

# AGENDA

## Regulatory Sub Committee

Date: **Tuesday 16 October 2012**

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Time: **10.00 am**

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Place: **The Council Chamber, Brockington, 35 Hafod Road,  
Hereford**

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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](mailto:rclarke@herefordshire.gov.uk)

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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](mailto:rclarke@herefordshire.gov.uk) in advance of the meeting.

# **Agenda for the Meeting of the Regulatory Sub Committee**

## **Membership**

**Councillor PL Bettington  
Councillor JW Hope MBE  
Councillor Brig P Jones CBE**

## AGENDA

		Pages
1.	<b>ELECTION OF CHAIRMAN</b> To elect a Chairman for the hearing.	
2.	<b>APOLOGIES FOR ABSENCE</b> To receive apologies for absence.	
3.	<b>NAMED SUBSTITUTES (IF ANY)</b> To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.	
4.	<b>DECLARATIONS OF INTEREST</b> To receive any declarations of interest by Members in respect of items on the Agenda.	
5.	<b>APPLICATION FOR A PUBLIC PATH DIVERSION ORDER 'FOOTPATH LQ48 IN THE PARISH OF LONGTOWN.'</b> To consider an application under the Highways Act 1980, section 119, to make a public path diversion order to divert part of footpath LQ48 in the parish of Longtown.	1 - 6
6.	<b>APPLICATION FOR A PUBLIC PATH DIVERSION ORDER 'FOOTPATH LR4 IN THE PARISH OF LEDBURY RURAL.'</b> To consider an application under the Highways Act 1980, section 119, to make a public path diversion order to divert part of footpath LR4 in the parish of Ledbury Rural.	7 - 12
7.	<b>APPLICATION FOR A PUBLIC PATH DIVERSION ORDER 'FOOTPATH WA8 IN THE PARISH OF WALFORD.'</b> To consider an application under the Highways Act 1980, section 119, to make a public path diversion order to divert part of footpath WA8 in the parish of Walford.	13 - 18
8.	<b>APPLICATION TO LICENCE A VEHICLE OUTSIDE OF THE STANDARD VEHICLE LICENCE CONDITIONS</b> To decide whether to licence a vehicle outside the standards vehicle licence conditions.	19 - 26
9.	<b>APPLICATION FOR A NEW PREMISES LICENCE 'THE STEINER ACADEMY, HEREFORD, HR2 8DL.'</b> To consider an application for the grant of a premises licence in respect of the 'Steiner Academy, Hereford, HR2 8DL'.	27 - 30
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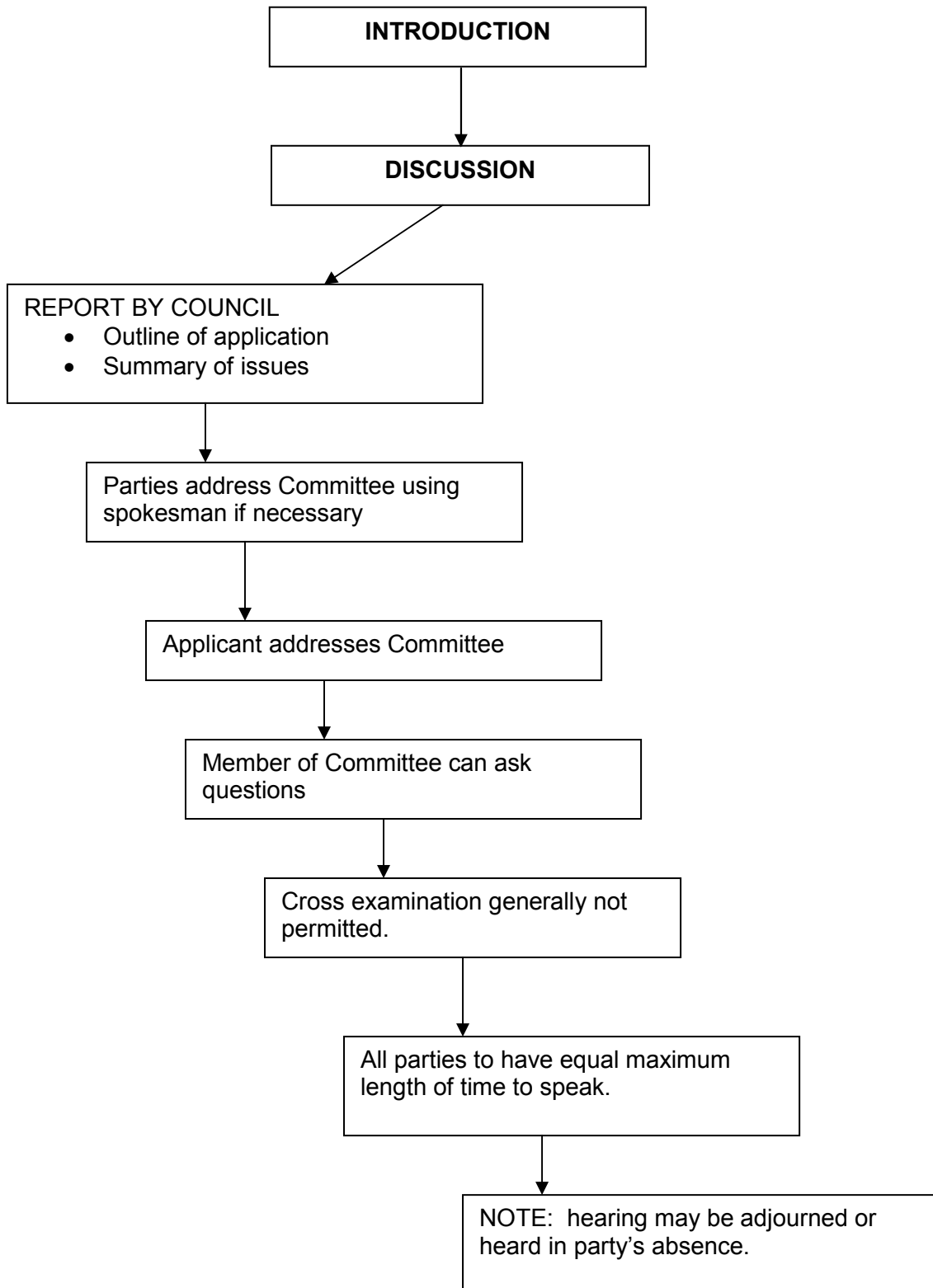
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## LICENCING HEARING FLOW CHART





<b>MEETING:</b>	<b>REGULATORY SUB-COMMITTEE</b>
<b>DATE:</b>	<b>16 OCTOBER 2012</b>
<b>TITLE OF REPORT:</b>	<b>HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION ORDER FOOTPATH LQ48 (PART) IN THE PARISH OF LONGTOWN</b>
<b>PORTFOLIO AREA:</b>	<b>HIGHWAYS AND TRANSPORTATION</b>

**CLASSIFICATION:** Open

### **Wards Affected**

Golden Valley South

### **Purpose**

To consider an application under the Highways Act 1980, section 119, to make a public path diversion order to divert part of footpath LQ48 in the parish of Longtown.

### **Key Decision**

This is not a Key Decision.

### **Recommendation**

That a public path diversion order is made under Section 119 of the Highways Act 1980, as illustrated on drawing number: D424/247-48

### **Key Points Summary**

- An application was made by Mrs Jill Hedges on 15<sup>th</sup> of May 2012 to divert footpath LQ48 out of the garden of Pontynys Mill.
- Mrs Hedges sent consultation letters to all of the user groups and the statutory undertakers.
- An objection was received from the Open Spaces Society.
- The applicant amended the proposals and sent them to further consultation to which no objections were received.
- The applicant has agreed to pay all the necessary costs involved in making an order.

### **Alternative Options**

- 1 Under Section 119 of the Highways Act 1980 the Council has the power to make diversion orders. It does not have a duty to do so. The Council could reject the application on the grounds that it does not contribute sufficiently to the wider ambitions and priorities of the Council.

## Reasons for Recommendations

- 2 The public path order should be made because it is felt that it meets the criteria set out in s 119 of the Highways Act and the Council's Public path order policy and there have been no objections at pre-order consultation stage.

## Introduction and Background

- 3 Before an order is made to divert a footpath under the Highways Act, it is necessary to gain a decision from the Regulatory Committee as they have the delegated authority to make this decision.

