

AGENDA

Regulatory Sub Committee

Date: **Friday 13 May 2011**

Time: **1.00 pm**

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

To: Members of the Regulatory Sub-Committee

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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<p>1. ELECTION OF CHAIRMAN To elect a Chairman for the hearing.</p>	
<p>2. APOLOGIES FOR ABSENCE To receive apologies for absence.</p>	
<p>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.</p>	
<p>4. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.</p>	
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<p>7. APPLICATION FOR A REVIEW OF THE PREMISES LICENCE 'THE MAN OF ROSS, WYE STREET, ROSS-ON-WYE, HR9 7BS.' To consider a review of a premises licence in respect of The Man of Ross, Ross-on-Wye.</p>	31 - 36
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The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

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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.
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HEREFORDSHIRE COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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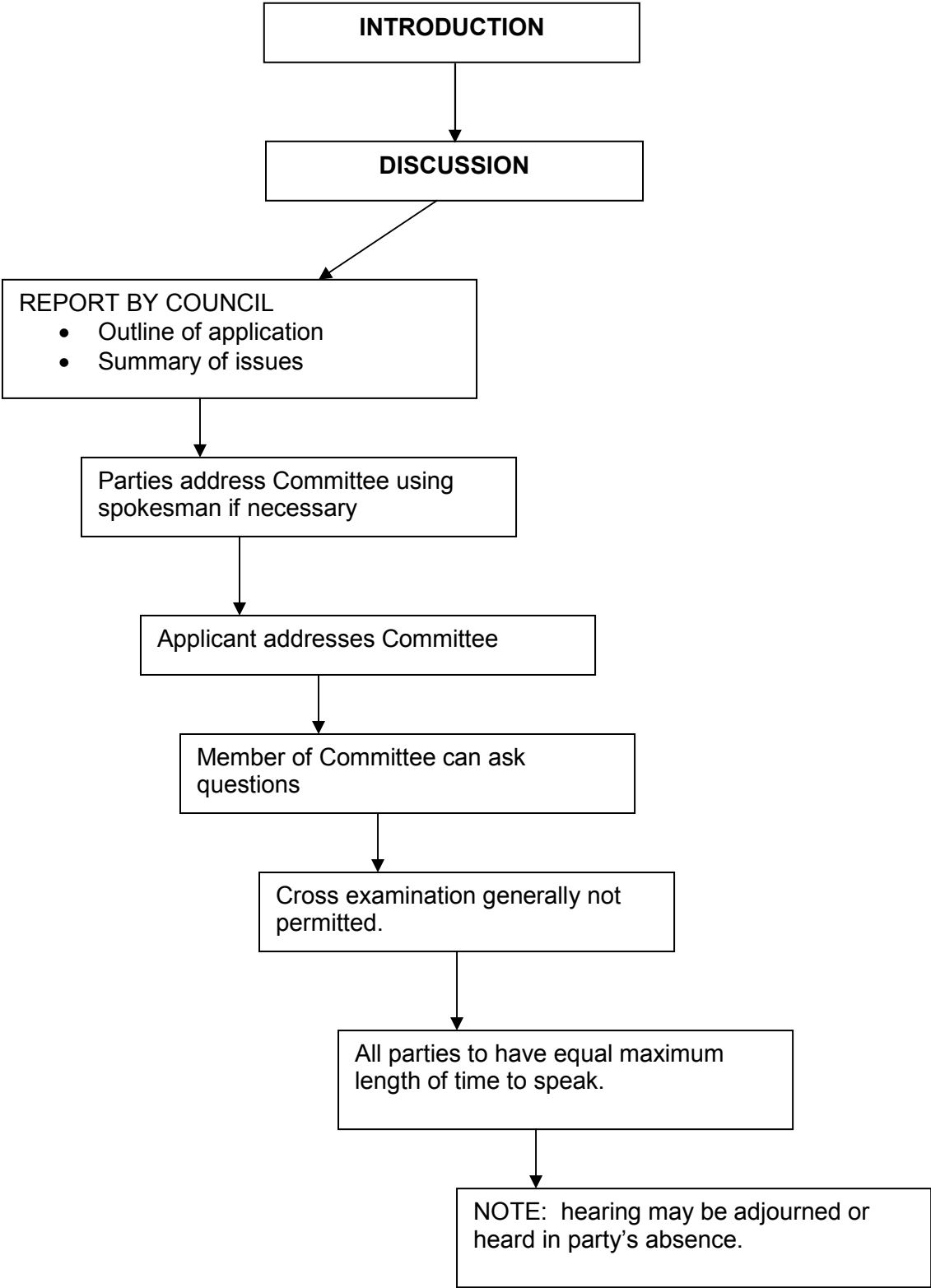
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LICENCING HEARING FLOW CHART



MEETING:	REGULATORY SUB-COMMITTEE
DATE:	13 MAY 2011
TITLE OF REPORT:	REVIEW OF A PREMISES LICENCE: PRINCE OF WALES, CHURCH LANE, LEDBURY, HR8 1DL
PORTFOLIO AREA:	ENVIRONMENTAL HEALTH & TRADING STANDARDS PUBLIC HEALTH DIRECTORATE

CLASSIFICATION: Open

Wards Affected

Ledbury

Purpose

To consider a review of a premises licence in respect of the Prince of Wales, Church Lane, Ledbury, HR8 1DL.

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 trading standards application for a review,**
- **The Guidance issued to local authorities under the Licensing Act 2003, and**
- **The Herefordshire Council Licensing Policy.**

Key Points Summary

- Application received from Herefordshire Council Trading Standards on 18th March 2011.
- Five (5) public representations supporting the premises licence holder.
- Minor variation offered to premises licence holder

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

Options

- 1 There are a number of options open to the committee:
- the modification of the conditions of the premises licence;
 - to exclude a licensable activity from the scope of the licence;
 - the removal of the designated premises supervisor from the licence;
 - the suspension of the licence for a period not exceeding 3 months; and
 - the revocation of the licence.
 - not to modify any of the conditions of the premises licence nor take any other action.

Reasons for Recommendations

- 2 Ensures compliance with the Licensing Act 2003.

