

AGENDA

Regulatory Sub Committee

Date: **Friday 17 June 2011**

Time: **2.00 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

Membership **Councillor CM Bartrum**
 Councillor JW Hope MBE
 Councillor RC Hunt

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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- 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.
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HEREFORDSHIRE COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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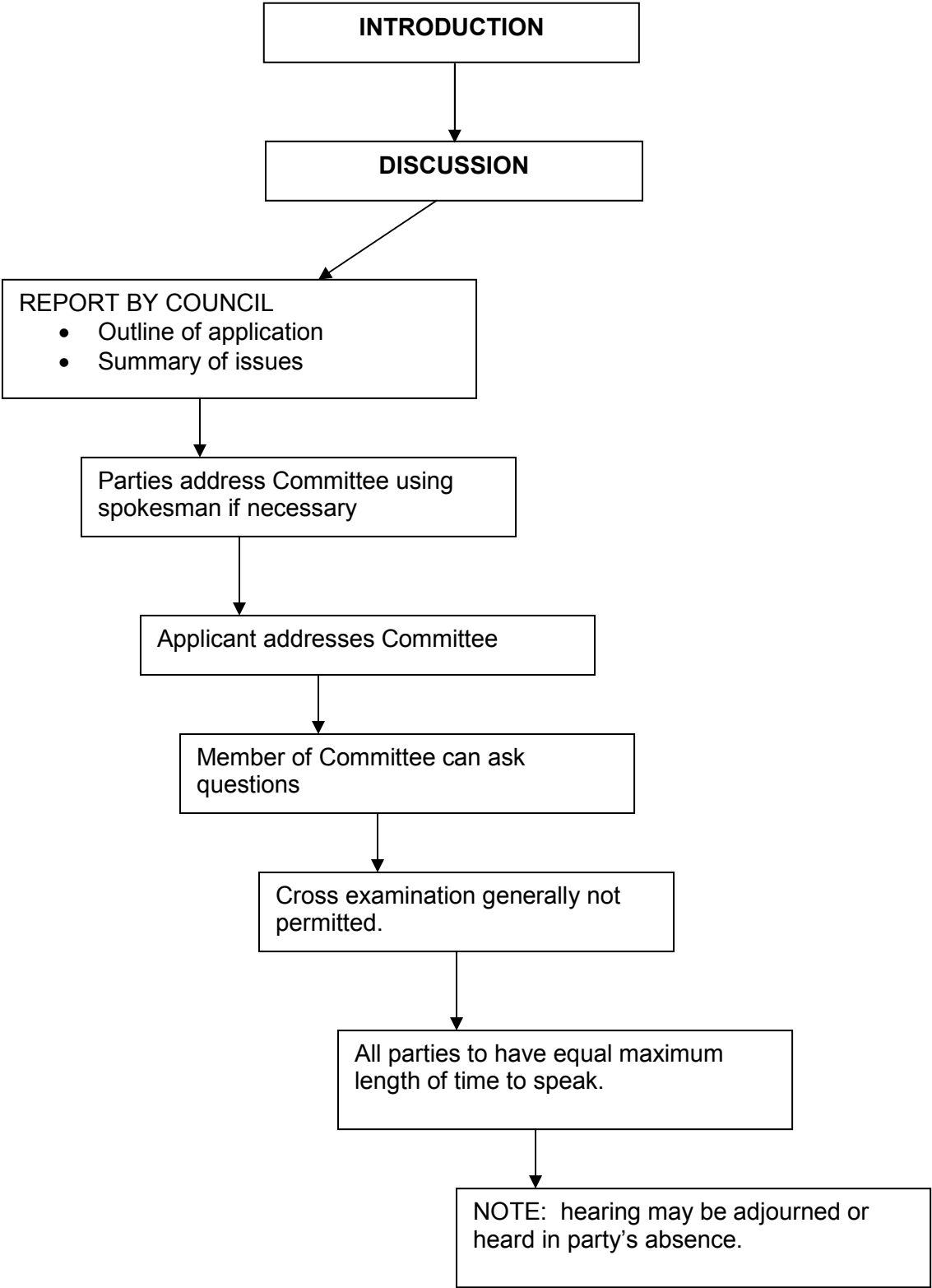
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LICENCING HEARING FLOW CHART