## Key Considerations

- 4 Mrs Jill Hedges, who is the landowner, made the application on 15<sup>th</sup> of May 2012. The reasons given for making the application were that *'when the house was purchased in 1987, there were two sworn statements asserting that LQ48 was unused. This is no longer the case and our peace and privacy is disturbed'*. In fact LQ48 is part of the Monnow Valley Walk, which is a well-used promoted route travelling through the garden of Pontynys Mill.
- 5 The applicant has carried out all pre order consultation. The initial proposal received an objection from the Open Spaces Society. However, the applicant then amended the proposals and re-sent them to pre-order consultation to which there were no adverse comments. The adjoining landowner (Sue Garrett), whose property is affected by the application, has agreed in writing to the proposals.
- 6 The applicant has agreed to pay for advertising and to reimburse, in full, the Council's costs incurred in making the diversion order.
- 7 The Local Member, has been consulted and Cllr. G J Powell has replied that he supports the application.
- 8 The proposed diversion meets the specified criteria as set out in Council policy and section 119 of the Highways Act 1980 in particular that:
- The proposal benefits the owner of the land crossed by the existing path.
  - The proposal does alter the point of termination of the path, but only to a point which is equally as convenient.
  - The proposal is not substantially less convenient to the public.

## Community Impact

- 9 Longtown Parish Council has been consulted and has given its support to the proposals.

## Financial Implications

- 10 The applicant, Mrs Jill Hedges, has agreed to reimburse the Council for the administration costs involved in making the order and to pay for the associated works and advertising.

## **Legal Implications**

- 11 Under Section 119 of the Highways Act 1980 the Council has the power to make diversion orders. It does not have a duty to do so

## **Risk Management**

- 12 If the order is made as suggested, it may receive objections which could result in a public inquiry which would increase demands on officer time and resources, however, this risk has been minimised by carrying out the pre-order consultation to which there were no objections.

## **Equality Implications**

- 13 The existing legal line of the path currently passes through the old mill building and is thus obstructed, however, the walked line of the path around the edge of the building passes up a number of steep steps to the east of the building. The proposed route, although travelling up and then down a slope through a field to the north-east of Pontynys Mill, will not encounter any steps and as such the proposal is considered to comply with the requirements of the Equality Act 2010.

## **Consultees**

- Prescribed organisations as per Defra Rights Of Way Circular 1/09.
- Local Member – Cllr. G J Powell
- Longtown Parish Council.
- Statutory Undertakers.

## **Appendices**

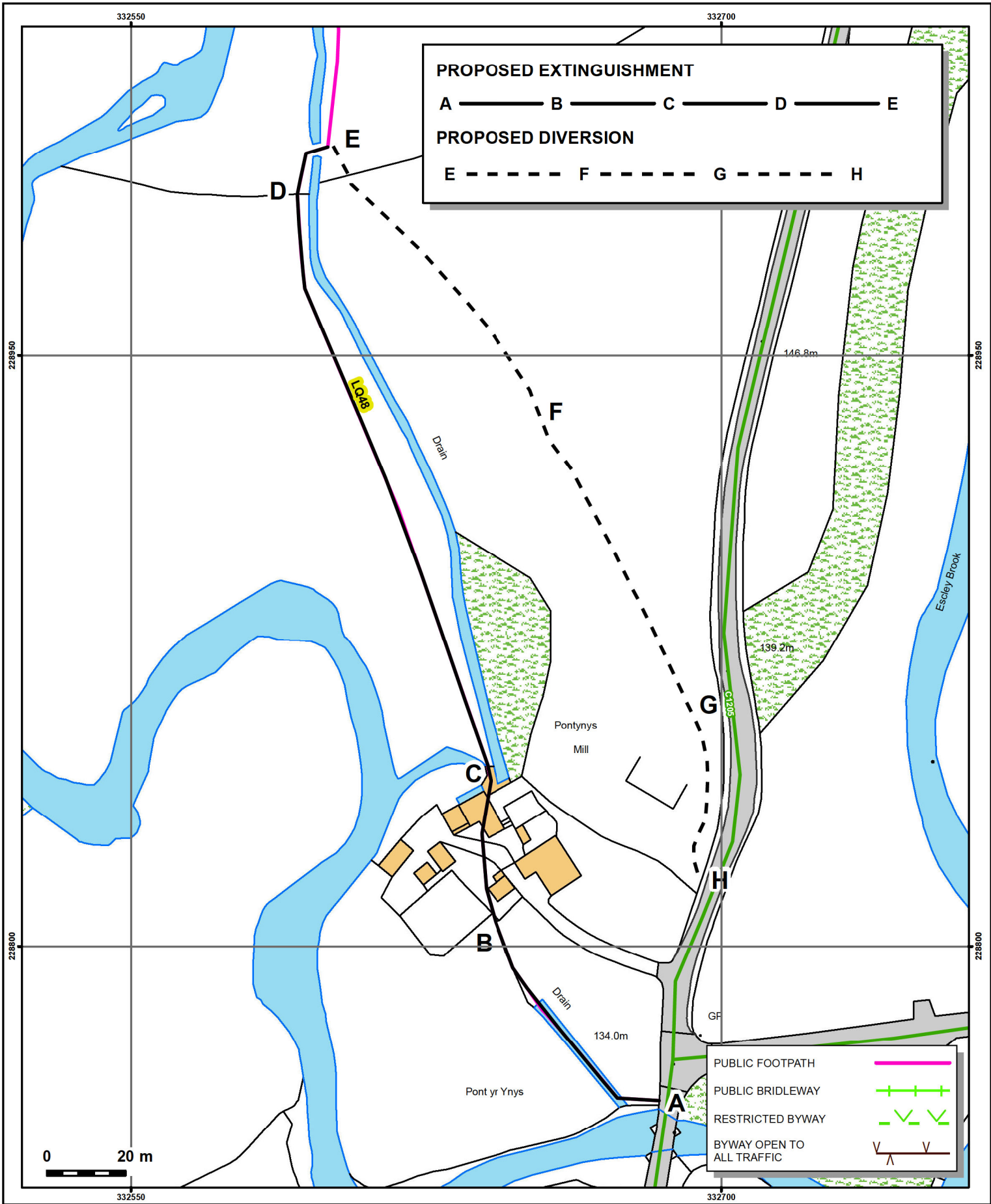
- 14 Order Plan, drawing number: D424/247-48 and Order and Schedule.

## **Background Papers**





- None identified.







**PROPOSED EXTINGUISHMENT**  
 A ——— B ——— C ——— D ——— E  
**PROPOSED DIVERSION**  
 E - - - - F - - - - G - - - - H

**PUBLIC FOOTPATH**   
**PUBLIC BRIDLEWAY**   
**RESTRICTED BYWAY**   
**BYWAY OPEN TO ALL TRAFFIC** 



**HIGHWAYS ACT 1980, SECTION 119**  
**HEREFORDSHIRE COUNCIL-PUBLIC FOOTPATH LQ48**  
**PARISH OF LONGTOWN**  
**PUBLIC PATH DIVERSION ORDER 2012**

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**DWG No.: D424/247-48**  
**SCALE 1:1,250@A4**

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<b>MEETING:</b>	<b>REGULATORY SUB-COMMITTEE</b>
<b>DATE:</b>	<b>16 OCTOBER 2012</b>
<b>TITLE OF REPORT:</b>	<b>HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION ORDER FOOTPATH LR4 (PART) IN THE PARISH OF LEDBURY RURAL</b>
<b>PORTFOLIO AREA:</b>	<b>HIGHWAYS AND TRANSPORTATION</b>

**CLASSIFICATION:** Open

### **Wards Affected**

Ledbury

### **Purpose**

To consider an application under the Highways Act 1980, section 119, to make a public path diversion order to divert part of footpath LR4 in the parish of Ledbury Rural.

### **Key Decision**

This is not a Key Decision.

### **Recommendation**

That a public path diversion order is made under Section 119 of the Highways Act 1980, as illustrated on drawing number: D423/221-4

### **Key Points Summary**

- An application was made by Mr J Heard in August 2011
- The applicant carried out a pre-order consultation to which there was an objection from Welsh Water.
- Welsh Water have since withdrawn their objection.
- The neighbouring landowner, who is also affected, agrees with the proposals.

### **Alternative Options**

- 1 Under Section 119 of the Highways Act 1980 the Council has the power to make diversion orders. It does not have a duty to do so. The Council could reject the application on the grounds that it does not contribute sufficiently to the wider ambitions and priorities of the Council.