Background Information

Applicant	Herefordshire Council Trading Standards, Bath Street, Hereford	
Premise Licence Holder	Pebble Walk Ltd Prince of Wales, Church Lane, Ledbury, HR8 1DL.	
Solicitor	N/A	
Type of application: Review	Date received: 18 March 2011	28 Days consultation 14 April 2011

- 3 The grounds for the review are:
- The premises is a public house located in Ledbury.
The request for this review is based on the licensing objectives regarding the prevention of crime and disorder and the protection of children from harm.*
- 4 The information submitted to support the grounds stated:
During the evening of Friday 18 February 2011 Herefordshire Council trading standards department, and the West Mercia Constabulary carried out a test purchase operation at the premise.
- Two (2) 16 year old females were served alcohol without being challenged concerning their age.*
- The person who made the sale was a personal licence holder and has not been dealt with for the offence at this time.*

Herefordshire Council Licensing Policy states that any premises failing a test purchase will be reviewed.

5 On 21st April 2011, following consultation with Herefordshire Council Trading Standards, the Licensing Authority wrote to the premises licence holder (Appendix b) offering them a minor variation by attaching conditions to the licence to address the licensing objectives. These were:

- All bar staff engaged in the sale of alcohol to be trained in Responsible alcohol retailing to the minimum standard of BIIAB level 1 or any equivalent training offered by Herefordshire Council Trading Standards within 1 month of commencing employment at the premises. (Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence) .Training records shall be kept on the premises and produced to the police and authorised Local authority Licensing Officers on demand.
- Whenever Thomas Stephen Morgan is employed as a bar person there shall be a further Personal licence Holder on duty at all times when the premises operate for the sale of alcohol.
- An incident log must be kept at the premises, and made immediately available on request to an authorised officer of the Council or the Police, which must record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment (where fitted)
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service
- The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Licensing Authority or Police. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at least one location behind any bar advertising the scheme operated.

6 To date no application has been received for a minor variation.

7 **Current Licence**

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

A performance of live music; Playing of recorded music; A performance of dance; Making music; Dancing ; Sale by retail of alcohol

Monday-Sunday: 10:00 - 01:00

Late Night Refreshment

Monday-Sunday: 23:00 - 01:00

Non standard timings:

A performance of live music; Playing of recorded music; A performance of dance; Making music; Dancing; Late Night Refreshment; Sale by retail of alcohol

New Years Eve - from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

Seasonal variations:

None

Key Considerations

- 8 The licensing authority must take into account any relevant representations made. Relevant representations are those that:
- relate to one or more of the licensing objectives;
 - have not been withdrawn; and
 - are made by the premises licence holder, a responsible authority or an interested party (who is not also a responsible authority).

Community Impact

- 9 There is likely to be little outcome on the Community.

Legal Implications

- 10 An appeal may be made within 21 days of the licence holder being notified of the licensing authority's decision to a magistrates' court. An appeal may be made by the premises licence holder, the chief officer of police and/or any other person who made relevant representations.
- 11 The decision of the licensing authority, following the review hearing, will not have effect until the end of the period allowed for appeal or until that appeal is disposed of.

Consultees

- 12 Responsible authorities and persons living within the vicinity or with a business interest within the vicinity of the premises.
- 13 The notice of review was displayed on the premises which invited representation. The notice was also displayed at the offices of the Licensing Authority at Bath Street.

Appendices

- 14
- a. Application Form
 - b. Letter sent to Pebble Walk
 - c. Copies of Public 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.

HEREFORDSHIRE COUNCIL LICENSING POLICY states;

18.3 Failed Test Purchases

Where a premises fails a test purchase then, other than in exceptional circumstances, the premises licence will be reviewed. During the course of any review the Licensing Authority will look at the cause of the failure. Where during the first review it is found that the training of staff at the premises is inadequate, the Licensing Authority may look at placing a condition on the licence in respect of staff training and will consider suspending the licence to allow sufficient time to enable staff to be trained. When a further test purchase is failed the Licensing Authority will consider revoking the licence in order to promote the licensing objective of the 'protection of children from harm'.

18.4 Other than in exceptional circumstances, in partnership with the Police and Trading Standards, persons who sell to under-age persons will normally be dealt with by means of a Fixed Penalty Notice unless that person is the holder of a personal licence.

18.5 Where that person holds a personal licence the Licensing Authority will normally look towards prosecuting that person through the Court for the offence. The court will be asked to consider either the suspension or revocation of the personal licence.

18.6 Premises Persistently Selling

In line with the existing legislation, the Licensing Authority or the Police will look at prosecuting those premises which persistently sell to under age persons. Persistently selling is defined by the legislation as 2 sales within a 3 month period.

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

LICENSING SECTION
RECEIVED

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

17 MAR 2011

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 Herefordshire Council Trading Standards

(Insert name of applicant)

apply for the review of a premises licence under section 51 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 Prince of Wales Church Lane	
Post town Ledbury	Post code (if known) HR8 1DL

Name of premises licence holder or club holding club premises certificate (if known) Pebble Walk Ltd Prince of Wales Church Lane Ledbury

Number of premises licence or club premises certificate (if known) PR00404
--

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

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address LEAM WILSON Trading Standards Herefordshire Council Council Offices Bath Street Hereford
Telephone number (if any) 01432 260011
E-mail address (optional)

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

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

The premises is a public house located in Ledbury.

The request for this review is based on the licensing objectives regarding the prevention of crime and disorder and the protection of children from harm.

The premise has been the subject the subject of a test purchase operation which it failed.

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

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 *Wilson*
.....

Date 17 March 2011
.....

Capacity Trading Standards 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.

Public Health Directorate
Interim Director: Dr Sarah Aitkin

Pebble Walk Ltd
Prince of Wales
Church Lane
Ledbury
HR8 1DL

Your Ref:
Our Ref:
Please ask for: Licensing
Direct Line / Extension: 01432 260105
Fax:
E-mail: licensing@herefordshire.gov.uk

21st April, 2011

Dear Sir/Madam,

REVIEW - PRINCE OF WALES

You will be aware that the consultation period in respect of the review launched against your premises has now concluded.

I will shortly be sending you the hearing papers in respect of this matter inviting you to attending the hearing before the Regulatory-Sub Committee.

I have discussed this matter with the authority that launched the review against your premises and they have informed me that they would not look for suspension or revocation of your licence on this occasion; however they would request that the committee attach a number of conditions to your licence in order to promote the licensing objectives. These are:

1. All bar staff engaged in the sale of alcohol to be trained in Responsible alcohol retailing to the minimum standard of BIIAB level 1 or any equivalent training offered by Herefordshire Council Trading Standards within 1 month of commencing employment at the premises. (Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence) Training records shall be kept on the premises and produced to the police and authorised Local authority Licensing Officers on demand.
2. Whenever Thomas Stephen Morgan is employed as a bar person there shall be a further Personal licence Holder on duty at all times when the premises operate for the sale of alcohol.
3. An incident log must be kept at the premises, and made immediately available on request to an authorised officer of the Council or the Police, which must record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder

Working in partnership for the people of Herefordshire
233, County Offices, Bath Street, Hereford. HR1 2ZF

Herefordshire Council Main Switchboard (01432) 260000, www.herefordshire.gov.uk
NHS Herefordshire Main Switchboard (01432) 344344, www.herefordshire.nhs.uk

- (e) seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment (where fitted)
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service
4. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Licensing Authority or Police. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.