MEETING:	REGULATORY – SUB-COMMITTEE
DATE:	17 JUNE 2011
TITLE OF REPORT:	REVIEW OF A PREMISES LICENCE FOLLOWING THE EXPEDITED/SUMMARY LICENCE REVIEW AND REPRESENTATION AGAINST THE INTERIM STEPS IN RESPECT OF: KORAI LTD, T/A RADUNI INDIAN CUISINE, 66 THE HOMEND, LEDBURY, HR8 1BT.
PORTFOLIO AREA:	HEALTH & WELL BEING SERVICE PEOPLE’S SERVICES DIRECTORATE

CLASSIFICATION: Open

Wards Affected

Ledbury

Purpose

To consider a review of a premises licence following an Expedited/Summary Licence Review and a representation in respect of the interim steps in respect of 'Korai Ltd T/A Raduni Indian Cuisine, 66 The Homend, Ledbury, HR8 1BT.

Key Decision

This is not a Key Decision.

Recommendation

THAT the Sub-Committee when determining this review must consider:

- what steps it considers necessary for the promotion of the licensing objectives; and
- what steps should be taken to secure the promotion of the licensing objectives including whether the interim steps should be made permanent.

Key Points Summary

- Application received for an expedited review on 23 May 2011.
- Hearing held on 25 May 2011 within the required 48 hours.
- 23 May 2011 - Copies of application and certificate sent to the premise licence holder and responsible authorities.
- Application against interim steps received on 27 May 2011.
- Hearing for Representation against Interim Steps held on 31 May 2011.

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

Options

- 1 There are a number of option open to the committee:
 - the modification of the conditions of the premises licence;
 - the exclusion of the sale of alcohol by retail (or other licensable activities) 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;
 - the revocation of the licence or
 - take no further action

Reasons for Recommendations

- 2 Ensures compliance with the Licensing Act 2003 and the Crime & Disorder Act 2006.

Background Information

- 3 The powers to call for an Expedited review are contained in Section 53A of the Licensing Act as amended by the Violent Crime Reduction Act 2006. The powers allow;
 - The police to trigger a fast track process to review a premises licence where the police consider that the premises are associated with serious crime or serious disorder (or both); and
 - The licensing authority to respond by taking interim steps quickly, where appropriate, pending a full review.
- 4 The expedited review hearing was held on 25 May 2011 when the committee considered an application made by the Chief Constable of the West Mercia Police. At that hearing it was decided that the premises licence should be suspended forthwith.
- 5 On 27 May 2011 an application was received against the interim steps on behalf of 'Korai Ltd T/A Raduni Indian Cuisine'.
- 6 The hearing was held on 31 May 2011. At that hearing the suspension was lifted by the committee and the following condition was attached to the licence:

A log book must be kept at the premises and made immediately available on request to an authorised person (as defined by Section 13 of the Licensing Act 2003) or the Police. The log book must record the following:

- a) *Details of all persons employed at the premises in any capacity.*
- b) *Date of birth of the person.*
- c) *The full name of the person.*
- d) *Their current address.*
- e) *Their national insurance number.*
- f) *Their passport details.*
- g) *In respect of EU citizens proof of a current EU passport shall be provided.*
- h) *In respect of non EU citizens a current visa showing the right to be employed in the UK.*

All such information shall be recorded prior to them working at the premises. All information detailed above to be supported by a copy of the relevant document.

7 The grounds for the review are contained within the background papers. Also attached is the decision notice of 31st May.

8 Current Licence

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

Sale by retail of alcohol & Late Night refreshment

On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10 am to 12 midnight.

On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11:30 pm

On Christmas Day: 12 noon to 11:30 pm; For residential licence only from 12 noon to 10.30 with a break of four hours beginning at 3 pm.

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

9 Representation

Copies of the application and certificate have been sent to the responsible authorities.