## Reasons for Recommendations

- 2 The public path order should be made because it is felt that it meets the criteria set out in s119 of the Highways Act and the Council's Public path order policy and any objections received at pre-order consultation stage have been over-come.

## Introduction and Background

- 3 This report is being considered by the Regulatory Sub-Committee because they have the delegated authority to make the decision whether or not to make an order.

## Key Considerations

- 4 Mr J Heard, who is the landowner, made the application on 11<sup>th</sup> of August 2011. The reasons given for making the application were, 'to restore the footpath to use after it was blocked by a farm building, put up in the 1980's by previous landowners'.
- 5 The applicant has carried out all pre order consultation. The proposal has general agreement and the adjoining landowner Mr Nigel Smith, whose property is also affected by the application has given his written consent for the proposals.
- 6 The applicant has agreed to pay for advertising and to reimburse, in full, the Council's costs incurred in making the diversion order.
- 7 The local members, Cllr. Bettington, Cllr Harvey and Cllr Watts have no objections to the proposals.
- 8 The proposed diversion meets the specified criteria as set out in Council policy and in section 119 of the Highways Act 1980 in particular that:
- The proposal benefits the owner of the land crossed by the existing path.
  - The proposal alters the point of termination of the path but only to a point which is substantially as convenient.
  - The proposal is not substantially less convenient to the public.

## Community Impact

- 9 Ledbury Town Council has been consulted as part of the pre-order consultation and did not hold any objections to the proposals.

## Financial Implications

- 10 The applicant, Mr Heard, has agreed to pay for all administration, advertising costs and any works necessary for the making of the proposed order. Legal Implications
- 11 Under Section 119 of the Highways Act 1980 the Council has the power to make diversion orders. It does not have a duty to do so

## Risk Management

- 12 There is a risk that if an order is made as proposed, objections may be received which would cause the matter to be referred to the Secretary of State for a decision. This could result in a public inquiry which would have an impact upon existing public rights of way resources.

However, this is unlikely to occur as a comprehensive pre-order consultation has been carried out to which only one objection was received, which has since been withdrawn.

## **Equality Implications**

- 13 The proposed new route and the existing legal line is obstructed by a barn, however, if the barn was removed, users would be required to walk down and then up very steep banks to the level area of ground on which the barn stands. The proposed route of the right of way does not have these steep slopes. The existing path passes over a stile at point A and two fence lines surrounding the barn, however the proposed route is intended to pass through a pedestrian gate then there will not be any further structures along the route of the diverted path. Therefore the proposed route is deemed to be much more accessible than the existing route and as such, the proposal is considered to comply with the requirements of the Equality Act 2010.

## **Consultees**

- Prescribed organisations as per Defra Rights Of Way Circular 1/09.
- Local Members – Cllr. Bettington, Cllr. Harvey and Cllr Watts.
- Ledbury Town Council.
- Statutory Undertakers.

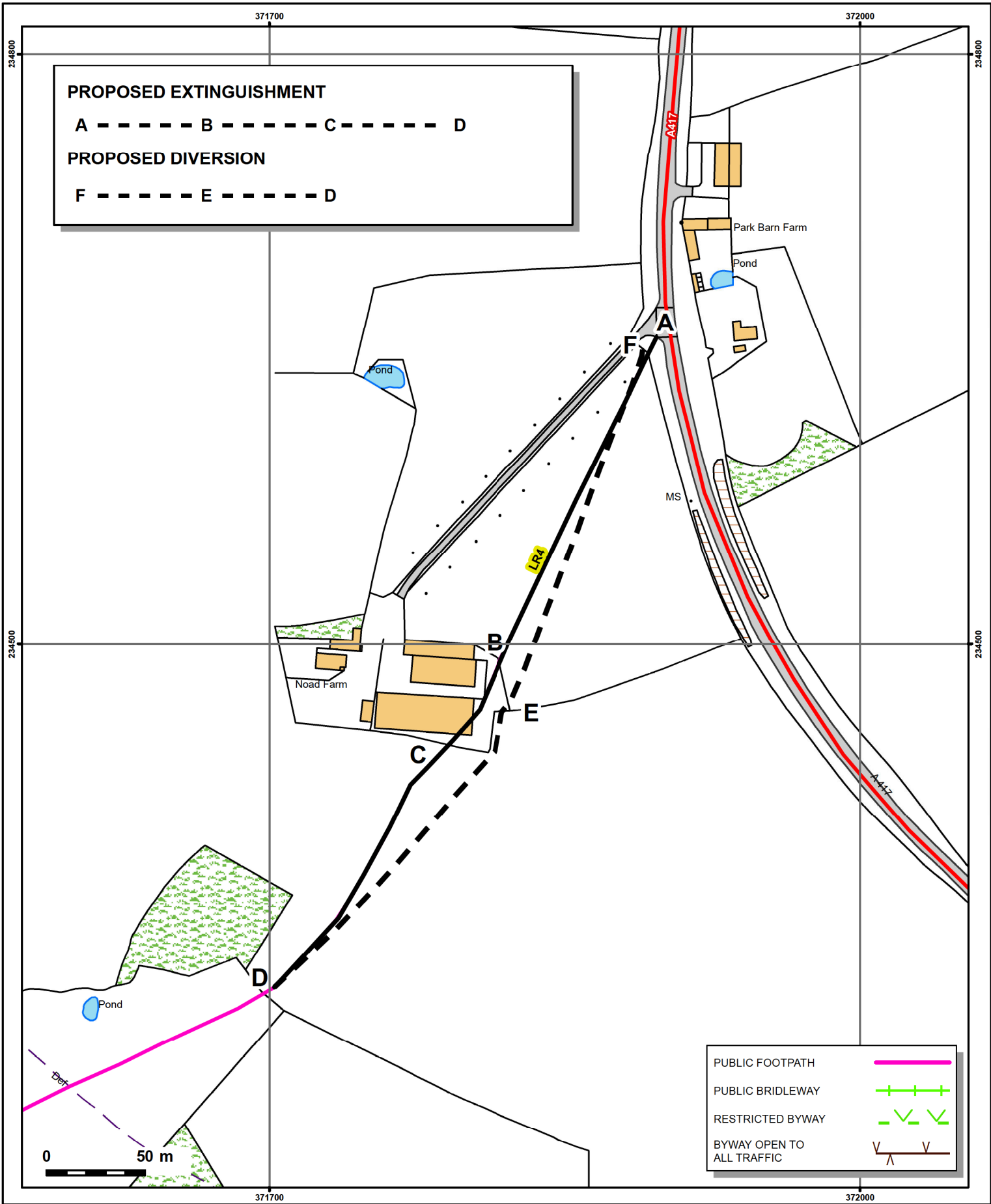
## **Appendices**

Order Plan, drawing number: D423/221-4 and Order and Schedule.

## **Background Papers**

- None identified.





**HIGHWAYS ACT 1980, SECTION 119**  
**HEREFORDSHIRE COUNCIL-PUBLIC FOOTPATH LR4 (PART)**  
**PARISH OF LEDBURY**  
**PUBLIC PATH DIVERSION ORDER 2012**

**DWG No.: D423/221-4(ii)**  
**SCALE 1:2,500@A4**

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 Rotherwas Industrial Estate  
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<b>MEETING:</b>	<b>REGULATORY SUB-COMMITTEE</b>
<b>DATE:</b>	<b>16 OCTOBER 2012</b>
<b>TITLE OF REPORT:</b>	<b>HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION ORDER FOOTPATH WA8 (PART) IN THE PARISH OF WALFORD</b>
<b>PORTFOLIO AREA:</b>	<b>HIGHWAYS AND TRANSPORTATION</b>

**CLASSIFICATION:** Open

### **Wards Affected**

Kerne Bridge

### **Purpose**

To consider an application under the Highways Act 1980, section 119, to make a public path diversion order to divert part of footpath WA8 in the parish of Walford.

### **Key Decision**

This is not a Key Decision.

### **Recommendation**

That a public path diversion order is made under Section 119 of the Highways Act 1980, as illustrated on drawing number: D407/395-8(ii)

### **Key Points Summary**

- An application was made by the landowner, Mr Kenneth Hurley in August 2010.
- The application received objections from the Open Spaces Society and the Ramblers' Association at pre-order consultation stage.
- The proposed route was amended and a further pre-order consultation was carried out to which there were no objections.

