

**MINUTES of the meeting of Regulatory Sub Committee held at Meeting Room 18a, Brockington, 35 Hafod Road, Hereford on Thursday 12 April 2012 at 10.00 am**

**Present:** Councillor JW Hope MBE (Chairman)

**Councillors:** FM Norman and GA Powell

**123. ELECTION OF CHAIRMAN**

Councillor JW Hope MBE was elected as Chairman for the Regulatory Sub-Committee hearing.

**124. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**125. NAMED SUBSTITUTES (IF ANY)**

There were no substitutes present at the hearing.

**126. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**127. APPLICATION FOR AN EXPEDITED REVIEW 'THE GOLDEN FLEECE, 1 ST. OWEN'S STREET, HEREFORD HR1 2JB.'** (Pages 1 - 2)

The Regulatory Sub-Committee was convened in order to determine an application for an expedited review of a premises licence for the Golden Fleece, 1 St. Owen's Street, Hereford. The Review had been applied for by Superintendent Adam Thomas, on behalf of West Mercia Police. The review related to the licensing objective of the prevention of crime and disorder.

The Chairman introduced the Members and Officers and asked any interested parties to introduce themselves. The following interested party was noted:

- James Mooney (Representing the Applicant for the Review)

The Chairman advised Mr Mooney of the hearing procedures and asked if he required an extension to the 10 minute time limit for public speaking, no extension to the time limit was requested.

The Licensing Officer presented his report. He advised Members that the Premises Licence Holder, Marston's PLC, had received notification of the hearing by email at 11:06 a.m. on April 11 2012.

In accordance with the Licensing Act 2003 (Hearings) Regulations 2005, James Mooney, representing West Mercia Police who had requested the review, addressed the sub-committee. He advised Members that an incident had occurred at the premises on Friday 6 April 2012 which had resulted in a male suffering serious head injuries. He advised the Committee that there had been a number of issues at the premises since May 2011 with the police being required to visit on 15 occasions.

**RESOLVED**

**That the premises licence in respect of the Golden Fleece be suspended pending a full review within 28 days of the application date.**

**That a further condition, as detailed below, be attached to the licence as an interim step pending a full review of the premises to take place within 28 days of the application date.**

- 1. That Mr Nathan Dimbylow be removed as the Designated Premises Supervisor of the premises forthwith.**

The meeting ended at 0.40 am

**CHAIRMAN**



**HEREFORDSHIRE COUNCIL**

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

<b>PREMISES</b>	The Golden Fleece
<b>PREMISES LICENCE HOLDER</b>	Marston's PLC
<b>DESIGNATED PREMISES SUPERVISOR</b>	Mr Nathan Dimbylow
<b>APPLICANT'S NAME</b>	West Mercia Police
<b>APPLICATION TYPE</b>	Summary Review
<b>PANEL MEMBERS</b>	Councillor JW Hope MBE (Chairman) Councillor FM Norman Councillor GA Powell
<b>DATE OF MEETING</b>	12 April 2012

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. The Committee noted that the premises licence holder was not present but received confirmation from the Licensing Officer that the papers had been served on Marston's PLC by email on 11 April 2012.

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 objectives of the prevention of crime and disorder, public safety and the prevention of public nuisance..

**DECISION**

- 1 That the premises licence for the Golden Fleece be suspended forthwith subject to a full review.
- 2 That Mr Nathan Dimbylow be removed as the Designated Premises Supervisor of the premises forthwith

**REASON**

- 1 The Committee has found that there has been serious disorder 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 objectives of the prevention of crime and disorder, public safety and the prevention of public nuisance, the licence should be suspended.

**HEREFORDSHIRE COUNCIL****REGULATORY COMMITTEE DECISION NOTICE  
(THE LICENSING ACT 2003)****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 11 April 2012.
- 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 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.