No further representation has been received.

Key Considerations

10 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

11 It is felt that any decision will have little effect on the local community.

Legal Implications

12 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.

13 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 the appeal is disposed of. Any interim steps taken will remain in force over these periods.

Consultees

14 Responsible authorities and persons living within the vicinity or with a business interest within

the vicinity of the premises.

- 15 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

- 16 a. Application Form for Expedited Review
b. Certificate
c. Decision notices 25 May and 31 May 2011

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.

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

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

Herefordshire District Council

Licensing Section

County Offices

PO Box 233

Hereford.. HR1 2ZF

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

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 the 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.**

I **James MOONEY** - Police Licensing Officer [on behalf of] the chief officer of police for the **West Mercia** police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**Raduni Indian Restaurant
66 The Homend**

Post town: **Ledbury**

Post code (if known): **HR8 1BT**

2. Premises licence details:

Name of premises licence holder (if known): **Raduni Indian Cuisine Ltd**

Number of premises licence holder (if known):

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

This premises is an indian restaurant based in a small market town

On Thursday 19 May 2011, a joint UK Border Agency and policing operation took place, where a warrant was executed at the premises regarding the employment of illegal immigrants.

At the time, the designated premises supervisor Mohammed HASNATH was present. The premises was open and was undertaking licensable activities - including the sale of alcohol. A total of 5 other members of staff were detained and arrested due to their immigration status. This caused the premises to close as it had no staff left to operate.

It is believed those detained are in the UK illegally, that they have no residence and employment status, that whilst employed they have not been paying UK taxes or insurances.

It is further believed that their presence in the UK is as a result of serious criminal activity and is regarded as 'people smuggling'. Additionally it is believed that there is financial gain and benefit to the premises licence holder for the continual employment of people in these circumstances.

Signature of applicant: 

Date:

23.05.2011

Capacity: Police Licensing Officer

Contact details for matters concerning this application:

Address: **West Mercia Police
Territorial Policing Unit - Herefordshire
Hereford Police Station
Licensing Officer**

**Bath Street
Hereford. HR1 2HT**

Telephone number(s): 01432 347102

Email: licensing.herefordshire@westmercia.pnn.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

West Mercia Police
Territorial Policing Unit - Herefordshire
Bath Street
Hereford. HR1 1TA



ANNEX B

CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with serious crime / serious disorder / both serious crime and serious disorder¹.

*Premises*²:

Raduni Indian Resturant
66 The Homend
Ledbury
Herefordshire

Premises licence number (if known): PR00182

Name of premises supervisor (if known): Mohammed HASNATH

I am a Superintendent³ in the West Mercia police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because⁴:

As a result of a joint UK Border Agency and police operation, a number of persons were arrested for immigration offences. These are all employed at the premises in various capacities. All are viewed as illegal immigrants with no right to stay in the UK or to be employed.

¹ Delete as applicable.

² Include business name and address and any other relevant identifying details.


³ Insert rank of officer giving the certificate, which must be superintendent or above.

⁴ Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

It is believed that their presence is as a result of illegal people smuggling and it is likely that despite this operation, the premises will continue to employ others of a similar status.

Standard review process is inappropriate to ensure this level of serious criminal activity does not continue.

It is the view of West Mercia Police that employment of staff in these circumstances is a serious crime activity, that there is financial gain and benefit for the premises licence holder.

.....
(Signed)  23/5 2011.
(Date)

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

PREMISES	Korai Ltd. Trading as Raduni Indian Cuisine
DESIGNATED PREMISES SUPERVISOR	Mohammed Hasnath
APPLICANT'S NAME	West Mercia Police
APPLICATION TYPE	Summary Review
PANEL MEMBERS	Councillor JW Hope MBE (Chairman) Councillor CM Bartrum Councillor RC Hunt
DATE OF MEETING	25 May 2011

Members of the Licensing Panel of the Council's Regulatory Committee considered the above application, full details of which appeared before the Members in their agenda and the background papers.

Prior to making their decision the Members heard from James Mooney, representing West Mercia Police, and Mohammed Hasnath, the designated premises supervisor.