### **Alternative Options**

- 1 Under Section 119 of the Highways Act 1980 the Council has the power to make diversion orders. It does not have a duty to do so. The Council could reject the application on the grounds that it does not contribute sufficiently to the wider ambitions and priorities of the Council.

### **Reasons for Recommendations**

- 2 The public path order should be made because it is felt that it meets the criteria set out in

s119 of the Highways Act and the Council's Public path order policy and there have been no objections at pre-order consultation stage.

## **Introduction and Background**

- 3 Before an order is made to divert a footpath under the Highways Act 1980, it is necessary to gain a decision from the Regulatory Committee as they hold the delegated authority to make this decision.

## **Key Considerations**

- 4 Kenneth Hurley, who is the landowner, made the application in August 2010. The reasons given for making the application were to improve security for Old Hill Court and enable them to install an electronic gate.
- 5 The applicant has carried out all pre order consultation. The proposal has general agreement, although both the Ramblers' Association and the Open Spaces Society made comments which the landowner has agreed to comply with (walkers refuge set off the road, width of 2metres and clearance of vegetation) and the adjoining landowner Mr E Drummond, whose property is also affected by the application has also given his written consent to the proposals.
- 6 The local member, Cllr. J G Jarvis does not object to the proposals.
- 7 The proposed diversion meets the specified criteria as set out in Council policy and in section 119 of the Highways Act 1980 in particular that:
- The proposal benefits the owner of the land crossed by the existing path.
  - The proposal does alter the point of termination of the paths, however this is onto a connecting highway which is substantially as convenient to the public.
  - The proposal is not substantially less convenient to the public.

## **Community Impact**

- 8 A pre-order consultation has been carried out by the landowner including consulting the Parish Council to which there were no objections.

## **Financial Implications**

- 9 The applicant has agreed to pay for advertising and to reimburse, in full, the Council's costs incurred in making the diversion order, however, these are set at the time of application ie £800 administration fee plus advertising costs and the costs of works necessary to bring the new route into being.

## **Legal Implications**

10. Under Section 119 of the Highways Act 1980 the Council has the power to make diversion orders. It does not have a duty to do so.

## **Risk Management**

- 11 There is a risk that if an order was made as suggested, it could receive objections which would require the matter to be referred to the Secretary of State for approval. This could result in a public inquiry which would increase demands on officer time and resources.

However, a pre-order consultation has been carried out to which there were no objections, therefore making this risk unlikely.

## **Equality Implications**

- 12 The proposed new route has a gentle slope passing through the woodland then down along the field headland. The existing route has a similar slope along the driveway to Old Hill Court. As such, the proposal is considered to comply with the requirements of the Equality Act 2010.

## **Consultees**

- Prescribed organisations as per Defra Rights Of Way Circular 1/09.
- Local Member – Cllr. JG Jarvis
- Walford Parish Council.
- Statutory Undertakers.

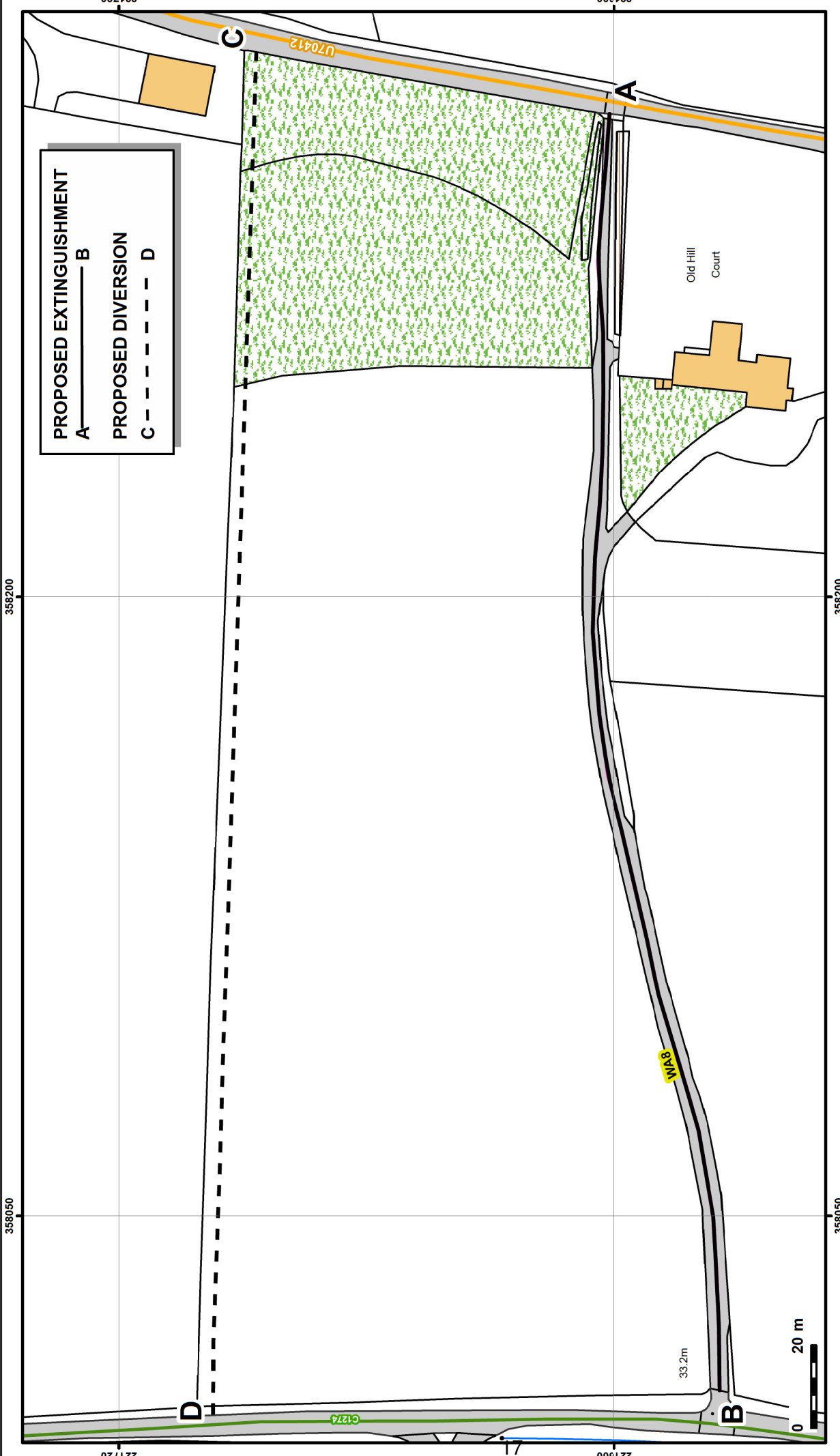
## **Appendices**

Order Plan, drawing number: D407/395-8(ii) and Order and Schedule.

## **Background Papers**

- None identified.





**HIGHWAYS ACT 1980, SECTION 119  
HEREFORDSHIRE COUNCIL-PUBLIC FOOTPATH WA8(PART)  
PARISH OF WALFORD  
PUBLIC PATH DIVERSION ORDER 2012**

**DWG No.: D407/395 - 8(ii)  
SCALE 1: 1,250 @ A4**


 Herefordshire Council


**NORTH**

0 20 m

33.2m

WAB

Old Hill Court

U70412

C1274

A ——— B  
 C ——— D

A ——— B  
 C - - - - D

PUBLIC FOOTPATH  
 PUBLIC BRIDLEWAY  
 RESTRICTED BYWAY  
 BYWAY OPEN TO ALL TRAFFIC

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<b>MEETING:</b>	<b>REGULATORY SUB-COMMITTEE</b>
<b>DATE:</b>	<b>16 OCTOBER 2012</b>
<b>TITLE OF REPORT:</b>	<b>APPLICATION TO LICENCE A VEHICLE OVER 2 YEARS OF AGE AS A NEW PRIVATE HIRE VEHICLE OUTSIDE STANDARD CONDITION 3.1 i) BY MR LESLIE RAYMOND KNAPMAN</b>
<b>PORTFOLIO AREA:</b>	<b>HEALTH AND WELLBEING</b>

**CLASSIFICATION:** open

### **Wards Affected**

Countywide

### **Purpose**

To decide whether to licence a vehicle outside the standards vehicle licence conditions.

