

**MINUTES of the meeting of Regulatory Sub Committee held at  
The Council Chamber, Brockington, 35 Hafod Road, Hereford on  
Tuesday 8 May 2012 at 3.30 pm**

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

Councillors: FM Norman and GA Powell

**136. ELECTION OF CHAIRMAN**

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

**137. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

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

There were no substitutes present at the hearing.

**139. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**140. APPLICATION FOR A PUBLIC PATH DIVERSION ORDER 'FOOTPATH HM11 IN THE PARISH OF HOPE MANSELL'**

The Parks, Countryside and Leisure Development Manager presented a report about an application under Section 119 of the Highways act 1980 to divert part of Footpath HM11 in the Parish of Hope Mansell.

The applicant had requested that the route of the path be diverted as the route was obstructed by a farm building.

The Parks, Countryside and Leisure Development Manager felt that the proposed route would provide a more sensible line for users; and the Local Ward Member, parish council and consultees were in agreement with it. The applicant had agreed to meet costs associated with the diversion which had been negotiated. The proposal also met the criteria set out in the legislation and in particular that:

- it benefited the owner of the land;
- it was not substantially less convenient to the public; and
- it would be expedient to proceed with the proposal given the benefits it will provide for public enjoyment of the footpath.

Mr Lee, representing the Ramblers' Association, advised the Sub-Committee that he did not object to the application but that any gates used should comply with the Accessibility Act.

Having considered all aspects of the application, the Sub-Committee concurred with the view of the Parks, Countryside and Leisure Development Manager that the application should be approved.

**RESOLVED**

**THAT a Public Path Diversion Order be made under section 119 of the Highways Act 1980 in respect of part of Footpath HM11 in the parish of Hope Mansell, as shown on drawing number: D408/189-11.**

**141. APPLICATION FOR A PUBLIC PATH DIVERSION ORDER 'FOOTPATHS WBK5 AND WBK1 IN THE PARISH OF WELSH BICKNOR'**

The Parks, Countryside and Leisure Development Manager presented a report about an application under Section 119, 118 and 26 of the Highways act 1980 to divert, extinguish, and create a new part of Footpaths WBK5 and WBK1 in the Parish of Welsh Bicknor.

The Parks, Countryside and Leisure Development Manager advised the Sub-Committee that Mr Vaughan had made the application on 16 May 2011. The reasons given for making the application were to enhance the security and privacy of Laundry Cottage and Courtfield House (WBK 5) and to provide a new circular route for local residents and legal access to the common of Coppett Hill (WBK 1). It was noted that the current route of WBK1 was a cul-de-sac and did not link with the common.

He added that the proposal had received objections from the Open Spaces Society and the Ramblers' Association. The Open Spaces Society had objected to the extinguishment of footpath WBK1 as, in their view, the legal test for an extinguishment order, had not been met. They also objected to the diversion of footpath WBK5 as it was his opinion that higher rights may exist on the path which would remain in the current location if the footpath were moved. The Byways and Bridleways Trust correspondent, although not objecting to the proposals, also suggested that higher rights may exist on footpath WBK5. In respect of the issue of higher rights the Parks, Countryside and Leisure Development Manager advised that he did not feel that there was sufficient evidence to justify rejecting the application and that the landowner was aware of this issue and had stated that he wished to proceed with the diversion in spite of the issue of higher rights.

The Parks, Countryside and Leisure Development Manager advised the Sub-Committee that the landowner had stated clearly that he would only agree to the confirmation of the creation/extinguishment of WBK1 if the order for WBK5 was also confirmed at the same time. Similarly, The Goodrich and Welsh Bicknor Group Parish Council would only agree to the confirmation of the diversion of WBK5, if WBK1 creation/extinguishment was confirmed at the same time.

It was noted that the applicant had agreed to pay for advertising and to reimburse, in full, the Council's costs incurred in making the diversion order and that the application also had the support of the local ward member, Cllr. Jarvis.

The Parks, Countryside and Leisure Development Manager advised that the proposed diversion of WBK5 met the specified criteria as set out in Council policy and section 119 of the Highways Act 1980 in particular that:

- The proposal benefitted the owner of the land crossed by the existing path.
- The proposal did not alter the point of termination of the paths.
- The proposal was not substantially less convenient to the public.

The proposed creation of WBK1 also met the specified criteria as set out in Council policy and section 26 of the Highways Act 1980.

The Committee heard from the applicant and Mr Lee, representing the Ramblers' Association prior to making their decision.

Having considered all aspects of the application, the Sub-Committee concurred with the view of the Parks, Countryside and Leisure Development Manager that the applications should be approved.

