

# AGENDA

## Regulatory Sub Committee

Date: **Monday 6 January 2014**

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Time: **2.30 pm**

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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:

**Tim Brown, Democratic Services Officer**

Tel: 01432 260239

Email: [tbrown@herefordshire.gov.uk](mailto:tbrown@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 Tim Brown, Democratic Services Officer on 01432 260239 or e-mail [tbrown@herefordshire.gov.uk](mailto:tbrown@herefordshire.gov.uk) in advance of the meeting.

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

## **Membership**

**Councillor BA Durkin  
Councillor JW Hope MBE  
Councillor PJ McCaull**

**AGENDA**

	<b>Pages</b>
<b>1. ELECTION OF CHAIRMAN</b> To elect a Chairman for the hearing.	
<b>2. APOLOGIES FOR ABSENCE</b> To receive apologies for absence.	
<b>3. NAMED SUBSTITUTES (IF ANY)</b> To receive any details of Members nominated to attend the meeting in place of a Member of the Committee.	
<b>4. DECLARATIONS OF INTEREST</b> To receive any declarations of interest by Members in respect of items on the Agenda.	
<b>5. APPLICATION FOR A VARIATION TO THE PREMISES LICENCE IN RESPECT OF THE POTTING SHED, RYELANDS STREET, HEREFORD</b> To consider an application for a variation to the Premises Licence in respect of The Potting Shed, Ryelands Street, Hereford.	9 - 58





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- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
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- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
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**BROCKINGTON, 35 HAFOD ROAD, HEREFORD.**

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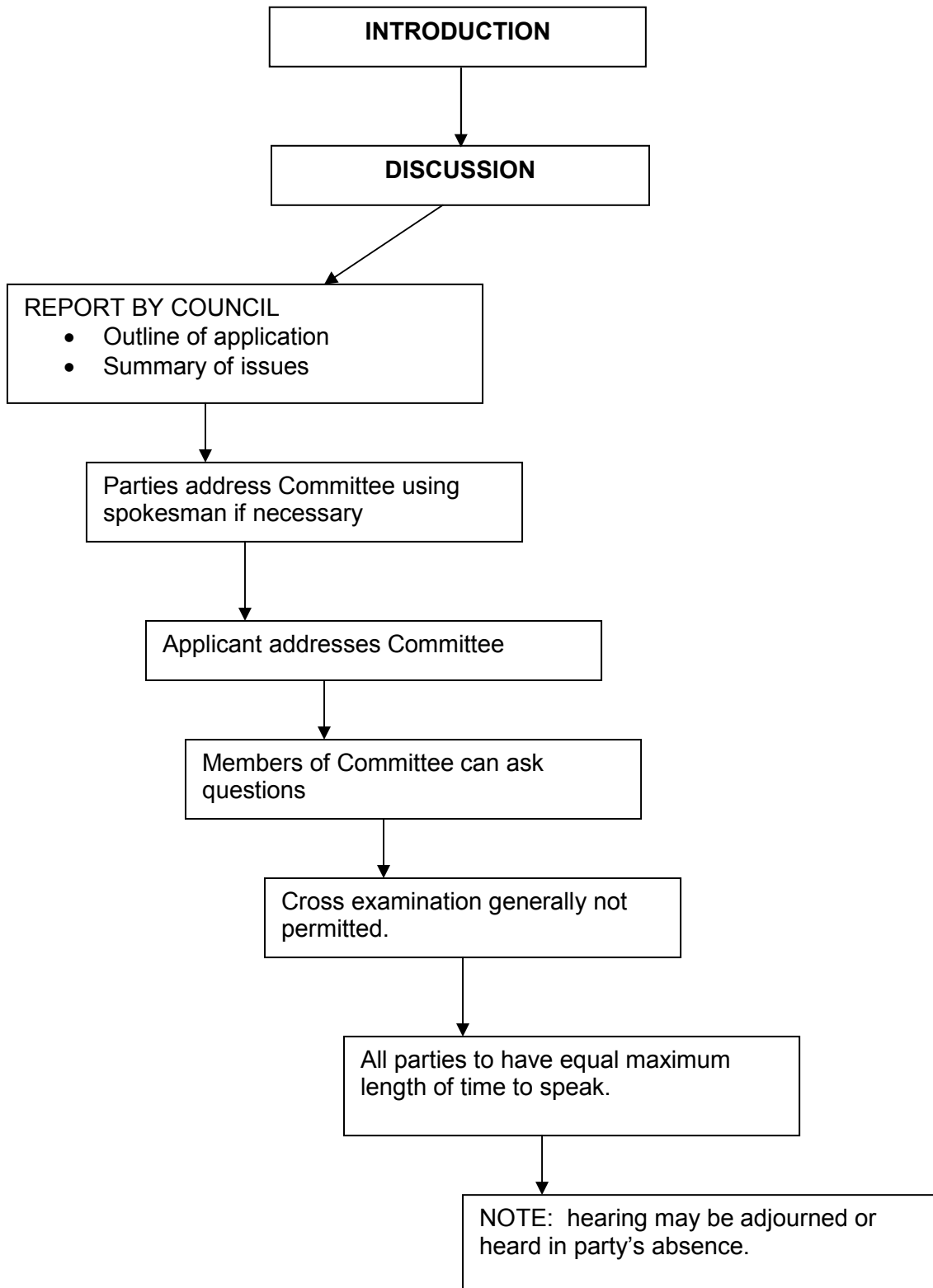
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## LICENCING HEARING FLOW CHART