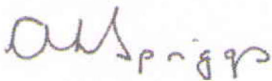
As an alternative to this matter proceeding to a full review I am able to offer you a minor variation in respect of your licence, providing that the minor variation includes all of the above conditions as worded.

If the matter was to proceed to hearing then the committee have discretion to attach all of the above conditions and could add further conditions to your licence or suspend or revoke your licence.

The use of the minor variation process would ensure that only the conditions contained within your application were attached to the licence.

If you wish to proceed by this route then I would need your application by 29th April to enable such application to be granted prior to the review. I attach a minor variation form which is self-explanatory in respect of this. The fee for this application is £89.

Yours sincerely,



FRED SPRIGGS
LICENSING OFFICER

11 Hazle Close
Ledbury
Herefordshire
HR8 2XX

The Licensing Section
County Offices
Bath Street
Hereford
HR1 2ZF



April 11, 2011

Dear Sir,

Re: Notice of Application for Review of a Premises Licence

I understand from the Application that, on 18th February 2011, Herefordshire Council Trading Standards department and West Mercia Constabulary conducted a "Test Purchase Operation" at The Prince of Wales, Church Lane, Ledbury. Two 16 year old females were *sent to purchase alcohol* on the premises and, on this occasion, were not challenged to provide proof of age.

1. I have been a *frequent and regular* visitor to The Prince of Wales since 1997. In this time I have witnessed customers of youthful appearance correctly challenged for "Proof of Age" and correctly refused or accepted as appropriate.
2. I believe entrapment to be immoral; particularly in this case, where Herefordshire Council Trading Standards and West Mercia Constabulary **deliberately created a problem where there was no problem before.**
3. The Prince of Wales is very strict on matters of conduct, making it a very pleasant and safe environment for pub-goers of all legal ages. Indeed, it is rare these days to find a venue where such a diverse range of the community may meet, enjoy and learn through each other's company. I am incensed that The Prince of Wales should have been targeted in this way.

I note also that the mandatory notice served by Herefordshire Council (and affixed to the pub exterior) is inconsistent with the terms of the Application for Review. There was no mention of "Prevention of Public Nuisance" in the Application, yet it appears in the notice. **I would welcome clarification* from Herefordshire Council on this point.**

Yours faithfully,

Marcus Morris

**Please note: this letter requires response.*

Licensing Section,
County Offices,
Bath Street,
Hereford
HR1 2ZF

New Mills
Hereford Road
Ledbury
Herefordshire, TO: HR8 2PR.
Tel 01531 632905
Fax 01531 632407
efsl.porter@btinternet.com



2nd April 2011.

To whom it may concern,

Our attention has been drawn to a letter posted outside the **Prince of Wales** Public House, in Church Lane, **Ledbury**.

Apparently the license there is under review following an "entrapment" exercise whereby persons under age were able to be served with alcohol.

We would like to make it clear that in 23 years of visiting that public house – either to take part in Cribbage League matches, or to enjoy their music evenings, and for meals and/or drinks ad hoc – that we have always found it to be an orderly house.

On many occasions we have witnessed the Landlord, Landlady and the staff challenge and refuse to serve persons appearing (or known) to be under-age.

Bad language is never tolerated.

Amplified music is always halted at a reasonable hour.

We can only guess that a malicious person has made a complaint which led to the entrapment exercise – itself a very dubious action which should not be legitimate in our opinion.

Regarding young persons in the Prince of Wales:

Being an orderly house, it is exactly the kind of environment in which young people are able to learn decent behaviour by following the example of others.

The Music Evenings are a great mix of all ages playing and singing together; in fact a model of how society should be. This is in contrast to more urban pubs which seem to be ghetto-ised into narrow social groups to the exclusion of a broader mix of peoples.

It is very sad that good peoples' livelihoods are jeopardised thus, and it would be hard to find another licensee of the same standard as the present team who run a very orderly house.

Yours sincerely,
Eric and Sandra Porter

email: sgs@stevegs.com



Lilac Cottage
Victoria Road
LEDBURY
Herefordshire HR8 2DA
Tel/Fax: 01531-632807
12th April 2011

Licensing Section
Herefordshire Council
Bath St.
HEREFORD HR1 2ZF

Dear Sirs:

**The Prince Of Wales, Church Lane, Ledbury:
Notice of Application for Review of a Premises Licence.**

According to the documentation relating to this, a Trading Standards officer witnessed a successful attempt to purchase alcohol by two females aged 16, during the evening of 18th February 2011. This was a 'test purchase', but there is nothing in the documentation to suggest Trading Standards were following up any complaint. I conclude, therefore, that this public house had been singled out for no particular reason.

I have been a regular customer of *The Prince of Wales* for over 15 years, during which time I have **never** witnessed any form of disturbance, etc; nor am I aware of any such event having taken place there during the 35 years I have lived in Ledbury. Indeed, I have witnessed several occasions where staff have refused to serve alcohol to persons who were obviously underage, and also to others who were considered to have had too much to drink.

I am sure I do not need to tell you how easy it is for young females, particularly with the aid of make-up, to make themselves look much older than they really are. 18th February was a Friday; a particularly busy evening of the week. This is clearly an unwarranted entrapment of a hard-pressed member of staff, which I consider to be highly devious.

Had there been a history of such events, or a complaint to follow up, a licence review might be in order. In the absence of either of these, a simple warning would have been much more appropriate.

Yours faithfully,

S.P. Glennie-Smith

cc (by email) - Councillors for Ledbury:
M. Cooper
P. Bettington
P. Watts

MEETING:	REGULATORY SUB-COMMITTEE
DATE:	13 MAY 2011
TITLE OF REPORT:	REVIEW OF A PREMISES LICENCE: THE BELL INN, ETNAM STREET, LEOMINSTER, HR6 8AE
PORTFOLIO AREA:	ENVIRONMENTAL HEALTH & TRADING STANDARDS PUBLIC HEALTH DIRECTORATE

CLASSIFICATION: Open

Wards Affected

Ledbury

Purpose

To consider a review of a premises licence in respect of The Bell Inn, Etnam Street, Leominster, HR6 8AE.