Having carefully considered those matters brought before them and in reaching their decision, the Members had full regard to both the provisions of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006) and the Council's Licensing Policy. The Members made the following decisions in order to promote the licensing objective of the prevention of crime and disorder.

DECISION

- 1 It is the decision of the Committee that the premises licence for Raduni Indian Cuisine be suspended forthwith subject to a further review.

REASON

- 1 The Committee has found that there has been serious crime at the premises and has made its decision having heard evidence from West Mercia Police and in accordance with the guidance issued under Section 53A of the Licensing Act 2003 as amended. The Committee therefore decided that to promote the licensing objective of the prevention of crime and disorder the licence should be suspended.

ADDITIONAL INFORMATION

- 1 The Committee is required to review the premises licence in full within 28 days of the application for a summary licence review made on 23 May 2011.
- 2 The Licensee may make representations to the licensing authority in respect of the interim steps at any stage prior to the review. These representations must be heard by Committee

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(THE LICENSING ACT 2003)**

within 48 hours (When calculating the 48 hour period any non-working day will be disregarded).

- 3 There is no right of appeal to a magistrates' court against the licensing authority's decision at this stage.
- 4 Mr Hasnath was advised to take urgent legal advice.
- 5 The Police were requested to support their position with further detail as to why the licensing issues were closely linked with the serious criminal activity concerning the premises in advance of any further hearing.

HEREFORDSHIRE COUNCIL

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

PREMISES	Korai Ltd. Trading as Raduni Indian Cuisine
DESIGNATED PREMISES SUPERVISOR	Mohammed Hasnath
APPLICANT'S NAME	West Mercia Police
APPLICATION TYPE	Representation Against Interim Steps
PANEL MEMBERS	Councillor JW Hope MBE (Chairman) Councillor CM Bartrum Councillor RC Hunt
DATE OF MEETING	31 May 2011

Members of the Licensing Panel of the Council's Regulatory Committee considered the above application, full details of which appeared before the Members in their agenda and the background papers.

Prior to making their decision the Members heard from James Mooney, representing West Mercia Police, and Roy Light, legal advisor for Korai Ltd.

Having carefully considered those matters brought before them and in reaching their decision, the Members had full regard to both the provisions of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006) and the Council's Licensing Policy. The Members made the following decisions in order to promote the licensing objective of the prevention of crime and disorder.

DECISION

- 1 It is the decision of the Committee that the suspension of the premises licence for Raduni Indian Cuisine be rescinded subject to an additional condition being added to the licence as an interim step and a full review hearing taking place on 17 June 2011.

ADDITIONAL CONDITION

- 1 A log book must be kept at the premises and made immediately available on request to an authorised person (as defined by Section 13 of the Licensing Act 2003) or the Police. The log book must record the following:
 - a) Details of all persons employed at the premises in any capacity.
 - b) Date of birth of the person.
 - c) The full name of the person.
 - d) Their current address.
 - e) Their national insurance number.
 - f) Their passport details.
 - g) In respect of EU citizens proof of a current EU passport shall be provided.

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

- h) In respect of non EU citizens a current visa showing the right to be employed in the UK.

All such information shall be recorded prior to them working at the premises. All information detailed above to be supported by a copy of the relevant document.

REASONS

- 1 As a result of further information being provided both by the police and the premises licence holder's legal advisor, the sub committee felt that a continued suspension would be disproportionate in all the circumstances. This decision in no way limits the sub committee's discretion as to any view it may take at the final hearing.
- 2 The Committee came to this decision in order to promote the licensing objective of the prevention of crime and disorder.

ADDITIONAL INFORMATION

- 1 The Committee is required to review the premises licence in full within 28 days of the application for a summary licence review made on 23 May 2011. The Full Review Hearing will take place at 14:00 on Friday 17 June 2011.
- 2 There is no right of appeal to a magistrates' court against the licensing authority's decision at this stage.

