIRONMENTAL HEALTH & TRADING STANDARDS PUBLIC HEALTH DIRECTORATE

CLASSIFICATION: Open

Wards Affected

Ross on Wye

Purpose

To consider an application for a grant of a premises licence in respect of the Ross Country and Western Festival 2010, Ross-on-Wye Rowing Club, Rope Walk, Ross on Wye, HR9 7BU.

Key Decision

This is not a Key Decision.

Recommendation

THAT Sub-Committee determine the variation 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

- 1 Public Representations against the application
- 2 Environmental Health Representations

Options

- 1 a) Grant the Licence consistent with the operating schedule and the mandatory conditions set out in the Licensing Act 2003,

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

- 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 reject the application to vary.

Reasons for Recommendations

- 2 Ensures compliance with the Licensing Act 2003.

Introduction and Background

3 Background Information

Applicant	Mr C Gray	
	54 Purland, Ross on Wye, Herefordshire, HR9 5QA	
Solicitor	N/A	
Type of application: Occasional Premises Licence	Date received: 22/5/2010	28 Days consultation 18/6/2010

Licence Application

- 4 The application is for a grant of a premises licence, this has received 3 representations and is brought before the committee for determination. The application is for a grant of an occasional premises licence for 8 July 2010 until 12 July 2010.

Summary of Application

- 5 The application is for live music, recorded music, performances of dance, dancing, late night refreshment and the supply of alcohol

The following hours have been applied for in respect of: -

Live music; recorded music; Performance of Dance; Making Music; Dancing; Facilities for Making Music and Dancing;

Thursday, Friday, Saturday 19:00 to 00:30
Sunday 10:30 to 19:00

Late night refreshment;

Thursday, Friday, Saturday 23:00 to 00:30

Supply of Alcohol;

Thursday, Friday, Saturday 13:00 to 00:30
Sunday 10:30 to 19:00

The premises to be open to the public:-

Thursday and Friday	19:00 to 00:30
Saturday	13:00 to 00:30
Sunday	10:30 to 19:00

Summary of Representations

- 6 Copies of the representations can be found within the background papers.
- 7 The 2 representations made by the responsible authority (Environmental Health) have been agreed by the applicant.
- 8 The public representation still remains and addresses the licensing objectives of: -
Prevention of Public Nuisance

Key Considerations

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

Community Impact

- 10 The granting of the licence as applied for may have an impact on the Community.

Legal Implications

- 11 The Committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the Licensing Authority.
- 12 The 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.
- 13 In this case it was summed up that: -
A licensing authority must have regard to guidance issued by the Secretary of State under section 182. Licensing authorities may depart from it if they have reason to do so but will need to give full reasons for their actions.
- 14 Furthermore the Thwaites case established that only conditions should be attached to a licence with a view to promoting the Licensing objectives and that 'real evidence' must be presented to support the reason for imposing these conditions.
- 15 This judgement is further supported in the case of The Queen on the Application of Bristol Council v Bristol Magistrates' Court, CO/6920/2008 High Court of Justice Queen's Bench Division The Administrative Court, 24 February 2009, [2009] EWHC 625 (Admin) 2009 WL 648859 in which it was said:

‘Licensing authorities should only impose conditions which are necessary and proportionate for the promotion for licensing objectives’.

- 16 It was further said in this case that the Licensing Authority have a duty:
‘to translate the proposals contained in the operating schedule to promote the licence objectives into clear and understandable conditions’.
- 17 It was also said that;
“For some premises, it is entirely possible that no measures will be needed to promote one or more of the licensing objectives, for example, because they are adequately dealt with by other existing legislation.”
- 18 The Committee are also reminded that they should only hear representations which address one of the four licensing objectives and that any representation can only be made by a person who lives or has a business interest within the vicinity of the premises.
- 19 It is possible for the Committee to hear from any person providing that they are representing a person who has made relevant representation and that the Licensing Authority have been notified prior to the hearing of that fact.
- 20 Failure to follow any of the above could leave the Licensing Authority open to a Judicial Review.
- 21 Schedule 5 gives a right of appeal to: -

Rejection of applications relating to premises licences

1. Where a licensing authority—

- (a) rejects an application to vary the 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).

22 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

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

24 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.

25 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. This notice has been seen and was correct.

26 The applicant has produced a copy of that advertisement. Whilst this covers the main application no reference has been made to the non-standard timings applied for.

Appendices

- 27 a. Application form
b. Public 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.

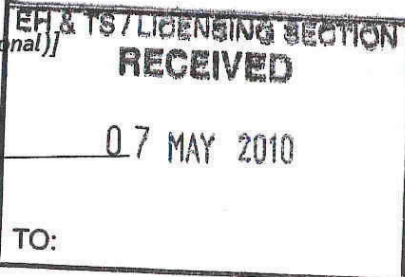
NOTES

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.