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 police application for a review,**
- **The Guidance issued to local authorities under the Licensing Act 2003, and**
- **The Herefordshire Council Licensing Policy.**

Key Points Summary

- Application received from West Mercia Police on 15th March 2011.
- Two (2) public representations supporting the premises licence holder.

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

Options

- 1 There are a number of options open to the committee:
- the modification of the conditions of the premises licence;
 - to exclude a licensable activity from the scope of the licence;
 - the removal of the designated premises supervisor from the licence;
 - the suspension of the licence for a period not exceeding 3 months; and
 - the revocation of the licence.
 - not to modify any of the conditions of the premises licence nor take any other action.

Reasons for Recommendations

- 2 Ensures compliance with the Licensing Act 2003.

Background Information

Applicant	Paul West – Chief Constable of the West Mercia Constabulary, c/o Police Station, Bath Street, Hereford.	
Premise Licence Holder	Punch Taverns PLC Jubilee House, Second Avenue, Burton upon Trent, Staffordshire, DE4 2WF	
Solicitor	TLT Solicitors	
Type of application:	Date received:	28 Days consultation
Review	15 March 2011	11 April 2011

- 3 The grounds for the review are:
The premises has been subject to two visits during a test purchase operation by Herefordshire Trading Standards and West Mercia Police. On both occasions sales of alcohol were made by a member of staff by a person under the age of 18.

These failures impact on the licensing objectives of the prevention of crime and disorder and the protection of children.

- 4 The information submitted to support the grounds stated:
Joint 'test purchasing operations' involving officers from Herefordshire Trading Standards and West Mercia Police took place in December 2010 and February 2011.

On 11 December 2010 the premises was subject to a visit and a sale of alcohol was made to a person under the age of 18 by a member of staff. At this time the member of staff was dealt

with by means of an £80 fixed penalty.

On Saturday 26 February 2011 the premises was subject to a further visit. Again, a sale was made of alcohol to a person under the age of 18 by a member of staff. This was the same person who made the sale in December 2010. On this occasion the member of staff was reported for the offence of sale of alcohol to children.

On both occasions no 'age verification checks' were made by the member of staff in order to establish that the person was old enough to purchase alcohol.

5 **Current Licence**

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

An indoor sporting event

Monday-Sunday: 11:00 - 00:30

A performance of live music; Any playing of recorded music; Other regulated entertainment; Making music; Other entertainment facilities

Monday-Sunday: 11:00 - 23:30

Sale by retail of alcohol

Monday-Sunday: 11:00 - 23:30

Non Standard Timings

New Years Eve 11:00 until start of permitted hours on January 1st.

Seasonal variations: None

Key Considerations

- 6 The licensing authority must take into account any relevant representations made. Relevant representations are those that:
- relate to one or more of the licensing objectives;
 - have not been withdrawn; and
 - are made by the premises licence holder, a responsible authority or an interested party (who is not also a responsible authority).

Community Impact

- 7 There is likely to be little outcome on the Community.

Legal Implications

- 8 An appeal may be made within 21 days of the licence holder being notified of the licensing authority's decision to a magistrates' court. An appeal may be made by the premises licence holder, the chief officer of police and/or any other person who made relevant representations.
- 9 The decision of the licensing authority, following the review hearing, will not have effect until the end of the period allowed for appeal or until that appeal is disposed of.

Consultees

- 10 Responsible authorities and persons living within the vicinity or with a business interest within the vicinity of the premises.
- 11 The notice of review was displayed on the premises which invited representation. The notice was also displayed at the offices of the Licensing Authority at Bath Street.

Appendices

- 12
 - a. Application Form
 - b. Copies of Public 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.

HEREFORDSHIRE COUNCIL LICENSING POLICY states;

18.3 Failed Test Purchases

Where a premises fails a test purchase then, other than in exceptional circumstances, the premises licence will be reviewed. During the course of any review the Licensing Authority will look at the cause of the failure. Where during the first review it is found that the training of staff at the premises is inadequate, the Licensing Authority may look at placing a condition on the licence in respect of staff training and will consider suspending the licence to allow sufficient time to enable staff to be trained. When a further test purchase is failed the Licensing Authority will consider revoking the licence in order to promote the licensing objective of the 'protection of children from harm'.

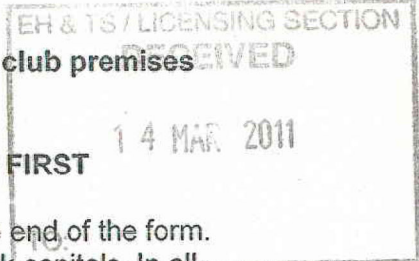
- 18.4 Other than in exceptional circumstances, in partnership with the Police and Trading Standards, persons who sell to under-age persons will normally be dealt with by means of a Fixed Penalty Notice unless that person is the holder of a personal licence.

- 18.5 Where that person holds a personal licence the Licensing Authority will normally look towards prosecuting that person through the Court for the offence. The court will be asked to consider either the suspension or revocation of the personal licence.

18.6 Premises Persistently Selling

In line with the existing legislation, the Licensing Authority or the Police will look at prosecuting those premises which persistently sell to under age persons. Persistently selling is defined by the legislation as 2 sales within a 3 month period.

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 Bell Inn Etnam Street Leominster	
Post town Leominster	Post code (if known) HR6 8AE

Name of premises licence holder or club holding club premises certificate (if known) Punch Taverns PLC

Number of premises licence or club premises certificate (if known) PRO00501
--

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

I am 18 years old or over

Please tick yes

**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 James MOONEY Police Licensing Officer Territorial Policing Unit - Herefordshire Hereford Police Station Bath Street Hereford. HR1 2HT
Telephone number (if any) 01432 347102
E-mail address (optional) licensing.herefordshire@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 | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

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

The premises has been subject to two visits during a test purchase operation by Herefordshire Trading Standards and West Mercia Police. On both occasions sales of alcohol were made by a member of staff by a person under the age of 18.

These failures impact on the licensing objectives of the prevention of crime and disorder and the protection of children

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

Joint 'test purchasing operations' involving officers from Herefordshire Trading Standards and West Mercia Police took place in December 2010 and February 2011.

On 11 December 2010 the premises was subject to a visit and a sale of alcohol was made to a person under the age of 18 by a member of staff. At this time the member of staff was dealt with by means of an £80 fixed penalty fine.