**RESOLVED**

**That public path orders are made under Section 119, 118 and 26 of the Highways Act 1980 in respect of footpaths WBK1 and WBK5 in the parish of Welsh Bicknor, as illustrated on drawing numbers: D411/405-1 and D411/405-5**

**142. REPRESENTATION AGAINST INTERIM STEPS 'THE GOLDEN FLEECE, 1 ST. OWEN'S STREET, HEREFORD, HR1 2JB.'** (Pages 1 - 4)

Prior to the full review of the premises licence, the sub-committee were required to consider an application against the interim steps which had been received by the licensing authority on 4 May 2012.

The Licensing Officer presented the report and advised Members that at the expedited review hearing on 12 April 2012, the premises licence had been suspended and the Designated Premises Supervisor had been removed.

The sub-committee heard from Andrew Gough, who had made the representation on behalf of the premises licence holder, as well as James Mooney, representing West Mercia Police, who had requested the expedited review.

Mr Gough advised that any conditions imposed at the interim steps stage would remain in place during the time allowed to appeal the decision. He added that there had been a number of discussions with the Police and Licensing department in respect of conditions which could be attached to the licence and that agreement had been met regarding 9 conditions. He advised that the current Designated Premises Supervisor was currently being removed from the Golden Fleece and that the premises would be transferred to Marston's PLC managed houses division. This would result in a higher level of support for the incoming tenant.

The Sub-Committee retired to make their decision. The Acting Principal Lawyer and the Democratic Services Officer retired with them to offer legal and procedural advice.

When the meeting was reconvened the Acting Principal Lawyer read out the decision of the sub-committee which resolved to lift the suspension of the premises licence whilst imposing a further 9 conditions as detailed below.

**RESOLVED:**

- a      That the suspension of the premises licence imposed at the expedited review on 12 April 2012 be lifted.**
- b      That Mr Nathan Dimbylow be removed as the Designated Premises Supervisor of the premises.**
- c      That the following conditions be attached to the premises licence:**

1. 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 by delegation to the DPS must ensure that a 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/dics shall be kept in a secure environment under the control of the DPS 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 or DPS MUST report the failure to the Police on contact number 0300 333 3000 immediately.
2. An incident log must be kept at the premises, and made immediately available on request to an authorised Trading Standards Officer of Herefordshire Council or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) 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
  - (g) any visit by a relevant authority or emergency service
3. 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 other training recognised and agreed with Trading Standards. (All existing staff shall be trained within one month of the date that this condition appears on this licence. All new staff shall be trained within one month of taking up employed. All staff shall be re-trained six monthly thereafter. Training records shall be kept on the premises which shall show the name of the training course attended, the date of the training, the name of the person undertaking the training and shall be produced to the police, an authorised Trading Standards Officer of Herefordshire Council or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) on demand.
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, an authorised Trading Standards Officer of Herefordshire Council 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 once every 5 metres behind any bar advertising the scheme operated.
5. A written register of refusals (or till based equivalent) will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months and will be collected on a daily basis by the Designated

**Premises Supervisor and produced to the police or an ‘authorised person’ (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.**

6. **The DPS will employ SIA doorstaff at times when a risk assessment dictates door supervision to be necessary.**
  7. **The Premises Licence Holder by delegation to the DPS or a person nominated by them in writing for the purpose, shall maintain a register of door supervisors (when required) which shall be kept on the premises showing the names and addresses of the door supervisors, their badge numbers and shall be signed by the door supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by an ‘authorised person’ (as defined by Section 13 of the Licensing Act 2003), or the Police or an authorised officer of the SIA**
  8. **The premises shall be an active member of the HAND Scheme (Pub Watch) while such a scheme or similar exists.**
  9. **The Premises Licence Holder by delegation to the DPS will ensure that all staff understand their responsibilities to co-operate with the Licensing Authority, any other responsible authority and the Police as to any visit made to the premises by an authorised person or the police as a result of any complaint made regarding the premises.**
- 143. APPLICATION FOR A REVIEW OF A PREMISES LICENCE FOLLOWING AN EXPEDITED REVIEW 'THE GOLDEN FLEECE, 1 ST. OWEN'S STREET, HEREFORD.'** (Pages 5 - 8)

The Licensing Officer advised the Sub-Committee that they were required to undertake a full review of the premises licence within 28 days of an application for an expedited review being received by the Police. He added that there was a right of appeal and that any decision made by the Sub-Committee would have no effect until the appeal had been disposed of.

Mr Gough, representing Marston's PLC, requested that the measures put in place at the interim steps phase be implemented.