<b>MEETING:</b>	<b>REGULATORY SUB-COMMITTEE</b>
<b>DATE:</b>	<b>6 JANUARY 2014</b>
<b>TITLE OF REPORT:</b>	<b>APPLICATION FOR A VARIATION TO THE PREMISES LICENCE IN RESPECT OF ' THE POTTING SHED, RYELANDS STREET, HEREFORD</b>
<b>REPORT BY:</b>	<b>LICENSING OFFICER</b>

### 1. Classification

Open

### 2. Key Decision

This is not an executive decision

### 3. Wards Affected

St Nicholas

### 4. Purpose

To consider an application for a variation to the Premises Licence in respect of **THE POTTING SHED, RYELANDS STREET, HEREFORD.**

### 5. Recommendation(s)

**THAT**

**The 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 appropriate to promote the licensing objectives,**
- **The Guidance issued to local authorities under the Licensing Act 2003, and**
- **The Herefordshire Council Licensing Policy.**

## 6. Key Points Summary

- The application requests a variation to the timings/hours with regard to the licensable activities of Sale of Alcohol and Indoor Sporting events. It also requests the addition of the licensable activity of Regulated Entertainment –Recorded music.
- The application requests the removal of all existing conditions from the existing premises licence and the introduction of new conditions which are relevant, achievable and enforceable for the purpose of promoting the licensing objectives.
- Representations have been received from Members of the Public and are attached at Appendix 3.
- The police have no objection to the application. (See Appendix5)

## 7. Options

There are a number of options open to the Sub-Committee:

- 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 Sub-Committee considers it appropriate 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; or
- d) To reject the application.

## 8. Reasons for Recommendations

To ensure compliance with the legislation.

## 9. Introduction and Background

### Background Information

Applicant	<b>Lucie Watts</b>	
Representative	<b>N/K</b>	
Type of application:	Date received:	28 Days consultation
<b>Variation</b>	<b>11.11.2013</b>	<b>09.12.2013</b>

## Licence Application

- 9.1 The application for a variation to the premises licence has received representation and is brought before the Sub-Committee for determination. The current licence is attached at appendix 2.