On Saturday 26 February 2011, the premises was subject to a further visit. Again a sale was made of alcohol to a person under the age of 18 by a member of staff. This was the same person who made the sale in December 2010. On this occasion the member of staff was reported for the offence of sale of alcohol to children.

On both occasions no 'age verification checks' were made by the member of staff in order to establish that the person was old enough to purchase alcohol.

Please tick yes

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

If yes please state the date of that application

Day

Month
Year

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

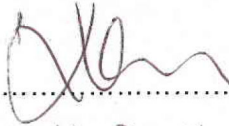
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

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



Date

11.3.11

Capacity Police Licensing 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.



Roy Keenan
66 Etnam Street
Leominster
Herefordshire
HR6 8AN.
28th March 2011

Licensing section
County offices
Bath Street
Hereford
HR1 2ZF.

Dear sir/madam

I have known Mr Hall the licensee of the Bell inn for a number of years. He was the bar manager for approximately two years and in 2007 he took over the business. Since taking over he has turned it into a thriving business popular with local people and regular visitors to Leominster. Spending many hours on his premises not I might add as a customer but as the person who maintains his building, I personally know very well his business ethics and his outlook on life in general.

The bell Inn is the most popular public house in this town and not without a reason, he runs his business very well and will not tolerate misbehaviour of any sort on his premises. Including the selling of alcohol to underage members of the public who may try as they do to flout the law.

He is in this unfortunate position due solely to one single member of staff, who is herself a very good model for society although she has made two errors.

The errors of judgement this young lady has made could effect her future career as a carer for other people less fortunate than ourselves if you choose to punish her.

Mr Hall runs his business on a day to day basis as do most of the businesses in this town and would suffer greatly if a large monetary fine was imposed on him. Possibly to the extent that he would have to give up the business and close down. That would destroy the jobs of eight permanent members of staff and reduce the income of the very many suppliers and tradesmen associated with one of the very few thriving businesses in this town.

Kind Regards

To;
The Licensing Section,
County Offices,
Bath Street,
Hereford.
HR1 2ZF



From;
Ian Mann
4 Hereford Terrace,
Leominster,
Herefordshire.
HR6 8JR

Re; Mr Michael Hall, The Bell Inn, 39 Etnam Street, Leominster, Herefordshire.

Dear Sirs,

I understand that the licensing authority are considering taking sanctions against Mr. Hall with the regard to the serving of under age clients during a recent council "sting operation".

As a regular customer of the pub I would urge you to refrain from taking such action. The Bell is an enterprising, well run and successful business with a truly cross generational clientèle (I am fifty two) and is a proper community local. It is certainly not a "youth club" style pub and I find it impossible to believe that either Mr. Hall or his efficient and hard working staff would knowingly serve a "customer" who was under age.

Mr. Hall is a dedicated and conscientious licensee who has also done a great deal of good work for the Herefordshire branch of the highly respected consumer association the Campaign For Real Ale, (of which I am a member) including acting as bar manager at the hugely successful annual event Beer On the Wye. Needless to say he keeps real ale to a high standard in his own hostelry and has enjoyed a hitherto unblemished record in the licensed trade going back some ten years including running The Bell for the last five years.

In mitigation I would add that Mr. Hall became a father for the first time only very recently which may account for him having taken his "eye off the ball" very temporarily.

In a difficult time for the licensed trade Mr. Hall has continued to ensure that The Bell is one of Leominster's most welcoming and successful pubs and I would urge ask you to exercise leniency in this matter. This unfortunate incident is not one that I can envisage being repeated.

Yours sincerely

Ian Mann.

MEETING:	REGULATORY SUB-COMMITTEE
DATE:	13 MAY 2011
TITLE OF REPORT:	REVIEW OF A PREMISES LICENCE: MAN OF ROSS INN, WYE STREET, ROSS ON WYE. HR9 7JV
PORTFOLIO AREA:	ENVIRONMENTAL HEALTH & TRADING STANDARDS PUBLIC HEALTH DIRECTORATE

CLASSIFICATION: Open

Wards Affected

Ledbury

Purpose

To consider a review of a premises licence in respect of the Man of Ross Inn, Wye Street, Ross on Wye, HR9 7JV.

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 trading standards application for a review**
- **The Guidance issued to local authorities under the Licensing Act 2003, and**
- **The Herefordshire Council Licensing Policy.**

Key Points Summary

- Application received from Herefordshire Council Trading Standards on 16th March 2011.
- Ten (10) public representations supporting the premises licence holder.
- Minor variation offered to premises licence holder

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

Options

- 1 There are a number of options open to the committee:
- the modification of the conditions of the premises licence;
 - to exclude a licensable activity from the scope of the licence;
 - the removal of the designated premises supervisor from the licence;
 - the suspension of the licence for a period not exceeding 3 months; and
 - the revocation of the licence.
 - not to modify any of the conditions of the premises licence nor take any other action.

Reasons for Recommendations

- 2 Ensures compliance with the Licensing Act 2003.

Background Information

Applicant	Herefordshire Council Trading Standards, Bath Street, Hereford	
Premise Licence Holder	Punch Taverns PLC Jubilee House, Second Avenue, Burton upon Trent, Staffordshire, DE4 2WF	
Solicitor	N/A	
Type of application: Review	Date received: 16 March 2011	28 Days consultation 12 April 2011

- 3 The grounds for the review are:
The premises is a public house located in Ross on Wye.
- The request for this review is based on the licensing objectives regarding the prevention of crime and disorder and the protection of children from harm.*
- The premise has been the subject the subject of a test purchase operation which it failed.*
- 4 The information submitted to support the grounds stated:
During the evening of Friday 18 February 2011 Herefordshire Council trading standards department, and the West Mercia Constabulary carried out a test purchase operation at the premise.
- Two (2) 16 year old females were served alcohol with out being challenged concerning their age.*

The person who made the sale was dealt with by way of the issuing of a fixed penalty notice.

Herefordshire Council Licensing Policy states that any premises failing a test purchase will be reviewed.

5 On 21st April 2011 following consultation with Herefordshire Council Trading Standards the Licensing Authority wrote to the premises licence holder's solicitor (Appendix b) offering them a minor variation by attaching conditions to the licence to address the licensing objectives. These were:

- A Personal licence Holder shall be on duty at all times when the premises operate for licensable activities.
- All bar staff engaged in the sale of alcohol to be trained in Responsible alcohol retailing to the minimum standard of BIIAB level 1 or any equivalent training offered by Herefordshire Council Trading Standards within 1 month of commencing employment at the premises. (Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence). Training records shall be kept on the premises and produced to the police and authorised Local authority Licensing Officers on demand.
- An incident log must be kept at the premises, and made immediately available on request to an authorised officer of the Council or the Police, which must record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment (where fitted)
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service
- The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Licensing Authority or Police. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at least one location behind any bar advertising the scheme operated.