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



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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We COLIN GRAY 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	
ROSS COUNTRY AND WESTERN FESTIVAL, ROSS-ON-WYE ROWING CLUB, ROPE WALK,	
Post town	Post code
ROSS-ON-WYE	HR9 7BU

Telephone number at premises (if any)

01989-565436

Non-domestic rateable value of premises

£ NOT KNOWN.

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:

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

need to tick this not

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Surname

First names

Please tick yes

I am 18 years old or over

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr

Mrs

Miss

Ms

Other title (for example, Rev)

Surname

First names

Please tick
✓ yes

I am 18 years old or over

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS.

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

Name
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
08	07	2010

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

Day	Month	Year
12	07	2010

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

750

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

PREMISES

THIS IS A TARMAC CAR PARK AND A LARGE AREA OF LAWN GRASS NEAR TO THE BENTHOUSE THIS WILL BE USED FOR MUSIC AND DANCING

ONE 45 FT BY 8 FT LOBBY TRAILER AND ONE 20 FT BY 8 FT LOBBY TRAILER WILL FORM THE STAGE, THESE WILL BE COVERED IN, ONE 70 FT X 40 FT MARQUEE WILL BE ERECTED PLUS ONE 30 FT X 12 FT PARTY TENT. THESE WILL HAVE SOME SEATING FOR THE PUBLIC. THE FRONTS WILL BE OPEN DURING PERFORMANCES AND THESE WILL BE DESIGNATED FIRE EXITS. FIRE ESTINGUISHERS WILL BE IN THE MARQUEES AND ON STAGE AT ALL TIMES

BAR THE BAR WILL BE SITUATED IN THE CORNER OF THE LARGE MARQUEE MEASURING 20 FT 20 FT

ONE GENERATOR IN AN AREA THAT WILL BE FENCED OFF AND NO ENTRY TO THE PUBLIC

FUEL FOR GENERATOR WILL BE STORED IN A SECURE AREA AWAY FROM PUBLIC AND IN APPROPRIATE CONTAINERS

SMOKING NO SMOKING IN MARQUEES ON STAGE OR BACK OF STAGE, ALL USUAL SAFETY SIGNS ERECTED, AND EXTRA LIGHTING IN DANCING AREAS

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)

*need to tick
 this for
 people dancing*

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		
Mon			Please give further details here (please read guidance note 3)	Both		
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	
Mon			Please give further details here (please read guidance note 3)	Both	
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			Please give further details here (please read guidance note 3) PERFORMANCE OF LIVE MUSIC FOR DANCING. PERFORMANCE OF LIVE MUSIC THURSDAY FOR PRE BOOKED CAMPERS ONLY RECORDED MUSIC IN INTERVALS ONLY State any seasonal variations for the performance of live music (please read guidance note 4) NONE 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) NONE.	Both	<input checked="" type="checkbox"/>
Tue					
Wed					
Thur	19.00	00.30			
Fri	19.00	00.30			
Sat	13.00	00.30			
Sun	10.30	19.00			

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			Please give further details here (please read guidance note 3) RECORDED MUSIC TO BE PLAYED IN INTERVALS ONLY State any seasonal variations for playing recorded music (please read guidance note 4) NONE 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) NONE	Both	<input checked="" type="checkbox"/>
Tue					
Wed					
Thur	19.00	00.30			
Fri	19.00	00.30			
Sat	13.00	00.30			
Sun	10.30	19.00			

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) DRAWING AREA WILL BE PROVIDED OUTSIDE AND INSIDE MARQUEE	Both	<input checked="" type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4) NONE		
Thur	19.00	00.30			
Fri	19.00	00.30	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) NONE		
Sat	13.00	00.30			
Sun	10.30	19.00			

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 SPEAKERS, AMPLIFIERS AND ALL SOUND EQUIPMENT SUPPLIED BY ARTISTS OR SOUNDTECH	
			Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon			AMPLIFIED MUSIC	
Tue				
Wed			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)	
Thur	19.00	00.30	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)	
Fri	19.00	00.30		
Sat	13.00	00.30		
Sun	10.30	19.00		

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)	
			Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input checked="" type="checkbox"/>	
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing	
8	19.00	00.30	DANCING ON TARMAC OUTDOORS DANCING ON SHORT GRASS IN MARQUEE	
9	19.00	00.30		
10	13.00	00.30		
11	10.30	19.00		

need to tick this

July

Mon			Please give further details here (please read guidance note 3)
Tue			
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)
Thur 8	1900	00.30	
Fri 9	1900	00.30	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat 10	1300	00.30	
Sun 11	10.30	19.00	

1 on eProd
we do need to
have it specified
each time.

