

**MINUTES of the meeting of Regulatory Sub Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Monday 17 June 2013 at 9.30 am**

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

**Councillors:** BA Durkin and Brig P Jones CBE

**6. ELECTION OF CHAIRMAN**

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

**7. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

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

There were no substitutes present at the hearing.

**9. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**10. REPRESENTATION AGAINST INTERIM STEPS 'LYDE COURT, LYDE CROSS, HEREFORD, HR1 3AE.'**

The Sub-Committee was convened to consider an application against interim steps submitted by the Premises Licence Holder. The meeting was convened within 48 hours of receipt of the application in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

The application related to the following condition:

4. That toughened or plastic vessels be used at all functions and that any drinks served in glass bottles be decanted into plastic/toughened vessels prior to serving.

This condition had been attached to the licence as an interim step at the expedited review of the premises licence undertaken by the Sub-Committee on 5 June 2013.

Prior to making their decision the Sub-Committee heard from Mrs Waring, the Premises Licence Holder, who explained the reasons why she felt that the condition should be lifted with immediate effect.

Sergeant John Williams, representing West Mercia Police, also addressed the Sub-Committee and requested that the condition remain in place pending the full review hearing scheduled for 28 June 2013.

The Sub-Committee retired to make its decision. The Senior Litigator read out the decision of the Sub-Committee as well as the following points:

1. The decision of the Regulatory Sub-Committee is that the fourth condition of the decision made on 5 June 2013 must stand.

2. This decision today has been made with reluctance. The Sub-Committee requested that evidence be put before it at the last hearing as to the events which occurred on 2 June 2013. This has not yet been made available. As a result the Sub-Committee has made a difficult decision in the face of two widely different versions of events. The Sub-Committee has applied the Licensing Act 2003 as amended, together with the Council's licensing policy. The safety and security of the public is essential and must be protected in this short interim period.
3. The Sub-Committee's decision today in no way prejudices what the Sub-Committee's decision may be on 1 July. It will consider the matter on that date when all relevant evidence must be before it.

## **RESOLVED**

**That the fourth condition of the Regulatory Sub-Committee's decision made on 5 June 2013, that toughened or plastic vessels be used at all functions and that any drinks served in glass bottles be decanted into plastic/toughened vessels prior to serving, must stand.**

The meeting ended at 10.20 am

**CHAIRMAN**