### **Key Decision**

This is not a Key Decision.

### **Recommendation(s)**

**THAT the Regulatory Committee:**

- (a) Refuses to allow this vehicle to be licensed outside of the standard condition.**

### **Key Points Summary**

- Application made on 5 October 2012 to consider allowing this vehicle to be licensed outside standard conditions.
- This vehicle was first registered on 9 September 2009 which means that it does not comply with the following condition:
  - 3.1 For a new Private Hire Licence application, the vehicle to be licensed shall not be more than:
    - i. Two years old for any other type of vehicle.

The age of the vehicle shall be determined by the date of first registration on the registration document.

## Alternative Options

- 1     **The licence can be granted**  
**Advantages:** There would be no risk of any legal challenge.  
**Disadvantages:** It does not comply with licence conditions and similar applications have been considered and refused in the past.  
**Reason why Head of Service has not recommended alternative 1:** Although this has been considered it has not been recommended as it is not consistent with the approved conditions.
  
- 2     **To defer the decision in order to get more information**  
The Committee could make a decision to defer the decision while more information is requested.  
**Advantages:** Gives the opportunity for the applicant to produce further information in support of the application and allows him a fair hearing.  
**Disadvantages:** This would delay the decision process and may mean that the livelihood of the applicant could be affected and further costs would be incurred in another committee hearing.  
**Reason why Head of Service has not recommended alternative 2:** It is felt that any information required to reach a decision has been provided within the application.
  
- 3     **To reach some other decision**  
**Advantages:** This leaves other solutions open to the Committee to resolve the application.  
**Disadvantages:** There are no clear directions from the Head of Service with respect to other options.  
**Reason why Head of Service has not recommended alternative 3:** It is difficult to envisage what other decision could be reached.

## Reasons for Recommendations

- 4     The conditions were extensively consulted upon and agreed by Members at the Regulatory Sub-Committee. Whilst each application must be considered on its own merits there does not appear to be any compelling circumstances to deviate from conditions. The condition regarding age has been in place since 2002 and the applicant is fully aware of this condition.

## Introduction and Background

- 5     Under the terms of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 local authorities may make reasonable conditions for the regulation of both hackney carriages and private hire vehicles, drivers and operators.

## Key Considerations

- 6     Whether or not, in the given circumstances, the licence should be granted outside the standard conditions.

## Community Impact

- 7     It is felt that any decision made will have very little or no impact on the community.

## Financial Implications

- 8     Not applicable



## **Legal Implications**

- 9 Under the Local Government (Miscellaneous Provisions) Act 1976 there is a right of appeal to a Magistrates Court within 21 days of notification of the decision being served on the applicant.

## **Appendices**

- 10 Appendix 1 – Copy of standard licence conditions  
Appendix 2 – Copy of application dated 5 October 2012

## **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.





Receipt No:  
 316878  
 .....  
 Income Code  
 I91130 C05027 9126  
 Date: 4.7.12

Application for grant/renewal of a  
**VEHICLE LICENCE OUTSIDE STANDARD LICENCE CONDITIONS**

PLEASE TICK		PLEASE TICK	
PRIVATE HIRE VEHICLE	✓	GRANT	✓
HACKNEY CARRIAGE VEHICLE		RENEWAL	
Reasons for application being outside conditions	Vehicle registered 09.09.2009 - more than 2 yrs old		

Surname (MR.MRS.MISS) KNAPMAN Maiden Name.....

All Forenames LESLIE RAYMOND Previous Surnames/Aliases.....

Date of Birth 17.02.67 Place of Birth HEREFORDSHIRE Sex M

Present address [REDACTED] ROSS-ON-WYE

HEREFORDSHIRE Post Code HR9 5UD

Telephone Number: Business [REDACTED] Home.....

Mobile [REDACTED]

E-mail [REDACTED]

**PREVIOUS ADDRESSES IN LAST 12 MONTHS IF APPLICATION IS FOR RENEWAL**

[REDACTED] Ross-on-wye Herefordshire

**GIVE NAMES AND ADDRESSES OF ANY CHANGE OF EMPLOYER, DURING THE PAST 12 MONTHS IF APPLICATION IS FOR RENEWAL**

Name and address of proprietor of the vehicle AS ABOVE

(Where applicant is partnership, limited company or other incorporated body)  
 Name of partnership, company or other incorporated body.

AS ABOVE  
 Address of Registered Office

AS ABOVE  
 Address from which business will be conducted.



(To be completed in respect of each Director and/or Partner using a separate sheet as necessary)

Surname..... Forename(s).....

Address.....

Date of Birth..... Driver's Badge No.....

**PARTICULARS OF VEHICLE**

- 1. NAME ON REGISTRATION DOCUMENT L. R. KNAPMAN
- 2. MAKE MERCEDES
- 3. MODEL E220 SE
- 4. TYPE OF BODY SALOON
- 5. COLOUR(S) SILVER
- 6. NO. OF SEATS (EXC DRIVER) 4
- 7. DATE OF 1<sup>ST</sup> REGISTRATION 9.9.2009
- 8. REGISTRATION NO. [REDACTED]
- 9. PLATE NO. [REDACTED]
- 10. ENGINE CAPACITY 2.2
- 11. FUEL (PETROL DIESEL /LPG)
- 12. CHASSIS/BODY NO. [REDACTED]
- 13. ENGINE NO. [REDACTED]

**ANY ALTERATIONS TO VEHICLE IN PAST 12 MONTHS IF APPLICATION IS FOR RENEWAL YES/NO (if yes, please notify on a separate sheet)**

Is the Vehicle Wheelchair accessible? YES/NO NO

Does the vehicle have a meter fitted? YES/NO NO

Make:..... Model:.....

Address at which vehicle will be garaged..... AS OVERLEAF

Insurance Company..... TRADEX

Insurance Valid From..... 15.06.12 ..... To..... 15.06.13

Persons covered to drive with limitations (if any) ie. Age restriction, insured only.

..... LESLIE KNAPMAN ..... ALAN KNAPMAN

Hackney/Private Hire Cover.....

Where is the Fire Extinguisher kept?..... BOOT

Is the vehicle to be used to undertake Social Service/Education Dept Contract? YES/NO NO

If YES, state type of contract.....

**NB Drivers on Social Services/Education Contract journeys must hold a County Transport Badge in addition to their Dual Driver Badge.**

Contact - Children and Young People's Directorate, School Admissions and Transport Department  
Blackfriars PO Box 185 Blackfriars Street Hereford HR4 9ZR  
Office Tel No: 01432 260928 Email: [schooltransport@herefordshire.gov.uk](mailto:schooltransport@herefordshire.gov.uk)



Has the applicant held Vehicle Licences granted by this or any other authority: **YES/NO**  
If **YES**, give details: (Continue on separate sheet if necessary).

NAME OF AUTHORITY	REGISTRATION NO	PLATE NO
HEREFORDSHIRE	[REDACTED]	[REDACTED]

Have any licences in respect of Private Hire or Hackney Carriage held by you ever been revoked, suspended or refused by any other authority? **YES/NO**

If **YES**, give details.....

NAME, ADDRESS AND BADGE NO. of all persons who will be driving

D5058 LESLIE KNAPMAN

Name and address of Company/Group for whom vehicle will operate. ALAN & TAXIS

Signature of Operator.....

I certify that the above answers are true and understand that if there are any omissions or false statements, my application will be refused or if a licence has been issued, it will be liable to immediate suspension or revocation.

I understand that any licence issued to me is subject to the provisions of the Town Police Clauses Act 1847, the Local Government (miscellaneous Provisions) Act 1976 and any conditions and byelaws that may be in force from time to time within the Licensing Authority. I further understand that any vehicle licence plate issued to me will remain in the ownership of Herefordshire Council.

I enclose the following:

1. Certificate of Insurance
2. Registration Document
3. Certificate of Compliance (issued by Council testing depot)
4. Vehicle Inspection Certificate (issued by Council testing depot)

I certify that I have received, read and understood the conditions in relation to the issue of a hackney carriage/private hire vehicle licence and agree that information in relation to my application may be shared with other directorates within Herefordshire Council.

Signature..... Date..... 5.12.12.....

**ON COMPLETION PLEASE SUBMIT THIS FORM, WITH THE REQUIRED FEE AND DOCUMENTATION TO ONE OF THE HEREFORDSHIRE COUNCIL CUSTOMER SERVICE CENTRES**

Any queries regarding any aspect of this application please contact the Taxi Licensing Office.