Mr Mooney, representing West Mercia Police, agreed that the conditions attached to the licence at the interim steps stage did address the concerns of the police.

The Sub-Committee retired to make their decision. The Acting Principal Lawyer and the Democratic Services Officer retired with them to offer legal and procedural advice.

When the meeting was reconvened the Acting Principal Lawyer read out the decision of the sub-committee which resolved to make permanent the conditions imposed at the interim steps stage including the removal of the Designated Premises Supervisor.

**RESOLVED:**

**That the conditions imposed at the representation made against the interim steps should be made permanent. Those being that:**

- a. **Mr Nathan Dimbylow be removed as the Designated Premises Supervisor of the premises.**

- b. The following conditions as agreed with the applicant, West Mercia Police and Herefordshire Council Trading Standards be attached to the licence:
1. 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 by delegation to the DPS must ensure that a 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 the DPS 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 or DPS MUST report the failure to the Police on contact number 0300 333 3000 immediately.
  2. An incident log must be kept at the premises, and made immediately available on request to an authorised Trading Standards Officer of Herefordshire Council or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) 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
    - (g) any visit by a relevant authority or emergency service
  3. 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 other training recognised and agreed with Trading Standards. (All existing staff shall be trained within one month of the date that this condition appears on this licence. All new staff shall be trained within one month of taking up employed. All staff shall be re-trained six monthly thereafter. Training records shall be kept on the premises which shall show the name of the training course attended, the date of the training, the name of the person undertaking the training and shall be produced to the police, an authorised Trading Standards Officer of Herefordshire Council or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) on demand.
  6. 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, an authorised Trading Standards Officer of Herefordshire Council 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 once every 5 metres behind any bar advertising the scheme operated.

- 7.** A written register of refusals (or till based equivalent) will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months and will be collected on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.
- 6.** The DPS will employ SIA doorstaff at times when a risk assessment dictates door supervision to be necessary.
- 7.** The Premises Licence Holder by delegation to the DPS or a person nominated by them in writing for the purpose, shall maintain a register of door supervisors (when required) which shall be kept on the premises showing the names and addresses of the door supervisors, their badge numbers and shall be signed by the door supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), or the Police or an authorised officer of the SIA
- 8.** The premises shall be an active member of the HAND Scheme (Pub Watch) while such a scheme or similar exists.
- 9.** The Premises Licence Holder by delegation to the DPS will ensure that all staff understand their responsibilities to co-operate with the Licensing Authority, any other responsible authority and the Police as to any visit made to the premises by an authorised person or the police as a result of any complaint made regarding the premises.

The meeting ended at 4.35 pm

**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>APPLICANT'S NAME</b>	Marston's PLC
<b>APPLICATION TYPE</b>	Representation Against Interim Steps
<b>PANEL MEMBERS</b>	Councillor JW Hope MBE (Chairman) Councillor FM Norman Councillor RC Hunt
<b>DATE OF MEETING</b>	8 May 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, and Andrew Cochrane, the Premises Licence Holder's Legal Advisor.

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 Upon hearing the representatives of West Mercia Police and the Solicitor for the Premises Licence Holder the Regulatory Sub Committee has decided to remove the suspension of the premises licence imposed at the expedited review hearing on 12 April 2012.
- 2 The Committee decided to uphold its previous decision made at the expedited review hearing on 12 April 2012 that Mr Nathan Dimbylow be removed as the Designated Premises Supervisor of the premises.
- 3 The Committee decided that the following conditions as agreed with the applicant, West Mercia Police and Herefordshire Council Trading Standards be attached to the licence:
  1. 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

## **HEREFORDSHIRE COUNCIL**

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

Holder by delegation to the DPS must ensure that a 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 the DPS 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 or DPS MUST report the failure to the Police on contact number 0300 333 3000 immediately.

2. An incident log must be kept at the premises, and made immediately available on request to an authorised Trading Standards Officer of Herefordshire Council or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) 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
  - (g) any visit by a relevant authority or emergency service
3. 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 other training recognised and agreed with Trading Standards. (All existing staff shall be trained within one month of the date that this condition appears on this licence. All new staff shall be trained within one month of taking up employed. All staff shall be re-trained six monthly thereafter. Training records shall be kept on the premises which shall show the name of the training course attended, the date of the training, the name of the person undertaking the training and shall be produced to the police, an authorised Trading Standards Officer of Herefordshire Council or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) on demand.
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, an authorised Trading Standards Officer of Herefordshire Council 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 once every 5 metres behind any bar advertising the scheme operated.
5. A written register of refusals (or till based equivalent) will be kept including a description of the people who have been unable to provide required Identification to prove their age. Such records shall be kept for a period of 12 months and will be collected on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