### Summary of Application

- 9.2 The application requests that:

Sale of Alcohol and Indoor Sporting Events as follows:

#### **Sale of Alcohol and Indoor Sporting events**

Sat – Wed 10:00 – 00:00

Thurs - Fri 10:00 – 01:00

and Recorded Music (Indoors only) as follows:

#### **Recorded music**

Sat – Wed 10:00 – 00:00

Thurs - Fri 10:00 – 01:00

- 9.3 The application requests the removal of the following conditions to be replaced with those submitted within the application- (see Appendix1):

- No open containers shall be removed from the premises.
- Sporting events shall be confined to snooker, billiards, pool and other games of a similar nature.
- All staff should be aware of proof of age regulations and Proof of Age Cards and/or Citizen Cards should be displayed on the premises.
- Associated notices indicating restrictions on access by children shall be conspicuously displayed throughout the premises
- Proven methods shall be employed for the prevention of unlawful supply, consumption and use of alcohol, drugs and other similar products
- Under 16 year olds will only be permitted after 1800hrs if accompanied by an adult and at the proprietor (or his representative's discretion).

### Summary of Representations

- 9.4 A copy of the representations from the public is attached at Appendix 3. Personal details have been redacted and points that cannot be considered, as they are outside the remit of the Licensing Act, have been struck through. A petition was submitted but the petition in question is not considered to be a valid representation.
- 9.5 Representations have been made by: **FIVE (5)** members of the Public and **ONE (1)** Elected Councillor.
- 9.6 The Police response to the application is set out at Appendix 5.

## **10. Key Considerations**

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

The licensing objectives are:

- The prevention of crime and disorder,
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

## **11. Community Impact**

The granting of the licence as applied for may have an impact on the Community.

## **12. Equality and Human Rights**

No implications have been identified.

## **13. Financial Implications**

There are unlikely to be any financial implications at this time to the authority.

## **14. Legal Implications**

The Sub-Committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the Licensing Authority.

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’. (Since the stated case, amendments have been enacted to the Licensing Act which replace the word necessary with appropriate. Members will need to give due consideration to the intended meaning of this change and give weight to the difference as they see fit. Whilst the wording of the judge cannot be altered, it may be useful for Members to read the advice by replacing the words necessary and proportionate with appropriate).

In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

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).

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.

## 15. Risk Management

### 15.1 No risk identified

## **16. Consultees**

Responsible authorities and persons living within the vicinity or with a business interest within the vicinity of the premises.

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.

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.

The applicant has produced a copy of the advertisement which is correct. This is attached at Appendix 4.

## **17. Appendices**

1. Application Form
2. Current premises licence
3. Representations from the Public
4. Copy of newspaper advert
5. Copy of Police response to application

## **18. 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.**

\* required information

**Section 1 of 17**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

- \* Is your business registered in the UK with Companies House?  Yes  No
- \* Is your business registered outside the UK?  Yes  No

\* Business name  If your business is registered, use its registered name.

\* VAT number   Put "none" if you are not registered for VAT.

\* Legal status

Continued from previous page...

\* Your position in the business

Home country

The country where the headquarters of your business is located.

**Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Section 2 of 17**

**APPLICATION DETAILS**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number



Continued from previous page...

Non-domestic rateable value of premises (£)

14,500

### Section 3 of 17

#### VARIATION

Do you want the proposed variation to have effect as soon as possible?

Yes  No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes  No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

#### Describe Briefly The Nature Of The Proposed Variation

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.

We would like to vary the licence to include an outside area where alcohol would be allowed to be consumed, so providing a beer garden. We would also like to extend operating hours to accommodate league and cup matches, our premises would be primarily used as a sporting venue to include snooker, pool, skittles, darts and recorded music all of which would be indoors.

### Section 4 of 17

#### PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes  No

### Section 5 of 17

#### PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes  No

### Section 6 of 17

#### PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State 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.

Snooker, pool, skittles and darts to be played and T.V's to watch various sports. We have a jukebox in the main room for background music.

State any seasonal variations for indoor sporting events.

For example (but not exclusively) where the activity will occur on additional days during the summer months.



Continued from previous page...

Non-standard timings. Where the premises will be used for indoor sporting events at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 7 of 17**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes                       No

**Section 8 of 17**

**PROVISION OF LIVE MUSIC**

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes                       No

**Section 9 of 17**

**PROVISION OF RECORDED MUSIC**

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start 10:00

End 01:00

Start

End

FRIDAY

Start 10:00

End 01:00

Start

End

SATURDAY

Start 10:00

End 00:00

Start

End

SUNDAY

Start 10:00

End 00:00

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State 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.