Tel: 01432 260105



**PARTNER**

**(THIS FORM TO BE COMPLETED BY THE SECOND LICENCE HOLDER, IF YOU INTEND TO HAVE TWO NAMES ON YOUR LICENCE)**

**VEHICLE LICENCE**

Surname (MR.MRS.MISS.MS).....Maiden Name.....

All Forenames.....Previous Surnames/Aliases.....

Date of Birth.....Place of Birth.....Sex M/F

Present Address.....

.....Post Code.....

Telephone Number: Business.....Home.....

**Particulars of Vehicle**

**REGISTRATION NO.** \_\_\_\_\_

**PLATE NO.** \_\_\_\_\_

I certify that the above answers are true and understand that if there are any omissions or false statements, my application will be refused or if a licence has been issued, it will be liable to immediate suspension or revocation.

I understand that any licence issued to me is subject to the provisions of the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976 and any conditions and byelaws that may be in force from time to time within the Licensing Authority. I further understand that any vehicle licence plate issued to me will remain in the ownership of Herefordshire Council.

I certify that I have received, read and understood the conditions in relation to the issue of a hackney carriage/private hire vehicle licence and agree that information in relation to my application may be shared with other directorates within Herefordshire Council.

Signature.....Date.....

Data Protection Act 1998

This policy covers the treatment of personal data that Herefordshire Council may collect when you e-mail us, complete an application form, or when you complete and submit an online form on our web site.

When completing forms you may be asked for personal information such as name, address, postcode etc. It is only when you supply this type of information that you can be personally identified.

Herefordshire Council is registered with the Data Protection Act 1998 for the purpose of processing personal data in the performance of its legitimate business. Any information held by the Council will be processed in compliance with the principles set out in the Act. Where necessary we may share this personal data with partner organisations for the protection of public funds administered which may include the prevention or detection of fraud and auditing purposes.

Further information relating to the Data Protection Act 1998 can be sent to you on request. If you have concerns about the processing of your personal data by the Council you may contact the Council's Data Protection Officer:

Data Protection Officer,, County Secretary and Solicitor, Herefordshire Council, Brockington, 35 Hafod Road, Hereford HR1 1SH

<b>MEETING:</b>	<b>REGULATORY SUB-COMMITTEE</b>
<b>DATE:</b>	<b>16 OCTOBER 2012</b>
<b>TITLE OF REPORT:</b>	<b>APPLICATION FOR A NEW PREMISES LICENCE THE 'STEINER ACADEMY HEREFORD, MUCH DEWCHURCH, HR2 8DL' – LICENSING ACT 2003</b>
<b>PORTFOLIO AREA:</b>	<b>HEALTH AND WELLBEING</b>

**CLASSIFICATION:** Open

### **Wards Affected**

Ross on Wye East

### **Purpose**

To consider an application for the grant of a premises licence in respect of the 'Steiner Academy, Hereford, HR2 8DL'.

### **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**

- **Three (3)** relevant representation from members of the public

### **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	<b>Steiner Academy Hereford</b> <b>Much Dewchurch, Hereford, HR2 8DL.</b>	
Representative	<b>N/A</b>	
Type of application: <b>New Application</b>	Date received: <b>22/08/2012</b>	28 Days consultation <b>18/09/2012</b>

### 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 that the premises be licensed as follows:

Plays, Films, Recorded Music, Performance of Dance, Anything of similar nature to Live/Recorded Music and Dancing, (All indoors)

Monday to Friday                      1600 – 2230  
Saturday                                    0800 – 2230

Non Standard Timings  
During School Holidays                0800 – 2230

Seasonal variations:                    None

*(Whilst an application has been made for facilities for music and dancing or anything similar this is no longer licensable under the Licensing Act following introduction of the Live Music Act 2012)*

### Summary of Representations

- 7 A copy of the representations can be found within the background papers.



There are three (3) relevant representations made by members of the public

## Key Considerations

- 8 To consider what action should be taken, if any, to promote the four licensing objectives in accordance with the recommendation.

## 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.

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.

Furthermore the Thwaites case established that only conditions should be attached to a licence with a view to promoting the Licensing objectives and that 'real evidence' must be presented to support the reason for imposing these conditions.

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.

The committee should be aware that the Live Music Act 2012 commenced on 1<sup>st</sup> October 2012. This legislation will effect this application in that entertainment facilities are no longer licensable under the Licensing Act. Live unamplified music also is no longer licensable.

- 12 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).

- 13 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**

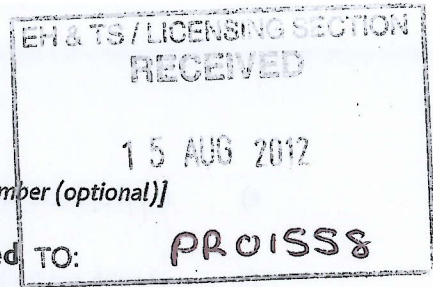
- 14 Responsible authorities and persons living within the vicinity or with a business interest within the vicinity of the premises.
- 15 A copy of the application was served on the responsible authorities. This was backed up by an email sent to them by the Licensing Authority.
- 16 The notice of application 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.

## **Appendices**

- 17
- a. Application Form
  - b. Public Representations

## **Background Papers**

**Background papers are available for inspection in the Council Chamber, Brockington, 35 Hafod Road, Hereford 30 minutes before the start of the hearing.**



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

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.

We STEINER ACADEMY HEREFORD apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/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: STEINER ACADEMY HEREFORD, MUCH DEWCHURCH. Post town: HEREFORD. Post code: HR2 8DL.

Telephone number at premises (if any): 01981 540 221. Non-domestic rateable value of premises: £35,250 less 80%

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

- a) an individual or individuals\*
b) a person other than an individual\* (i. as a limited company, ii. as a partnership, iii. as an unincorporated association or, iv. other (for example a statutory corporation))
c) a recognised club
d) a charity

- 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  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**

I am 18 years old or over Please tick  yes

**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	STEINER ACADEMY HEREFORD
Address	MUCH DEWCHURCH HEREFORD HR2 8DL
Registered number (where applicable)	COMPANY REG NO. 1532445 CHARITY NO. 510956
Description of applicant (for example partnership, company, unincorporated association etc)	EDUCATIONAL ESTABLISHMENT
Telephone number (if any)	01981 540 221
E-mail address (optional)	info@steineracademyhereford.eu

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day	Month	Year
14	09	2012

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)

School Hall with stage lighting, film projection, PA facilities, with additional use of foyer area, kitchen and toilet facilities.

Grand piano also available in Hall.

The Hall has retractable raked seating for 140, plus additional chairs (100).

Trestle and small tables are also available.

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 for:**

- 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 [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	16.00	22.30	Please give further details here (please read guidance note 3)  <i>Amateur and professional performance.</i>	Both	<input type="checkbox"/>
Tue					
Wed					
Thur					
Fri					
Sat	8.00				
Sun					
			State any seasonal variations for performing plays (please read guidance note 4)		
			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)  <i>During school holidays – Mon. ~ Fri 8.00 – 22.30</i>		

**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 [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	16.00	22.30	Please give further details here (please read guidance note 3)  <i>Educational, commercial and amateur films. Film club for students.</i>	Both	<input type="checkbox"/>
Tue					
Wed					
Thur					
Fri					
Sat	8.00				
Sun					
			State any seasonal variations for the exhibition of films (please read guidance note 4)		
			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)  <i>During school holidays – Mon-Fri: 8.00 – 22.30</i>		



**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 [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	16.00	22.30	Please give further details here (please read guidance note 3) Concerts, choirs, opera, professional and amateur musical performances. Some amplified music.  State any seasonal variations for the performance of live music (please read guidance note 4)  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) During school holidays – Mon – Fri 8.00 – 22.30	Both	<input type="checkbox"/>
Tue	"	"			
Wed	"	"			
Thur	"	"			
Fri	"	"			
Sat	8.00	"			
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 [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	16.00	22.30	Please give further details here (please read guidance note 3)  State any seasonal variations for playing recorded music (please read guidance note 4)  Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) During school holidays Mon – Fri : 8.00 – 22.30	Both	<input type="checkbox"/>
Tue	"	"			
Wed	"	"			
Thur	"	"			
Fri	"	"			
Sat	8.00	"			
Sun					