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

6. The DPS will employ SIA doorstaff at times when a risk assessment dictates door supervision to be necessary.
7. The Premises Licence Holder by delegation to the DPS or a person nominated by them in writing for the purpose, shall maintain a register of door supervisors (when required) which shall be kept on the premises showing the names and addresses of the door supervisors, their badge numbers and shall be signed by the door supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), or the Police or an authorised officer of the SIA
8. The premises shall be an active member of the HAND Scheme (Pub Watch) while such a scheme or similar exists.
9. The Premises Licence Holder by delegation to the DPS will ensure that all staff understand their responsibilities to co-operate with the Licensing Authority, any other responsible authority and the Police as to any visit made to the premises by an authorised person or the police as a result of any complaint made regarding the premises.

### **REASONS**

- 1 The Sub Committee noted that the premises licence holder had volunteered a number of conditions which had been agreed with the Police and Trading Standards. The Committee were satisfied that these conditions would address any concerns raised by the Police.

### **APPEAL INFORMATION**

There is no right of appeal in respect of this decision.





## 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>APPLICANT'S NAME</b>	West Mercia Police
<b>APPLICATION TYPE</b>	Full Review of Premises Licence
<b>PANEL MEMBERS</b>	Councillor JW Hope MBE (Chairman) Councillor FM Norman Councillor RC Hunt
<b>DATE OF MEETING</b>	8 May 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, and Andrew Cochrane, the Premises Licence Holder's Legal Advisor.

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**

That the conditions imposed at the representation made against the interim steps should be made permanent. Those being that:

- a. Mr Nathan Dimbylow be removed as the Designated Premises Supervisor of the premises.
- b. The following conditions as agreed with the applicant, West Mercia Police and Herefordshire Council Trading Standards be attached to the licence:
  - 1. 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 by delegation to the DPS must ensure that a member of staff is capable and

## **HEREFORDSHIRE COUNCIL**

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

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 the DPS 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 or DPS MUST report the failure to the Police on contact number 0300 333 3000 immediately.

2. An incident log must be kept at the premises, and made immediately available on request to an authorised Trading Standards Officer of Herefordshire Council or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police, which must record the following:
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  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any visit by a relevant authority or emergency service
3. 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 other training recognised and agreed with Trading Standards. (All existing staff shall be trained within one month of the date that this condition appears on this licence. All new staff shall be trained within one month of taking up employed. All staff shall be re-trained six monthly thereafter. Training records shall be kept on the premises which shall show the name of the training course attended, the date of the training, the name of the person undertaking the training and shall be produced to the police, an authorised Trading Standards Officer of Herefordshire Council or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) on demand.
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, an authorised Trading Standards Officer of Herefordshire Council 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 once every 5 metres behind any bar advertising the scheme operated.
5. A written register of refusals (or till based equivalent) will be kept including a description of the people who have been unable to provide required Identification to prove their age. Such records shall be kept for a period of 12 months and will be collected on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

## **HEREFORDSHIRE COUNCIL**

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

6. The DPS will employ SIA doorstaff at times when a risk assessment dictates door supervision to be necessary.
7. The Premises Licence Holder by delegation to the DPS or a person nominated by them in writing for the purpose, shall maintain a register of door supervisors (when required) which shall be kept on the premises showing the names and addresses of the door supervisors, their badge numbers and shall be signed by the door supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), or the Police or an authorised officer of the SIA
8. The premises shall be an active member of the HAND Scheme (Pub Watch) while such a scheme or similar exists.
9. The Premises Licence Holder by delegation to the DPS will ensure that all staff understand their responsibilities to co-operate with the Licensing Authority, any other responsible authority and the Police as to any visit made to the premises by an authorised person or the police as a result of any complaint made regarding the premises.

### **REASONS**

- 1 The Sub Committee noted that the premises licence holder had volunteered a number of conditions at the representation against interim steps hearing which had been agreed with the Police and Trading Standards. The Committee were satisfied that these conditions would address any concerns raised by the Police. There had been no change of circumstances since the hearing in respect of the interim steps.

### **APPEAL INFORMATION**

Under Schedule 5 Paragraph 8, the applicant or any party making representation may appeal against the decision. Section 9 states that such an appeal must be made to the Magistrates Court within a period of 21 days from the date that the applicant is notified in writing of the decision.

Should you wish to appeal this decision then it is recommended that you obtain your own legal advice or contact the Magistrates Court at Bath Street, Hereford.