ALREADY STATED

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
			ALREADY STATED	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor
Mon				Outdoor
				Both
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur 8	19.00	00.30	State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4)	
Fri 9	19.00	00.30		
Sat 10	13	00.30	Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun 11	10.30	19.00		

need to have it specified

need to tick this.

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	<input checked="" type="checkbox"/>
Mon			Please give further details here (please read guidance note 3) LOCAL FOOD VENDOR, OUTSIDE WITH MOBILE STALL.	Both	
Tue					
Wed					
Thur	19.00	20.30			
Fri	19.00	00.30			
Sat	13.00	00.30			
Sun	10.30	19.00			
			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
			NOWHERE		
			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)		
			NOWHERE		

As Ticking BOTH is SAFER!

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	<input checked="" type="checkbox"/>
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	19.00	00.30			
Fri	13.00	00.30			
Sat	13.00	00.30			
Sun					
			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)		
			NOWHERE		

SWO 10.30 19.00
"

Sun	10:30	19:00	
11			

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

Name..... MARK ADRIAN HAZELWOOD.....

Address..... MAN. OF ROSS INN.
ROSSON-WYKE.....

Postcode..... HR9 7B5.....

Personal Licence number (if known)..... PR00492.....

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)

NONE

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			THURSDAY 8 JULY WILL BE OPEN TO PRE BOOKED CAMPERS ONLY 14:00 TO 00:30
Tue			
Wed			
Thur	19:00	2	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)
Fri	19:00	00:30	
Sat	13:00	00:30	
Sun	10:30	19:00	

FRIDAY 9 JULY SUPPLY OF ALCOHOL WILL BE TO PRE BOOKED CAMPERS - 13:00 TO 19:00 ONLY AND 19:00 - 00:30 PUBLIC.

We don't need details about the compsite hours

m. gray - 01790341703 -

** 12 - 01989 765548 **

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)

B.C.D.AND E. WILL BE ACHIEVED BY THE FOLLOWING - REGULAR CONTACT AND MEETINGS WITH LOCAL POLICE - SAFETY STEWARDS, S.I.A REGISTERED PEOP STEWARDS

b) The prevention of crime and disorder

THIS WILL BE ACHIEVED BY REGULAR CONTACT WITH LOCAL POLICE, SAFETY STEWARDS, S.I.A. DCCP STEWARDS ALL IN RADIO CONTACT.

c) Public safety

PUBLIC SAFETY WILL BE CONTROLLED BY NOMINATED SAFETY STEWARDS AND BRIEFED AT DAILY STEWARDS MEETINGS

d) The prevention of public nuisance

NOISE LEVELS KEPT TO A MINIMUM. AND VOLUMES CONTROLLED BY A QUALIFIED SOUND TECHNICIAN TO BE APPOINTED BY ORGANISERS

e) The protection of children from harm

CHILDREN WILL ONLY BE ALLOWED ON SITE WITH A RESPONSIBLE ADULT. AT ANY TIME

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

.....

Date

.....

Capacity

.....

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

.....

Date

.....

Capacity

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

COLIN GRAY
54 PURLAND

Post town **Ross-on-Wye**

Post code **HR9 5QA**

Telephone number (if any) **01989 567995**

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

EH & TS/LICENSING SECTION

JUN 2010

RECEIVED

HEREFORDSHIRE COUNCIL
Licensing Act 2003

02 JUN 2010

REPRESENTATION FORM - INTERESTED PARTIES

TO:

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**

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: JOHN G WILLIAM	Contact Telephone No. 01989 563709
Address: 3 BRIXTON TERRACE HOMS ROAD ROSS-ON-WYKE, HEREFORDSHIRE HR9 7DF	E-mail address:
	Please state your interest in the premises you are making a representation about: eg local resident/local business
Name & Address of premises you are making a representation about: ROSS & COUNTRY WESTERN FESTIVAL ROPE WALK ROSS-ON-WYKE	

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
Public Safety
To Prevent Public Nuisance UNACCEPTABLE NOISE NUISANCE FROM THE FESTIVAL ON THE 9TH, 10TH & 11TH OF JULY 2010. ON THE FRIDAY EVENING THE FESTIVAL IS ON FROM 7PM - 11PM & ON THE SATURDAY & SUNDAY, IT IS ON FOR NINE HOURS. I FEEL THAT THIS IS AGAINST THE 1990 NOISE ACT & THAT THE COUNCIL DOES NOT ENFORCE THE RULES.
To Protect Children from Harm

Signed: J G Sullivan
Date: 1.6.10

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



HEREFORDSHIRE
COUNCIL

Representation Form – Interested Parties
Suggested Conditions

Premise: _____ Your name: JOHN G. WILLIAM

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

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
Public Safety
Prevent Public Nuisance KEEP THE MUSIC TO AN ACCEPTABLE LEVEL, AND IF IT WERE MONITORED PROPERLY, I WOULD NOT HAVE THIS PROBLEM.
Protect Children from Harm

Signed: J. G. William

Date: 1.6.10.