MEETING:	REGULATORY SUB-COMMITTEE
DATE:	17 JUNE 2011
TITLE OF REPORT:	APPLICATION FOR PREMISES LICENCE 'MCDONALD'S RESTAURANTS, BELMONT ROAD, HEREFORD, HR2 7HB.' - LICENSING ACT 2003
PORTFOLIO AREA:	HEALTH & WELL BEING SERVICE PEOPLE'S SERVICES DIRECTORATE

CLASSIFICATION: Open

Wards Affected

Central

Purpose

To consider an application for a new premises licence in respect of the 'McDonalds Restaurants, Belmont Road, Hereford, HR2 7NB'.

Key Decision

This is not a Key Decision.

Recommendation

THAT Sub-Committee determine the application with a view to promoting the licensing objectives in the overall interests of the local community. They should give appropriate weight to:

- The steps that are necessary to promote the licensing objectives,
- The representations (including supporting information) presented by all parties,
- The Guidance issued to local authorities under Section 182 of the Licensing Act 2003, and
- The Herefordshire Council Licensing Policy

Key Points Summary

- The police have made representation as a Responsible Authority
- One (1) representation from the Hereford City Council
- Two (2) from Local Councillors

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

Options

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

Reasons for Recommendations

- 2 Ensures compliance with the Licensing Act 2003.

Introduction and Background

3 Background Information

Applicant	Kemco (Hereford) Ltd Blenheim House, Fitzalen Court, Newport Road, Cardiff, CF24 0TS	
Solicitor	Shoosmiths	
Type of application: Variation Application	Date received: 20/04/11	28 Days consultation 17/05/11

Licence Application

- 4 The application for a new premises licence has received representation and is brought before the committee for determination.

Summary of Application

- 5 The application requests the following:

Late Night Refreshment
All days of the week 2300 – 0000 Both indoors and outdoors

Non Standard Hours
None applied for

Summary of Representations

- 6 A copy of the representations can be found within the background papers.
- 7 Representation has been made by:
 The police – The police conditions have now been agreed
 City Council
 Two (2) Local Councillors

Key Considerations

- 8 THAT Sub-Committee determine the application with a view to promoting the licensing objectives in the overall interests of the local community. They should give appropriate weight to:
- The steps that are necessary to promote the licensing objectives,
 - The representations (including supporting information) presented by all parties,
 - The Guidance issued to local authorities under Section 182 of the Licensing Act 2003, and
 - The Herefordshire Council Licensing Policy.

Community Impact

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

Legal Implications

- 10 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.
- 11 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.
- 12 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.
- 13 Furthermore the Thwaites case established that only conditions should be attached to a licence with a view to promoting the Licensing objectives.

14 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'.

In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

15 This has been further supported by the case of *R (on the application of Developing Retail Ltd) (Claimant) v South East Hampshire Magistrates' Court (Defendant) & (1) Martin Usher & Ors (2) Portsmouth City Council (Interested Parties)* (2011) which appeared before the Queens Bench Division on 4/3/2011.

16 It was held that the condition imposed by the Magistrates Court was vague, imprecise and arbitrary and therefore was not enforceable.

17 Schedule 5 gives a right of appeal to: -

Rejection of applications relating to premises licences

1 Where a licensing authority—

- (a) rejects an application for a premises licence under section 18,
- (b) rejects (in whole or in part) an application to vary a premises licence under section 35,
- (c) rejects an application to vary a premises licence to specify an individual as the premises supervisor under section 39, or
- (d) rejects an application to transfer a premises licence under section 44,
the applicant may appeal against the decision.

Decision to grant premises licence or impose conditions etc.

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

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

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

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

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

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

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

he may appeal against the decision.

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

- 18 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

- 19 Responsible authorities and persons living within the vicinity or with a business interest within the vicinity of the premises.
- 20 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.
- 21 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.
- 22 The applicant has produced a copy of that advertisement which is correct.

Appendices

- 23
- a. Police representation
 - b. Town Council and Local Councillors representation
 - c. Application Form

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.

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

Herefordshire Council
County Offices
PO Box 223
Bath Street
Hereford
HR1 2ZF

19 April 2011

TO:

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.