Jukebox in main room

State any seasonal variations for playing recorded music.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 10 of 17

PROVISION OF PERFORMANCES OF DANCE



Continued from previous page...

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes  No

**Section 11 of 17**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes  No

**Section 12 of 17**

**PROVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes  No

**Section 13 of 17**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes  No

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

Provide 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.

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

Continued from previous page...

FRIDAY

Start 10:00

End 01:00

Start

End

SATURDAY

Start 10:00

End 00:00

Start 10:00

End 00:00

SUNDAY

Start 10:00

End 00:00

Start

End

Will the sale of alcohol be for consumption?

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

To be consumed in our smoking area from 10.00 till 23.00 hrs only

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

#### Section 14 of 17

#### ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide 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 etc gambling machines etc.

Continued from previous page...

**Section 15 of 17**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.



Continued from previous page...

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

**Section 16 of 17**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

If the club wishes members and their guests to be able to consume alcohol on the premises select on, if the club wishes people to be able to purchase alcohol to consume away from the premises select off. If the club wishes people to be able to do both select both.

On

b) The prevention of crime and disorder

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 will be maintained in good working order, be correctly time and date stamped, recordings will 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 must ensure at all times a DPS or appointed 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/DPS will report the failure to the Police on contact number 101 immediately.

The Premises Licence Holder/DPS will employ SIA doorstaff at times when risk assessment dictates door supervision to be necessary. The risk assessment shall be kept for each event for at least 12 months and shall be made available on demand for inspection by an 'authorised person



*Continued from previous page...*

The Premises Licence Holder or DPS or a person nominated by them in writing for the purpose, shall maintain a register of door supervisors 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.

An incident log must be kept at the premises (retained for 12 months from the date of each incident) and made immediately available on request to an 'authorised person' as defined by Section 13 of the Licensing Act 2003) or the Police, which must record the following:

- all crimes reported to the venue
- any complaints received
- any incidents of disorder
- any refusal of sale of alcohol
- any visit by a relevant authority or emergency service
- any failure of the CCTV system (IF FITTED ONLY)

All 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 Herefordshire Council Trading Standards within one month of the date that this condition appears on this licence. (Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence). Retraining every 12 months. Training records shall be kept on the premises and shall be 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

#### c) Public safety

All staff shall wear clothing which identifies them as members of staff of the premises.

#### 7. First aid

A HSE Compliant Industrial High Response First Aid Kit for 21-50 people shall be kept fully stocked at the premises and kept behind the bar. Such kit shall contain:

- 1 x Guidance Leaflet
- 60 x Washproof Plasters
- 6 x Eye Pads with Bandage
- 8 x Triangular Bandages
- 12 x Safety Pins
- 16 x Assorted Sterile Dressings
- 20 Moist Wipes
- 3 Pairs Disposable Gloves

#### Electrical & Gas Installations

All electrical wiring and distribution systems shall be tested at least once a year and signed off by a competent person whose name is shown within the Local Authority Building Control Part P Competent Persons Register (<http://www.competentperson.co.uk/search.asp>). The sign off certificate shall be produced to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or Police on demand.

All portable electrical equipment shall be powered through a sensitive earth leakage protection system (residual current device) having a rated residual operating current not exceeding 30 milliamps and a maximum operating limit of 30 milliseconds.

Any and all gas appliances (except cellar gas) used in the premises must be tested at least once a year and signed off by a competent person whose name appears within the current Gas Safety register (GSR). The sign off certificate shall be produced to an 'authorised person' The residual circuit device shall be tested at least once a week and a record of this check shall be kept at the premises. All parts of the premises and all fixtures and fittings therein including seating, door fastenings, notices, floors, carpets and furniture shall be kept clean and maintained in good order.

#### Lighting



**Continued from previous page...**

In the absence of adequate daylight, the lighting in any area accessible to the public, members or guests shall be sufficient (107 lux or more) to enable people to move about safely.

**Capacity limits**

The maximum permitted numbers of persons in the premises including staff shall not exceed the numbers set within the fire risk assessment for the premises.

