

**MINUTES of the meeting of Regulatory Sub Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Monday 6 January 2014 at 2.30 pm**

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

Councillors: BA Durkin and PJ McCaull

**In attendance:** Councillors SM Michael and AJW Powers

**1. ELECTION OF CHAIRMAN**

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

**2. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**3. NAMED SUBSTITUTES**

There were no substitutes present at the hearing.

**4. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**5. APPLICATION FOR A VARIATION TO THE PREMISES LICENCE IN RESPECT OF THE POTTING SHED, RYELANDS STREET, HEREFORD**

The Sub-Committee considered an application for a variation to the Premises Licence in respect of The Potting Shed, Ryelands Street, Hereford.

Councillor Powers questioned the administrative arrangements. He suggested that there had been insufficient time to consider the papers and that the hearing should be rearranged.

The meeting adjourned.

Upon reconvening, the legal advisor informed the meeting that the Sub-Committee considered that on balance it was in the public interest that the meeting should proceed that afternoon. Should Councillor Powers seek a short adjournment to discuss with his co-objector on any points the Sub-Committee was willing to agree to such an application.

Councillor Powers indicated that he was content for the meeting to continue.

Prior to making their decision the Members heard from Mrs A Poole and Mrs C Corfield, representing the Licensing Authority, from Mrs M Standley on behalf of the applicant Mrs L Watts, and from the applicant herself.

The Sub-Committee also heard representations from Councillors SM Michael and AJW Powers on behalf of local residents who had made representations.

Having carefully considered those matters brought before them, the Sub-Committee were of the opinion that the application should be granted subject to the conditions described below. In reaching their decision, the Members had full regard to the provisions of the Licensing Act 2003, the guidance issued under Section 182 and the Council's Licensing Policy. The Sub-Committee imposed conditions in order to promote the four licensing objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

**RESOLVED:**

- (a) That a variation to the licence for the premises known as The Potting Shed be granted in accordance with its application as contained in Appendix 1 of the report as submitted.**
- (b) The Sub-Committee accepted the conditions as proposed and contained in pages 24-26 of the agenda papers inclusive.**
- (c) The Sub-Committee wished to be clear that all conditions must be capable of being enforced and operational from the date of variation of the licence. The licence therefore may not be varied until all of the conditions can be put into effect.**

**REASONS**

- 1. The Sub-Committee noted that West Mercia Police did not oppose the application.**
- 2. The Sub-Committee heard no evidence to allow it to decide that any anti-social behaviour in the vicinity of the premises was attributable to those attending it.**
- 3. The Sub-Committee took into account both the Thwaites and Bristol cases and considered the conditions to be applied are both necessary and appropriate.**
- 4. The Conditions as granted relate to the 4 licensing objectives and also support the noise prevention elements set out in paragraph 22 of the current licensing policy of Herefordshire Council.**

The meeting ended at 4.10 pm

**CHAIRMAN**