

**MINUTES of the meeting of Regulatory Sub Committee held at Meeting Room 22a, Brockington, 35 Hafod Road, Hereford on Tuesday 2 October 2012 at 10.00 am**

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

**Councillors:** CM Bartrum and Brig P Jones CBE

**54. ELECTION OF CHAIRMAN**

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

**55. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

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

There were no substitutes present at the hearing.

**57. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**58. APPLICATION TO LICENCE A VEHICLE OUTSIDE OF STANDARD CONDITIONS**

The Licensing Officer presented a report about an application to licence a vehicle outside standard condition 6.1 by Mr Craig Hart. Mr Hart wished to licence a Peugeot Partner Tepee which featured a rear door with horizontal hinges not vertical hinges as set out in the Council's standard Conditions.

The Sub-Committee heard from Mr Hart who explained that the vehicle was designed to accommodate large wheelchairs and had ample access to the rear section including side doors and a rear door. He drew members' attention to the detailed specification of the vehicle contained within their agenda packs.

The Sub-Committee discussed the application and were of the opinion that the licensing conditions could be varied to enable the vehicle to be licensed.

**RESOLVED**

**THAT the Councils vehicle licence conditions 6.1 be varied to allow the granting of a private hire vehicle licence in respect of a Peugeot Partner Tepee owned by Mr Craig Hart.**

**59. VARIATION OF PREMISES LICENCE 'THE CROWN INN, LEA, ROSS-ON-WYE, HR9 7JZ.'**

The applicant addressed the sub-committee and advised that she wished to withdraw her application.

She added that she was disappointed that she had not been advised in respect of the Live Music Act 2012 which had resulted in her variation being no longer required. She added that she had been advised that her advertisement was incorrect despite it being a duplicate of the example emailed to her by the licensing team. She wished it to be noted that she was disappointed with the outcome of the application and the unnecessary expenditure to herself and that she would be making a formal complaint through the Council's complaints procedure.

**60. REVIEW OF PREMISES LICENCE 'JAILHOUSE, 1 GAOL STREET, HEREFORD, HR1 2HU.'**

The Regulatory Sub-Committee was re-convened in order to determine an application for a review of a premises licence for The Jailhouse, 1 Gaol Street, Hereford. The Review had been applied for by Herefordshire Council's Licensing team. The review related to three of the licensing objectives, namely the prevention of public nuisance, the protection of children from harm and the prevention of crime and disorder.

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

- James Mooney (West Mercia Police)
- Steven Harrison (Premises Licence Holder)

The Chairman advised the attendees of the hearing procedures and asked if they required an extension to the 10 minute time limit for public speaking, no extensions to the time limit were requested.

The Licensing Officer presented the report. He advised that four conditions had been recommended and that these conditions had been agreed with the applicant. He also advised that the removal of the current designated premises supervisor was also an issue that the sub-committee should consider.

Mr Mooney, representing West Mercia Police, addressed the sub-committee. He advised that there had been a high number of issues at the premises recently and that in his opinion the licensing objectives were not being promoted. He added that there had been a number of issues relating to drug offences with a number of positive searches resulting from a new door team being put in place. He added that the premises licence holder had agreed to the proposed conditions as well as the removal of the existing Designated Premises Supervisor. He praised the positive steps the premises licence holder had undertaken, including the provision of a drug detection dog, but felt that further steps needed to be taken. He also requested that a clear message needed to be communicated on any promotional material for the premises advising people that there was a zero tolerance approach to drugs and disorder.

Mr Harrison, the premises licence holder, addressed the Sub-Committee. He apologised for having to appear before them in regarding the review and admitted that there had been a number of failures over the previous years. He added that steps had been taken in the previous weeks to address the concerns of the police and this had resulted in 48 removals and 22 refusals in the previous 3 weeks. He drew Members' attention to the statistics which stated that in 2011-2012 three million adults used illegal drugs, demonstrating that there was a national issue and not a matter solely linked to the Jailhouse. He did however state that the steps introduced recently had benefited the Jailhouse and that further improvements would be demonstrated over time.

In response to a question, Mr Harrison advised that the current Designated Premises Supervisor would be removed within a week. He added that a revocation or suspension of the licence would be detrimental and that continued working with the police would be

the most appropriate outcome. Mr Mooney confirmed that there had been good partnership working between himself and the Jailhouse and that this would continue.

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

## **RESOLVED**

**That the determination of the application be adjourned for a period of 2 months.**

**That the current Designated Premises Supervisor be removed from the premises within a period of 10 working days.**

### **61. REVIEW OF PREMISES LICENCE 'THE SPREAD EAGLE, 2 KING STREET, HEREFORD, HR4 9BW.'**

The Licensing Officer advised that following the review the applicant had submitted a minor variation which had addressed the concerns of the licensing authority, therefore the application could be withdrawn.

The meeting ended at 11.35 am

**CHAIRMAN**