XWe Kemco (Hereford) Limited
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and **X**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 McDonald's Restaurants Belmont Road Hereford	
Post town	Post code HR2 7HB

Telephone number at premises (if any)

01432 272728

Non-domestic rateable value of premises

£ 87,000.00

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 in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

Please tick Yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Surname First names

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 Kemco (Hereford) Limited
Address Blenheim House Fitzalan Court Newport Road Cardiff CF24 0TS
Registered number (where applicable) 03900793
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 0208 700 7000
E-mail address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
1	8	0	5	2	0	1	1

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

Day		Month		Year			

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

Please give a general description of the premises (please read guidance note 1)
 The premises will operate as a restaurant selling food and non-alcoholic drinks for consumption on and off the premises.

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

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:

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

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

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

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - please tick ✓ (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 ✓ (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			
Thur			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)
Fri			
Sat			
Sun			

D

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

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - please tick ✓ (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 playing of recorded music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Mon					Outdoors
Tue			Both		
Wed			<u>Please give further details here</u> (please read guidance note 3)		
Thur					
Fri			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Sat					
Sun					
			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

I

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

J

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 ✓ (see guidance note 2)		
			Outdoors		
			Both		
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Please give further details here (please read guidance note 3)		
			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
			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)		

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		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon	23:00	00:00		Please give further details here (please read guidance note 3) The premises will operate as a restaurant selling food and non-alcoholic drinks for consumption on and off the premises.	Both
Tue	23:00	00:00			
Wed	23:00	00:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	23:00	00:00			
Fri	23:00	00:00	<u>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</u> (please read guidance note 5)		
Sat	23:00	00:00			
Sun	23:00	00:00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) ✓ (please read guidance note 7)	On the premises	
Day				Off the premises	
Start	Finish			Both	
Mon			State any seasonal variations for the supply of alcohol! (please read guidance note 4)		
Tue					
Wed					
Thur					
Fri					
Sat					
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)		

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

Name

Address

Postcode

Personal Licence number (if known)

Issuing licensing authority (if known)

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)

The premises will operate as an outlet of food and non-alcoholic drink and does not provide any adult entertainment or service that gives rise to a concern in respect of children.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	06:00	00:00	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p>
Tue	06:00	00:00	
Wed	06:00	00:00	
Thur	06:00	00:00	
Fri	06:00	00:00	
Sat	06:00	00:00	
Sun	06:00	00:00	

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

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

Please see attached Operating Schedule.

b) The prevention of crime and disorder

Please see attached Operating Schedule.

c) Public safety

Please see attached Operating Schedule.

d) The prevention of public nuisance

Please see attached Operating Schedule.

e) The protection of children from harm

Please see attached Operating Schedule.

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 Shoosmiths

Date 18th April 2011

Capacity Solicitor / Authorised Agent for the Applicant

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

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Shoosmiths The Lakes	
Post town Northampton	Post code NN4 7SH
Telephone number (if any) Direct Dial : 03700 863086	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Operating Schedule

General

This restaurant understands that in extending our opening hours we have a duty to the local community and that we continue to protect our staff and customers from danger and harm. We believe that the systems we have in place are robust, thorough and will, as far as reasonably practicable, secure the promotion of the four licensing objectives. It should be noted that no McDonald's restaurant within the United Kingdom serves alcohol and further none of our drinks or food are served to customers in glass receptacles.

We are eager to work in partnership with all responsible authorities to ensure the promotion of the four licensing objectives. We also seek to work with the local communities, whom we serve, in achieving a successful cohesion between our business operations and our neighbours.

Prevention of Crime and Disorder

This restaurant is keen to work in partnership with the local police force to prevent crime and disorder.

McDonald's operates a robust CCTV Policy to ensure compliance with Data Protection Legislation and to assist the Police with the prevention and detection of crime. At all stores where CCTV is in operation appropriate signage reflecting this information is displayed.