**d) The prevention of public nuisance**

All windows will be kept shut after 2300 hours

Noise or vibration shall not emanate from the premises so as to cause a nuisance.

The Premises Licence Holder or DPS must immediately comply with any request to adjust noise levels/ frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.

All doors and windows at the premises shall be kept closed after 2300 except during immediate access and egress.

Any speaker within the premises shall be directed away from any residential property

Loudspeakers shall not be located in the entrance lobby or external to any part of the premises.

Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to any beer garden, patio area, smoking area or similar, requesting the public to respect the needs of local residents and to be quiet.

No external area at the premises shall be used after 24:00 hours (midnight) - save purely for smoking

The premises licence holder, or DPS, or nominated responsible person (in writing) shall ensure that noise and vibration does not emanate from the premises so as to cause a nuisance to any person residing in premises situated at The Potting Shed

**e) The protection of children from harm**

No person under the age of 18 shall be permitted on the premises after 2100hrs unless accompanied by an adult aged 18 or over.

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 an authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police or an authorised Trading Standards Officer of Herefordshire Council. 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 one location behind any bar advertising the scheme operated.

A written register of refusals 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.

On occasions where events are held at the premises for persons under the age of 18, no alcohol shall be sold or shall be visible for the duration of such events and the operators shall ensure that no person over the age of 21 (other than persons working at the premises or parents/ teachers or other adults supervising the event) will be permitted on the premises. On the occasion events of this nature are being run, the premises licence holder or DPS will inform the Licensing Authority and Police of date of the event at least 14 days prior to them occurring.

No adult entertainment or services or activities must take place at the premises (Adult Entertainment includes, but is not restricted to, such entertainment or services which would generally include topless bar staff, striptease, lap-table, or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language).

**Section 17 of 17**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)



**Continued from previous page...**

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

190.00

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**Address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**DECLARATION**

\* I/we understand 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

**Continued from previous page...**

\* Capacity

Date (dd/mm/yyyy)

**Add another signatory**

One you're finished you need to do the following:

1. Save this form to your computer by clicking to file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/herefordshire/change-1> to upload this file and continue with your application

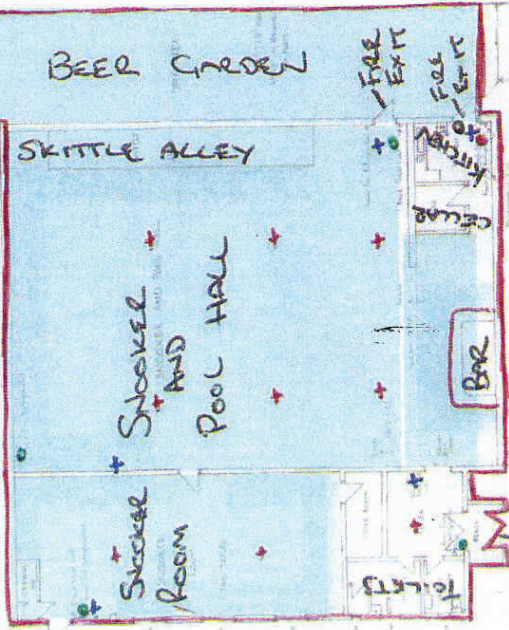
Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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**



N. 45 Davidson Street

75' 0" x 100' 0" (approx. Max)



ENTRANCE/EXIT  
FIRE EXIT

BAR

CAR PARK

- LICENSABLE ACTIVITY
- CONSUMABLE AREA
- + FIRE ALARM / SMOKE CLASS
- FORM FIRE EXTINGUISHER
- FIRE BLANKET
- POWDER FIRE EXTINGUISHER
- + SMOKE / HEAT DETECTORS