6 To date no application has been received for a minor variation.

7 **Current Licence**

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

*A performance of live music, any playing of recorded music and the sale by retail of alcohol
(For consumption both on and off the premises)*

Monday-Wednesday: 11:00 - 23:00

Thursday-Saturday: 11:00 - 01:00

Sunday: 12:00 - 00:30

Non Standard Hours

Christmas Eve & Boxing Day: One additional hour permitted at the end of the regular licensing hours.

Seasonal variations

None

Key Considerations

- 8 The licensing authority must take into account any relevant representations made. Relevant representations are those that:
- relate to one or more of the licensing objectives;
 - have not been withdrawn; and
 - are made by the premises licence holder, a responsible authority or an interested party (who is not also a responsible authority).

Community Impact

- 9 There is likely to be little outcome on the Community.

Legal Implications

- 10 An appeal may be made within 21 days of the licence holder being notified of the licensing authority's decision to a magistrates' court. An appeal may be made by the premises licence holder, the chief officer of police and/or any other person who made relevant representations.
- 11 The decision of the licensing authority, following the review hearing, will not have effect until the end of the period allowed for appeal or until that appeal is disposed of.

Consultees

- 12 Responsible authorities and persons living within the vicinity or with a business interest within the vicinity of the premises.
- 13 The notice of review was displayed on the premises which invited representation. The notice was also displayed at the offices of the Licensing Authority at Bath Street.

Appendices

- 14
- a. Application Form
 - b. Letter sent to TLT
 - c. Copies of Public 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.

HEREFORDSHIRE COUNCIL LICENSING POLICY states;

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Where a premises fails a test purchase then, other than in exceptional circumstances, the premises licence will be reviewed. During the course of any review the Licensing Authority will look at the cause of the failure. Where during the first review it is found that the training of staff at the premises is inadequate, the Licensing Authority may look at placing a condition on the licence in respect of staff training and will consider suspending the licence to allow sufficient time to enable staff to be trained. When a further test purchase is failed the Licensing Authority will consider revoking the licence in order to promote the licensing objective of the 'protection of children from harm'.

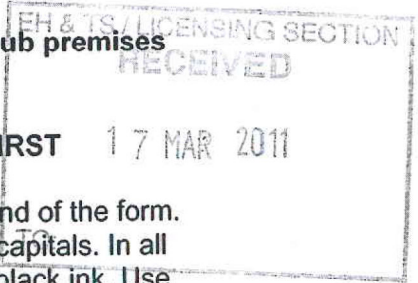
18.4 Other than in exceptional circumstances, in partnership with the Police and Trading Standards, persons who sell to under-age persons will normally be dealt with by means of a Fixed Penalty Notice unless that person is the holder of a personal licence.

18.5 Where that person holds a personal licence the Licensing Authority will normally look towards prosecuting that person through the Court for the offence. The court will be asked to consider either the suspension or revocation of the personal licence.

18.6 Premises Persistently Selling

In line with the existing legislation, the Licensing Authority or the Police will look at prosecuting those premises which persistently sell to under age persons. Persistently selling is defined by the legislation as 2 sales within a 3 month period.

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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You may wish to keep a copy of the completed form for your records.

I Herefordshire Council Trading Standards

(Insert name of applicant)

apply for the review of a premises licence under section 51 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 Man of Ross Inn Wye Street	
Post town Ross on Wye	Post code (if known) HR9 7JV

Name of premises licence holder or club holding club premises certificate (if known) PUNCH TAVERNS PLC JUBILEE HOUSE SECOND AVENUE BURTON UPON TRENT STAFFORDSHIRE DE14 2WF
--

Number of premises licence or club premises certificate (if known) PR00492
--

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

I am 18 years old or over

Please tick yes

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 LEAH WILSON Trading Standards Herefordshire Council Council Offices Bath Street Hereford
Telephone number (if any) 01432 260011
E-mail address (optional)

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

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

The premises is a public house located in Ross on Wye.

The request for this review is based on the licensing objectives regarding the prevention of crime and disorder and the protection of children from harm.

The premise has been the subject the subject of a test purchase operation which it failed.

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

During the evening of Friday 18 February 2011 Herefordshire Council trading standards department, and the West Mercia Constabulary carried out a test purchase operation at the premise.

Two(2) 16 year old females were served alcohol with out being challenged concerning their age.

The person who made the sale was dealt with by way of the issuing of a fixed penalty notice.

Herefordshire Council Licensing Policy states that any premises failing a test purchase will be reviewed.

Please tick yes

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

If yes please state the date of that application

Day

Month

Year

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

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 *W. Wilson*
.....

Date 17 March 2011
.....

Capacity Trading Standards 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.

TLT

Public Health Directorate

Interim Director: Dr Sarah Aitkin

Your Ref:

Our Ref:

Please ask for: Licensing

Direct Line / Extension: 01432 260105

Fax:

E-mail: licensing@herefordshire.gov.uk

21st April, 2011

Dear Matthew,

REVIEW - BELL INN, LEOMINSTER & MAN OF ROSS, ROSS ON WYE, WHITE LION

You will be aware that the consultation period in respect of the review launched against the above premises has now concluded.

I will shortly be sending you the hearing papers in respect of this matter inviting you to attending the hearing before the Regulatory-Sub Committee.

I have discussed this matter with the authority that launched the review against your premises and they have informed me that they would not look for suspension or revocation of your licence on this occasion; however they would request that the committee attach a number of conditions to your licence in order to promote the licensing objectives. These are:

MAN OF ROSS

1. A Personal licence Holder shall be on duty at all times when the premises operate for licensable activities and each and every sale shall be authorised in person by the personal licence holder.
2. All bar staff engaged in the sale of alcohol to be trained in Responsible alcohol retailing to the minimum standard of BIIAB level 1 or any equivalent training offered by Herefordshire Council Trading Standards within 1 month of commencing employment at the premises. (Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence) Training records shall be kept on the premises and produced to the police and authorised Local authority Licensing Officers on demand.
3. An incident log must be kept at the premises, and made immediately available on request to an authorised officer of the Council or the Police, which must record the following:

Working in partnership for the people of Herefordshire
233, County Offices, Bath Street, Hereford. HR1 2ZF

Herefordshire Council Main Switchboard (01432) 260000, www.herefordshire.gov.uk
NHS Herefordshire Main Switchboard (01432) 344344, www.herefordshire.nhs.uk

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service

4. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Licensing Authority or Police. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.