McDonald's operate digital motion activated CCTV systems where images are retained on a hard drive system. The CCTV equipment will be of a standard suitable to record images of a proper quality, it will meet the industry standard and will have Kalagate Certification. As part of the digital system an alarm will sound if the equipment is faulty or not recording, thereby alerting management for the need to intervene. The CCTV system is regularly serviced by qualified maintenance technicians.

Access to the CCTV system will be provided to Police Officers at their request.

At this restaurant all shift running managers have safety and security training.

Public Safety

This restaurant has safety systems in place to protect the safety of customers and staff at all times. These systems are regularly reviewed and updated where appropriate. In line with current legislation all our restaurants are routinely inspected by the local Environmental Health Office and we work with them and the local Fire Service to ensure we are complying, as far as reasonably practicable, with relevant Health and Safety and Fire Safety Legislation. This restaurant is subject to inspections from our own safety and security teams to ensure our systems are being maintained.

All of our restaurant staff are required to attend comprehensive safety training to ensure that safe working methods are adopted and all staff are trained in evacuation procedure in the event of a fire or other dangerous occurrence.

This store operates a "No Open Alcohol Containers" policy to prevent persons carrying open alcohol into the in-store area. Emergency contact mobile telephone numbers are listed in the Business Manager's office.

This restaurant is keen to work in partnership with the local Fire Service and Environmental Health Officer to ensure public safety.

Public Nuisance

McDonald's were the first company in our sector to introduce litter patrols in the early 1980's. These patrols collect McDonald's packaging and other litter within a certain radius of the restaurant. All of McDonald's packaging displays the "Bin It" symbol to encourage our customers to deal with their waste responsibly. We are happy to act on recommendations from the Environmental Health Officer should they feel that we should extend our patrol to a nearby area, as far as this is reasonably practicable. Our pioneering stance on litter patrols has meant working on a project with DEFRA, in

which we piloted 'reducing litter caused by food on the go', a voluntary code of practice for local partnerships. A copy of which can be found at:

www.defra.gov.uk/environment/localenv/litter/pdf/fastfoodcop.pdf

Further details regarding McDonald's commitment to reducing waste and litter nuisance can be found at the "Our World" section of the McDonald's website:

<http://www.mcdonalds.co.uk/ourworld/environment/policy.shtml>

We also have measures in place to limit noise. Our doors are self closing and we try to encourage our customers to be considerate to our neighbours and limit noise both when ordering their food and on leaving the local area.

The Protection of Children From Harm

McDonald's do not anticipate that children will use the restaurant in the extended hour's period covered by this licensing application. We do however take their safety extremely seriously and will continue to employ the same practices to ensure that they are protected from harm at all times when visiting the restaurant.

All of our restaurant staff are required to attend comprehensive safety training.

Notes for Guidance

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

Williams, Rebecca

From: Rayner, Elaine [REDACTED]
Sent: 26 May 2011 12:00
To: james.mooney [REDACTED]
Cc: Williams, Rebecca
Subject: Kemco (Hereford) Limited t/a McDonald's : Application for a Premises Licence - Belmont Road, Hereford, HR2 7HB
Importance: High
Attachments: Fred.doc

F A O Jim Mooney
 Police Licensing Officer

Dear Jim

I refer to your e-mail to Herefordshire Council setting out your representations against the application for a Premises Licence for the above-mentioned store, together with suggested conditions.

I confirm that I have now received my clients' instructions to agree the conditions suggested as follows:-

Incident book

1. 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) failure of the CCTV system
- (g) any visit by a relevant authority or emergency service

CCTV

2. CCTV will be provided as follows -

- CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition.
- Cameras shall encompass all ingress and egress to the premises, fire exits, outside areas, and all areas where the sale/ supply of alcohol occurs.
- Equipment MUST be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand.
- The Premises Licence Holder must ensure at all times a nominated manager or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format EITHER DISC or VHS to the Police/Local Authority on demand.
- The Recording equipment and tapes/discs shall be kept in a secure environment under the control of a nominated manager or other responsible named individual.
- An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.
- In the event of technical failure of the CCTV equipment the Premises Licence holder/nominated manager report the failure to the Police on contact number 0300 333 3000 immediately.