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b>Please give further details</b> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4)
Wed			
Thur			<b>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</b> (please read guidance note 5)
Fri			
Sat			
Sun			

N/A

D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y]</b> (please read guidance note 2)	
Day	Start	Finish	Indoors	
Mon			Outdoors	
Tue			Both	
Wed				
Thur				
Fri				
Sat				
Sun				

N/A



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 [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	16.00	22.30	Please give further details here (please read guidance note 3)  Any form of dance performance e.g. ballet, folk, Indian. Eurythmy  State any seasonal variations for the performance of dance (please read guidance note 4)  Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)  During school holidays - Mon-Fri: 8.00 - 22.30	Both	
Tue	"	"			
Wed	"	"			
Thur	"	"			
Fri	"	"			
Sat	8.00	"			
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing	Will this entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	
Day	Start	Finish		Indoor	<input checked="" type="checkbox"/>
Mon	16.00	22.30	- Poetry slams - Demonstrations, talks, lectures - Quiz nights / Board-game nights	Outdoor	
Tue	"	"		Both	
Wed	"	"			
Thur	"	"			
Fri	"	"			



Sat	8.00	22.30	<p><b>Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</b></p> <p><i>During school holidays –</i></p> <p><i>Mon-Fri: 8.00 – 22.30</i></p>
Sun			

<p><b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 6)</p>			<p><b>Please give a description of the facilities for making music you will be providing</b> <i>hall with stage area, PA system, lighting &amp; grand piano</i></p>						
<p><b>Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b></p>			<table border="1"> <tr> <td>Indoors</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Outdoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Both</td> <td><input type="checkbox"/></td> </tr> </table>	Indoors	<input checked="" type="checkbox"/>	Outdoors	<input type="checkbox"/>	Both	<input type="checkbox"/>
Indoors	<input checked="" type="checkbox"/>								
Outdoors	<input type="checkbox"/>								
Both	<input type="checkbox"/>								
Day	Start	Finish	<p><b>Please give further details here (please read guidance note 3)</b></p> <p><i>Use as rehearsal space for orchestras, choirs, bands, etc.</i></p>						
Mon	16.00	22.30							
Tue	''	''	<p><b>State any seasonal variations for the provision of facilities for making music (please read guidance note 4)</b></p>						
Wed	''	''							
Thur	''	''	<p><b>Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</b></p> <p><i>During school holidays</i></p> <p><i>Mon-Fri: 8.00 – 22.30</i></p>						
Fri	''	''							
Sat	8.00	''							
Sun									

<p><b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)</p>			<p><b>Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)</b></p> <p><i>Dance workshops</i> <i>Dance rehearsal space</i></p>						
<p><b>Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)</b></p>			<table border="1"> <tr> <td>Indoors</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Outdoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Both</td> <td><input type="checkbox"/></td> </tr> </table>	Indoors	<input checked="" type="checkbox"/>	Outdoors	<input type="checkbox"/>	Both	<input type="checkbox"/>
Indoors	<input checked="" type="checkbox"/>								
Outdoors	<input type="checkbox"/>								
Both	<input type="checkbox"/>								
Day	Start	Finish	<p><b>Please give a description of the facilities for dancing you will be providing</b></p> <p><i>Hall with lighting, PA system grand piano. (N.B. sprung floor)</i></p>						



Mon	16.00	22.30	Please give further details here (please read guidance note 3) <i>Dance workshops</i> <i>Dance rehearsal space</i>
Tue	u	u	
Wed	u	u	State any seasonal variations for providing dancing facilities (please read guidance note 4)
Thur	u	u	
Fri	u	u	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)
Sat	8.00	u	
Sun			<i>During school holidays -</i> <i>Mon-Fri - 8.00 - 22.30</i>

**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 <i>Hall with lighting, PA system, grand piano.</i>	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both - please tick [X] (please read guidance note 2)	Indoor <input checked="" type="checkbox"/>
Mon	16.00	22.30		Outdoor
Tue	u	u	Please give further details here (please read guidance note 3) <i>Yoga</i> <i>Exercise classes</i>	Both
Wed	u	u		
Thur	u	u	State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4)	
Fri	u	u		
Sat	8.00	22.30	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 (please read guidance note 5) <i>During school holidays</i> <i>Mon-Fri: 8.00 - 22.30</i>	
Sun				



L

<b>Late night refreshment</b> 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 [Y] (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 provision of late night refreshment (please read guidance note 4)		
Thur						
Fri						
Sat				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 (please read guidance note 5)		
Sun						

N/A

M

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

N/A

Sun			

**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)**

NONE

**O**

<b>Hours premises are open to the public</b> Standard timings (please read guidance note 6)			<b>State any seasonal variation (please read guidance note 4)</b>
Day	Start	Finish	
Mon	16.00	22.30	
Tue	11	11	
Wed	11	11	
Thur	11	11	
Fri	11	11	
Sat	8.00	22.30	
Sun			

**Non standard timings. Where you intend to use 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)**

*During school holidays —  
Mon - Fri : 8.00 - 22.30*



## 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)

- The venue is primarily an educational facility.
- There is a robust Lettings policy in place
- The Governing body of the Academy has final approval for all Lettings to outside parties.
- The hall is newly-built & conforms to all building and fire regulations

b) The prevention of crime and disorder

- Premises are well-lit, and burglar alarms are in operation.
- Raked seating for 140 + 100 free-standing chairs.
- Designated caretaker to manage access & supervise.
- No alcohol stored on site – by temporary licence only

c) Public safety

- Fire regulations met; instructions on evacuation.
- Free drinking water available
- First-Aid provision (+ First-Aiders if required)
- Total capacity limit of 614 to be enforced.

d) The prevention of public nuisance

- Caretaker in attendance as required
- Car-parking away from residential area
- Access to outside limited to rear of building, away from road & residential area.
- Rural location

e) The protection of children from harm

- CRBs required for any events taking place during school hours.
- Absolutely no Letting for adult entertainment, gaming or similar.
- Entire school premises a no-smoking area



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 ..... *Ol. d. C. Mahan* .....  
Date..... *13/08/2012* .....  
Capacity ..... *ADMINISTRATOR* .....

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

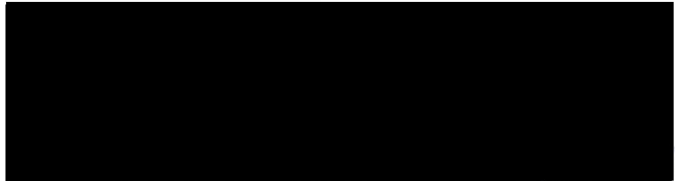
Signature ..... *Kate Resik* .....  
Date..... *13.08.2012* .....  
Capacity ..... *Reception Co-ordinator* .....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