BELL INN

I understand that the police have been in contact with you in respect of this.

As an alternative to this matter proceeding to a full review I am able to offer you a minor variation in respect of your licence, providing that the minor variation includes all of the above conditions as worded.

If the matter was to proceed to hearing then the committee have discretion to attach all of the above conditions and could add further conditions to your licence or suspend or revoke your licence.

The use of the minor variation process would ensure that only the conditions contained within your application were attached to the licence.

If you wish to proceed by this route then I would need your application by 29th April to enable such application to be granted prior to the review. I attach a minor variation form which is self-explanatory in respect of this. The fee for this application is £89.

Yours sincerely,



FRED SPRIGGS
LICENSING OFFICER

25.03.11

The Licensing Section
County Offices
Bath St:
Hereford HR1 22F

MRS M. REEVE-BLACK,
7, WYE VALLEY CHAMBERS,
EDDE CROSS STREET,
ROSS-ON-WYE,
HEREFORDSHIRE. HR9 7BZ
Tel: 01989 561075

Dear Sir,

I believe there to be an Application for a Review of a Premises Licence, Licensee Mr Mark Hazelwood at The Man of Ross Inn, Wye St: Ross-on-Wye HR9 7JV.

I live 3 doors down from the public house and hear no noise or disturbance.

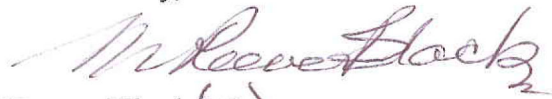
The Man of Ross is an attractive old inn at the entrance to Ross town. It is on a high level above the River Wye, serving visitors seeking refreshment after journeying to and parking at Ross.

It is nearly April and Easter, the opening of the Tourist Season in Ross. Mr Hazelwood has planned a regime where, besides the ordinary menu, he has an appealing offer - 2 meals for £8.95. We ladies are octogenarians and one 90 year old and that is ideal for us with perhaps a lager, a Guinness or a glass of wine.

Are there really grounds for this Review? Are there really reasons in this case to Prevent Crime and Public Disorder? Reasons to disrupt this beneficial business for we locals and for Ross? I pass by every day, people are sitting outside enjoying themselves with no noise or disturbance whatsoever.

I feel wisdom should prevail.

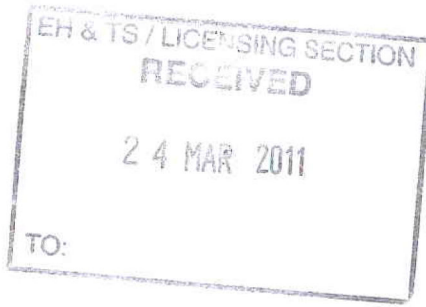
Yours faithfully,



Marguerita Reeve-Black (Mrs)
Cc Mr Mark Hazelwood



wept 7



Tower House
Edde Cross Street
Ross-on-Wye
Herefordshire
HR9 7BZ

23rd March 2011

The Licensing Section
County Offices
Bath Street
Hereford
HR1 22F

Dear Sirs

I am writing to you in connection with the the Application for a Review of a Premises Licence where the Licensee is Mr Mark Hazelwood.

This refers to: The Man of Ross Inn,
Wye Street,
Ross-on-Wye
HR9 7JV

I understand that this is on the grounds of Prevention of Crime and Disorder and the Prevention of Public Disorder. I am dismayed and amazed that such an order should be necessary as Mr Mark Hazelwood runs an exemplary establishment. I have never found any nuisance arising out of those attending these premises.

In addition Mr Mark Hazelwood is a good citizen, a good community man and has in addition raised a lot of money for charity. Further to his attributes he cares for the surrounding and enhances them for both tourists and locals.

Yours faithfully

Patricia J Morgan (Mrs)

cc: Mr Mark Hazelwood



Accept
F

Mr. BJ Stevens,
The Toll Cottage,
Walford Road,
Ross-On-Wye

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

Tuesday, March 22, 2011

Subject : The Re-Licensing Application For The Man Of Ross Inn.

To Whom It May Concern:

As per the requisite formalities, I would like to voice in the strongest terms my support for the re-licensing of The Man Of Ross Inn, under the stewardship of Mr. Mark Hazelwood.

I am fully acquainted with the reason behind why I feel there is a need for me to have to write this letter, I am however somewhat bemused if not a little annoyed as to why a very well run establishment is now looking to need to re-apply for its license, based on one incident that was at best contrived by the licensing authorities.

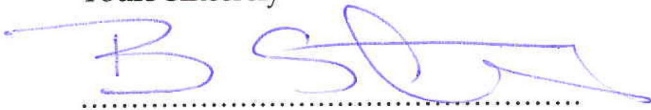
I have absolutely no argument in that underage drinking is something that cannot and should not be tolerated in any licensed premises, and the methods required to enforce this are unfortunately necessary. I do feel however, that the use of what is no more than an "entrapment" sting, albeit effective in this case is questionable. I would defy most people to confirm that a teenage girl who is sixteen or seventeen and not eighteen, especially if they are dressed and made up accordingly, hence I suppose the twenty five rule!

The Man of Ross is not an establishment normally frequented by the younger element, I realise however that this is no defence for the incident that occurred, and although the bar person in question agreed to serve the "plants"; she did however question them, but unfortunately did not follow through on this and failed to ask them for proof of age, (No Excuse).

This was I feel an honest and genuine mistake on her part and the person concerned has since paid the price for this oversight, in that she been released from her employment as a result. I personally know that she is very, very upset over the whole incident, she is very conscientious and not a person to take a matter of this nature lightly.

In closing, I know that when either myself or my wife come into The Man Of Ross, we are safe in the knowledge that we are NOT, going to be subjected to abusive, drunken or unruly behaviour , which is I feel is a lot more than can be said for some of the other establishments in this town. This is a family friendly Pub, which is well run and very much appreciated by all who frequent it. Please take this into consideration when making your judgement on re-licensing.

Yours Sincerely

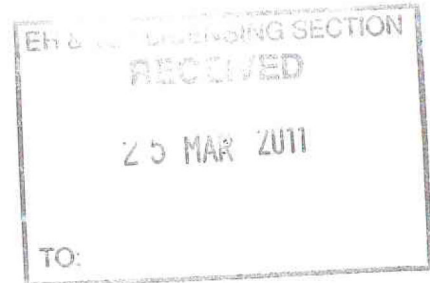
A handwritten signature in blue ink, appearing to read 'B Stevens', written over a dotted line.