Dispersal and nuisance

3. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly. Staff employed at the premises shall remind customers of the requirement to leave quietly if necessary. Additionally systems to be in place with regards to monitoring and challenging any type of nuisance from customers using the premises car park whether on foot or mobile by any means.

Litter

4. The premises licence holder ensures they have procedures in place for the collection of litter on land owned/leased by and occupied by the premises. To include regularly checking of the exterior public areas and the clearing of any litter where necessary.

Public carpark

5. The premises licence holder will ensure that the ingress and egress to the premises customer carpark is not accessible to vehicles outside of operating hours.

I should be grateful if you would confirm your agreement to the conditions and that they have satisfied your concerns and will be making no further representations against the application.

I look forward to hearing from you.

Elaine

Elaine Rayner
Licensing Assistant

shoosmiths
(Mon, Tues & Thurs 9.30am-5.30pm)

03700 863086 direct dial
03700 863001 fax

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Please consider the environment - do you really need to print this?

Williams, Rebecca

From: Williams, Rebecca
Sent: 23 May 2011 11:53
To: [REDACTED]
Subject: Kemco Limited T/A Mcdonalds Belmont, Hereford

Hello

The licensing officer has reviewed the representations received in respect of the above premise licence. We have received 3 valid representations, therefore it will need to go to committee. We will be in contact once a date and time have been arranged for the committee hearing.

Please see below representations received: -

Becky.

Thanks for seeing this application as you can see we have no opportunity to debate this at a Planning Cttee because of the hiatus in meetings due to the elections. I have contacted the ward councillors for Belmont within the Parish Council. It appears that Councillor Edwards has identified a number of issues which are supported by his ward councillors.

This therefore stands as the response of the Parish Council.

Steve Kerry

Town Clerk

Hereford City Council

From: Powell, Glenda (Cllr)
Sent: 27 April 2011 15:33
To: Edwards, Philip (Cllr); Stephen Kerry; Wargen, Kevin
Subject: RE: ELI PREM G 11 Memo to Responsible Authorities-Interested Parties .doc

Dear All,

I agree with everything reason that Cllr Edwards has stated here.

Regards, Glenda

Cllr Glenda Powell

Local Member

Belmont Ward

Herefordshire Council

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From: Edwards, Philip (Cllr)
Sent: Wed 27/04/2011 13:44
To: Stephen Kerry; Powell, Glenda (Cllr); Wargen, Kevin
Subject: RE: ELI PREM G 11 Memo to Responsible Authorities-Interested Parties .doc

Stephen,

When this came out in its initial form I went back to Beckie Williams for clarity as regards actual hours etc.

This latest form now shows an Application to extending premises hours of trading, after the current Planning Approved to

23:00 hrs daily. I asked her to contact Kelly Gibbons as DC Planning Officer so to align Planning Approval with this License Approval **not to allow activities beyond 11pm daily** and as such. I object to the Application.

My reasoning.

- Noise impact on close neighbours to the side & rear of the Site.
- Risk of adding to 'late night' outdoor partying associated with current 24hr alcohol outlets in South Wye.
- Potential increased risk of additional litter including 'left over' food waste already evident throughout the S Wye Belmont Area with site branded packaging.
- Late night food / drink culture needs to be reduced so that hours are aligned with reducing police resource hours where Community Support Officers appear to be restricted to maximum 22:00 hrs shift patterns.
- If these businesses wish to extend their hours of trading then they should each be conditioned to meet the additional costs of policing and environmental enforcement officer hours.

Thank you for contacting me. Phil

Cllr Phil Edwards

Belmont Ward

Hereford City Council

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If you require any further guidance please do not hesitate to contact me.

Kind regards

Becky Williams
Licensing Assistant

Environmental Health and Trading Standards
People's Services Directorate - Health & Wellbeing Service
Herefordshire Council, Bath Street Offices, Bath Street, Hereford
HR1 2ZF

SMOKING - It won't kill you to stop, but it probably will if you don't... For free help and advice on quitting, all our smoking team on 01432 383567.

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