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

MEMORANDUM

To : LICENSING OFFICER, LICENSING SECTION, ENVIRONMENTAL
HEALTH AND TRADING STANDARDS

From : ELISABETH LAUGHLAND, COMMERCIAL SECTION, ENVIRONMENTAL
HEALTH AND TRADING STANDARDS

Tel : 01432 261676 My Ref : 056582/OPR01433

Date : 25 May 2010 Your Ref : 056582/OPR01433

**LICENSING ACT 2003
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE
ROSS COUNTRY & WESTERN FESTIVAL, ROSS ON WYE ROWING CLUB, ROPE
WALK, ROSS ON WYE.**

Having assessed the application for Ross Country and Western Festival, Boat House, Rope Walk, Ross On Wye, Herefordshire, HR9 7BU 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].

All portable electrical entertainment/music equipment shall be powered through a suitable and sufficient Residual Current Device.

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.

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

Temporary 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.

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).

Drinking Water

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

Lighting

Adequate levels of illumination shall be provided throughout the site for the duration of the event.

Vehicles

Vehicular movement in the central arena during the hours when members of the public are circulating shall be kept to an absolute minimum and must be marshalled during these times.

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

REFERENCES

The event safety guide HSG 195

Regards



**ELISABETH LAUGHLAND
ENVIRONMENTAL HEALTH OFFICER (COMMERCIAL)
ENVIRONMENTAL HEALTH AND TRADING STANDARDS**

MEMORANDUM

To : JANET PRICE, LICENSING SECTION, ENVIRONMENTAL HEALTH AND TRADING STANDARDS

From : RICHARD ROBERTS - ENVIRONMENTAL HEALTH OFFICER, ENVIRONMENTAL HEALTH AND TRADING STANDARDS

Tel : 01432 261668 My Ref :

Date : 11.06.10 Your Ref : JEP/OPR01433

**LICENSING ACT 2003
NOTIFICATION OF APPLICATION FOR GRANT/VARIATION OF PREMISES LICENCE
ROSS COUNTRY AND WESTERN FESTIVAL, ROSS ROWING CLUB, ROPE WALK,
ROSS ON WYE, HEREFORDSHIRE, 8TH – 11TH JULY 2010.**

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

Representation	Industry Guidance
<p>PREVENTION OF PUBLIC NUISANCE</p> <ul style="list-style-type: none"> • The policy and procedures contained within the "event management plan" and "operating schedule" must be effectively implemented. • No noise or vibration must emanate from the premises so as to cause public nuisance. • Noise levels arising from the event, when measured at the nearest noise sensitive dwellings must be as follows. <p>Between 1300 and 2300 hrs the live and recorded music noise level (Laeq) must not exceed the background noise level (la90) by more than 15 db.</p> <p>Between 23:00 and 12:30am, the music noise level (Laeq) must not exceed the background noise level (la90) by more than 10db.</p> <ul style="list-style-type: none"> • The licensee must provide an information leaflet drop to near by residents informing them of the nature and duration of the event and the contact number for the reporting of complaints and emergency situations during the event. • The licensee must immediately comply with any requests to reduce or adjust noise levels made by officers of the Council or the Police Force. • All rubbish must be stored in appropriate containers. Such containers must be sufficient in number and suitably located around the site. • No waste is to be burnt on the site, before, during or after the festival. All waste produced from the site must be collected and disposed of by a licensed, authorised waste company. 	

<ul style="list-style-type: none"> • A suitable and sufficient number of water closets, urinals and disabled toilets shall be provided in accordance with recommendations in the "event safety guide" (ISBN 0717824536). • All sanitary conveniences and facilities must be regularly maintained, repaired and serviced using suitable, experienced, competent workers throughout the licensed event to ensure that they are kept safe, clean and hygienic. Arrangements must be made for rapid clearance of any blockages and for the emptying of waste tanks as necessary. 	
<p>PROTECTION OF CHILDREN FROM HARM</p> <ul style="list-style-type: none"> • The policies and procedures contained in the "event operating schedule" must be effectively implemented. • Proven methods must be employed for the prevention of unlawful supply, consumption and use of alcohol, drugs and other unlawful products which are illegal to sell to children. • No person under the age of 18 must be allowed to serve alcohol in the defined premises without the written permission of the Council. • Staff must ensure sight of evidence of age from any person appearing to those engaged in serving or supplying alcohol, to be under the age of 18 years old and who is attempting to buy alcohol. 	

REFERENCES

**R. L. ROBERTS
ENVIRONMENTAL HEALTH OFFICER (POLLUTION)
ENVIRONMENTAL HEALTH AND TRADING STANDARDS**