Brian J Stevens

Vaga House
Wye Street
Ross-on-Wye
Herefordshire
HR9 7BS

23 March 2011

The Licensing Section
County Offices
Bath Street
Hereford
HR1 22F



Dear Sir

Re Man of Ross Inn, Wye Street, Ross-on-Wye – review of licence

I am writing regarding the application for review of the licence for the Man of Ross Inn, Wye Street, Ross-on-Wye on the grounds of 'prevention of crime and disorder' and 'the prevention of public nuisance'.

I live in Wye Street, just down the road from the Man of Ross Inn and think that it is an excellently run pub and have never experienced any problems or nuisance. Mark Hazelwood, the licensee is extremely conscientious about the appearance and running of the pub and is an excellent neighbour and an asset to the town. He also sets a wonderful example of community in action with his tremendous fundraising achievements.

I hope this is of some help as you review the licence and very much look forward to the continuing success and contribution that Mark and the Man of Ross make to our community.

Yours faithfully

Julie M J Morgan

TOWER HOUSE
EDDE CROSS STREET
ROSS-on-WYE
HR9 7BZ

The Licensing Section
County Offices
Bath Street
HEREFORD
HR1 2ZF

20th March 2011



Dear Sirs

Man of Ross Inn Licensing Review

I understand the Licence for the above premises is to be subject to a review.

We live very close to these premises and frequently use them and would wish to make the following comments for consideration in this review:-

- 1 The premises are well and conscientiously managed by the Licensee.
- 2 We are unaware of any anti social behaviour arising from the use of these premises
- 3 The premises are regularly used by its immediate neighbours and a regular client of Ross residents who all appreciate the pleasant and welcoming environment that is provided.
- 4 This Inn is an asset to the town providing a welcome stop for visitors to the town.

I therefore hope that the present licensee, Mark Hazelwood, will be permitted to continue his friendly and efficient management of these premises for the benefit of both the local residents and the town's visitors.

Yours faithfully



Peter Morgan



Mr G J DAVIES
74 Park Walk,
Ross-on-ye,
HFDS
HR9 5LW
HOME....01989 565635
Mobile....07738999278
25/3/11

Reference-: Man of Ross Inn, Wye Street, Ross on wye, HR9 7JV.
Prevention of Crime & Disorder and the Prevention of Public Nuisance.

Dear Licensing Section,

I am writing to you on behalf of Ross-on-wye4acorns support group in response to your notice displayed at the Man of Ross Inn Ross-on-Wye as The Man of Ross Inn is our headquarters.

We are an Acorns Children's Hospice Support group of charity workers the group members are males and females mostly from professional backgrounds who have been born and bred in Ross on wye or have lived here for a long period of time.

We have been using the Man of Ross Inn on a regular basis for the past 15 months as our headquarters for meetings and fund raising events. This has involved senior officials of Acorns attending our meetings. Aston Villa Football club former all stars with their families and friends, The mayor of Ross on Wye, Local Newspapers, web sites, local traders, The General public of Ross-on-wye and surrounding areas attending our fundraising events. A total of £13,500 was raised for charity by our support group last year.

Ross-on-wye 4acorns would like to express to you that we all feel part of the Man of Ross inn as most of us are also regular customers and enjoy the public house as part of our social lives. The Landlord Mark Hazelwood and his team of staff have worked with us 100% with Mark also being part of our group as an official fundraiser. We would like to say that the Man of Ross Inn is a friendly welcoming place to take your family and friends for a meal and a relaxing drink. We will quote that this is not a Nuisance Premises that generates Crime or Disorder. We have never seen, heard or experienced anything of the sort on or outside the premises. Our unanimous feelings are that we all hope and want Mark to continue to be the licensee of The Man of Ross Inn with no scars on his record as a Landlord.

Yours truly

Garry Davies,
Chairman of Ross-on-wye4acorns Support Group,

JOHN B. HARBORD



Flat 4 Rothsay Court,
Ede-cross Street,
Ross-on-Wye,
Herefordshire,
HR9 7BZ.

Phone 01989 769565
Johnbharbord@uwclub.net

25 March 2011

The Licensing Section
County Offices
Bath Street
Hereford
HR1 22F

Dear Sir/Madam,

Ref: The Man of Ross Inn, Wye Street, Ross-on-Wye, HR9 7JV

I am writing to you in support of Mr Mark Hazelwood who I understand is having his licence reviewed at the above premises.

In my opinion Mr Hazelwood runs an excellent establishment and living close by I have never had any reason for complaint. There is always a warm welcome and never any trouble, premises both inside and out are always kept clean and therefore this Inn is a favourite with both locals and tourists.

I would also like to point out that Mr Hazelwood acts very much in the community spirit and raises a lot of money for charities.

Sincerely,

Captain John Harbord HCMM.

6 Waterside
Ross-on-Wye
Herefordshire
HR9 5LN

2nd April 2011

The Licensing Section
County Offices
Bath Street
Hereford
HT1 22F



Dear Sirs,

Re: Review of a Premises Licence, The Man of Ross Inn, Wye Street, Ross-on-Wye, HR9 7JV.

We understand that there is to be a review, as stated above, regarding Mr. Mark Hazelwood on the grounds of Crime and Disorder and the Prevention of Public Disorder.

We have been patrons of the above public house for some years and have never witnessed any disorder of any description in that time. We have always been welcomed as a family, with small children, and have never been conscious of any trouble, quite the opposite. Mr. Hazelwood and his team, do so much for the local community and local charities on so many levels, many including children.

His public house is always clean and inviting both inside and out, and we were very surprised at the forthcoming review.

Yours faithfully

Mr. R. W. Burton

Miss. F. Harnwell

accept ✓

MAR 23 2011

EH & TS / LICENSING SECTION
RECEIVED

24 MAR 2011

TO:

LICENSING SECTION.

Dear Sirs,

We live next door but one from Ye "Man-of-Ross" Inn and have just noticed your letter in their window.

This public house is arguably the best run hostelry in Ross-on-Wye! The landlord, Mr Mark Hazelwood, is exemplary & we fail to understand why he is being treated this way. He is not only good at his job but he is also a good neighbour and community-spirited. In fact he has raised thousands for charity last year alone. Please do not pillory this person, there are many others who deserve your attention - The Hope and Anchor and the Riverside pub being just two.

Yours faithfully

Julia & Robin Southan

Mrs Julia Southan
Castle Lodge
Wye Street
ROSS-ON-WYE
HR9 7BS