### 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.

accepted 11/9/12

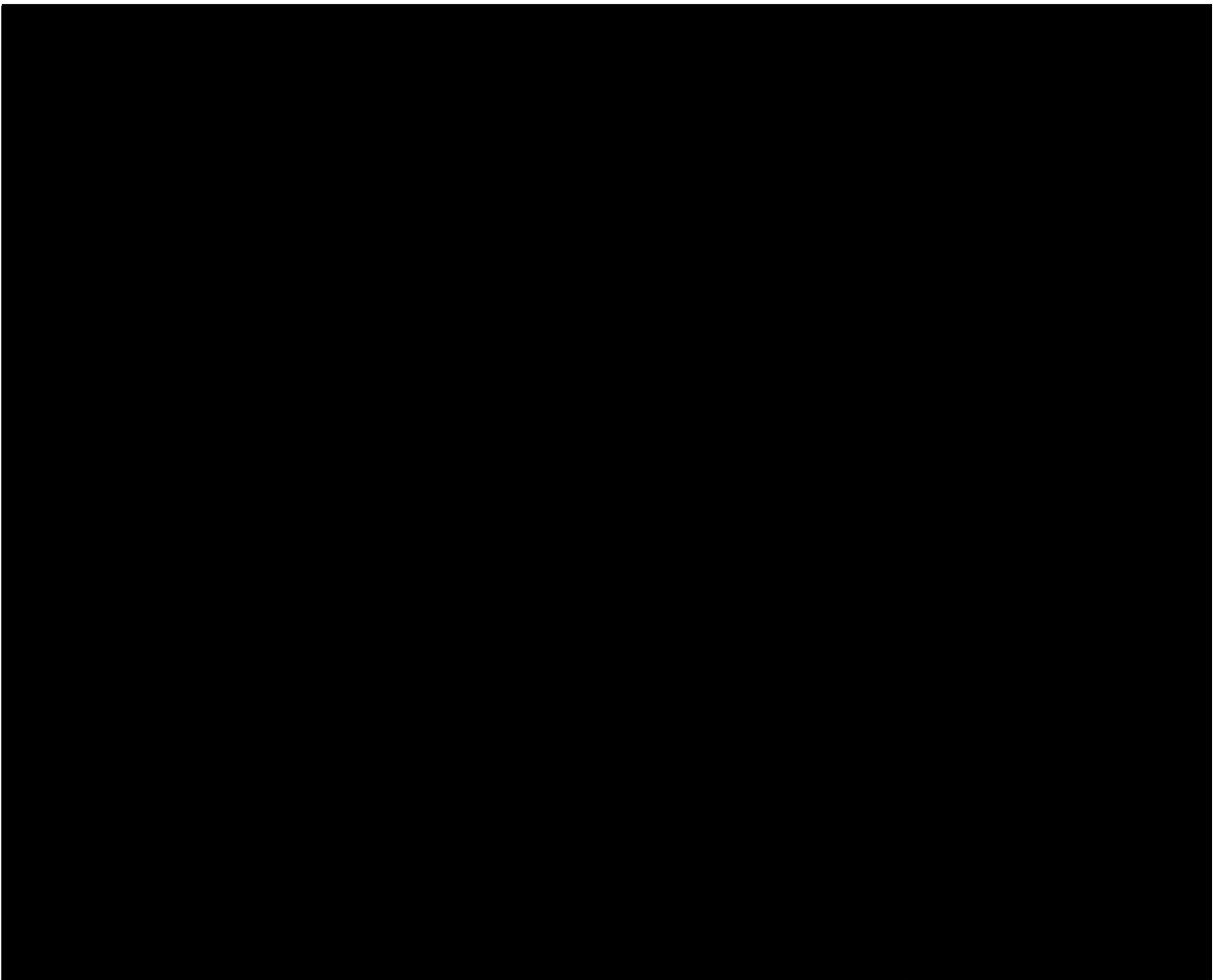


Licensing Section  
Environmental Health and Trading Standards  
County Offices  
PO Box 233  
Bath Street  
Hereford  
HR1 2ZF

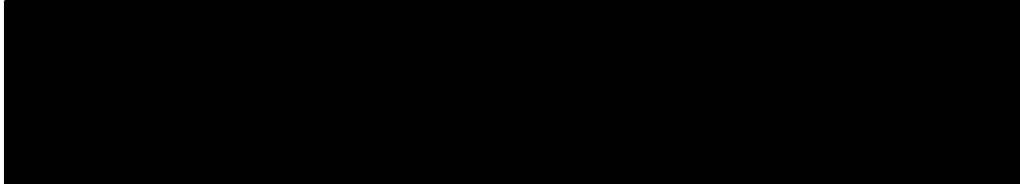
LICENSING SECTION  
RECEIVED  
07 SEP 2012  
TO:

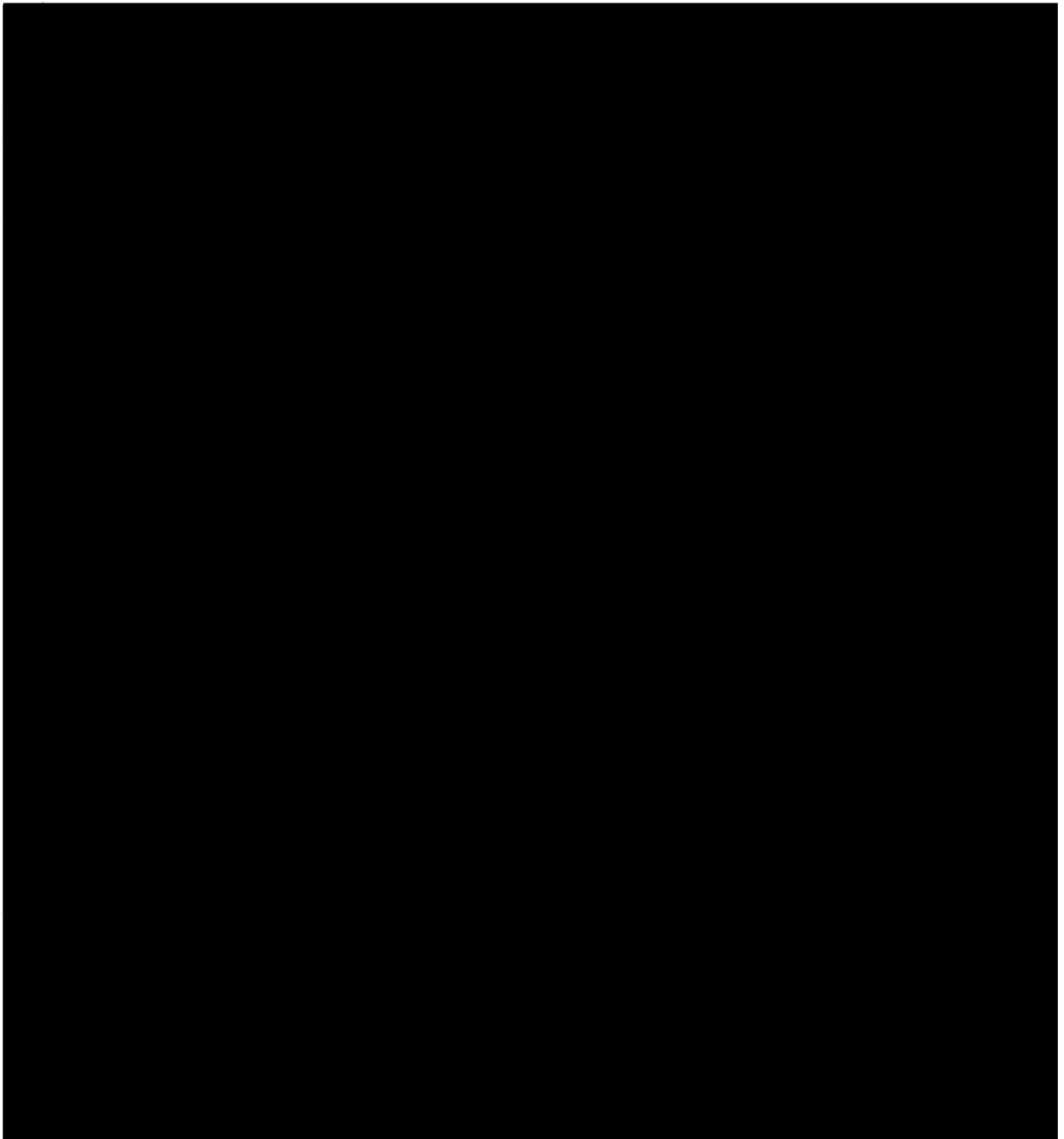
6 September 2012

Dear Sir/Madam,



The Academy has for years held both indoor and outdoor events with music on an occasional basis and the music, [redacted] can be heard throughout the village, inside as well as outside our homes.







[REDACTED]

Licensing Section  
Environmental Health and Trading Standards  
County Offices  
PO Box 233  
Bath Street  
Hereford  
HR1 2ZF

RECEIVED  
17 SEP 2012  
TAXI LICENSING UNIT

6 September 2012

Dear Sir/Madam,

[REDACTED]

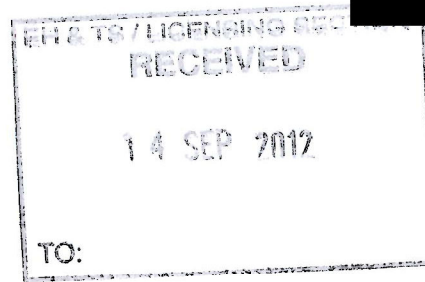
[REDACTED] noise arising from  
music, [REDACTED]  
[REDACTED] they do cause disturbance in the ways described  
above [REDACTED]

[REDACTED]



Licensing Section  
Environmental Health and Trading Standards  
County Offices  
PO Box 233  
Bath Street  
Hereford  
HR1 2ZF

11 September 2012



Dear Sir/Madam,

[Redacted]

from noise arising from music,

[Redacted]

they do cause disturbance in the ways

described above

[Redacted]

[Redacted]