Davidson Street

PAVEMENT

BUENAVISU

ROAD

ISLANDS STREET

PROBERTS, 101 JACK HART

THE OUTLINE ARCHITECTURE

ISLANDS STREET HERIOT

Scale 1:1000

DATE: 10.10.18



**LICENSING ACT 2003  
Part A - Premises Licence**

**Premises licence number PR01209 (App to Vary Premise DPS)**

**Part 1 - Premises details**

Postal address of premises, or if none, ordnance survey map reference or description <b>THE POTTING SHED RYELAND STREET</b>	
Post town <b>HEREFORD</b>	Postcode <b>HR4 0LA</b>
Telephone number <b>01432 274111</b>	

Where the licence is time limited the dates <b>Not applicable</b>
--

Licensable activities authorised by the licence <b>Provision of regulated entertainment</b> 1. <b>An indoor sporting event</b>  <b>Provision of refreshment or alcohol</b> 2. <b>Sale by retail of alcohol (For consumption on the premises)</b>
---

The times the licence authorises the carrying out of licensable activities <b>An indoor sporting event;</b> <b>Monday-Sunday: 10:00 - 23:00</b>  <b>Sale by retail of alcohol</b> <b>Monday-Saturday: 10:00 - 23:00</b> <b>Sunday: 12:00 - 22:30</b>  <b>Non standard timings: None</b> <b>Seasonal variations: None</b>
---

The opening hours of the premises <b>Monday-Sunday: 10:00 - 23:30</b>  <b>Non standard timings: None</b> <b>Seasonal variations: None</b>
---

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies <b>For consumption on the premises</b>
--

**Part 2**

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

**Lucie Watts**

[Redacted]

Registered number of holder, for example company number, charity number (where applicable)

**Not applicable**

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

**Mark James Reynolds**

[Redacted]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

**Licence number: PL [Redacted]**  
**Issuing authority: Herefordshire Council**

**Annex 1 - Mandatory conditions**

**Mandatory conditions where licence authorises supply of alcohol**

No supply of alcohol may be made under the premises licence-

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

**Additional mandatory conditions:**

The responsible person [as defined by Section 153(4) Licensing Act 2003] shall: -

- take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises
- ensure that no alcohol is dispensed directly by one person into the mouth of another
- ensure that free tap water is provided on request to customers where it is reasonably available.



**Age verification**

- The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

**Smaller measures**

The responsible person shall ensure that–

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–

- (i) beer or cider: 1/2 pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

**Annex 2 - Conditions consistent with the operating Schedule**

**Licensing objectives**

**General:**

**Prevention of Crime and Disorder:** Not applicable

**Prevention of Noise Nuisance :** Not applicable

**Public Safety**

No open containers shall be removed from the premises.

Sporting events shall be confined to snooker, billiards, pool and other games of a similar nature.

**Protection of Children from Harm**

All staff should be aware of proof of age regulations and Proof of Age Cards and/or Citizen Cards should be displayed on the premises.

Associated notices indicating restrictions on access by children shall be conspicuously displayed throughout the premises

Proven methods shall be employed for the prevention of unlawful supply, consumption and use of alcohol, drugs and other similar products

Under 16 year olds will only be permitted after 1800hrs if accompanied by an adult and at the proprietor (or his representative's discretion).

**Annex 3 - Conditions attached after a hearing by the licensing authority**

Not applicable

**Annex 4 - Plans**

As attached

**LICENSING ACT 2003  
Part B - Premises licence summary**

**Premises licence number PR01209 (App to Vary Premise DPS)**

**Premises details**

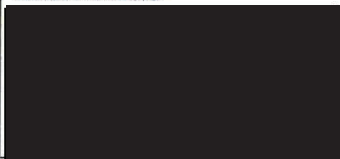
Postal address of premises, or if none, ordnance survey map reference or description <b>THE POTTING SHED RYELAND STREET</b>	
Post town <b>HEREFORD</b>	Post code <b>HR4 0LA</b>
Telephone number <b>01432 274111</b>	

Where the licence is time limited the dates <b>Not applicable</b>
--

Licensable activities authorised by the licence <b>Provision of regulated entertainment</b> 1. <b>An indoor sporting event</b>  <b>Provision of refreshment or alcohol</b> 2. <b>Sale by retail of alcohol (For consumption on the premises)</b>
---

The times the licence authorises the carrying out of licensable activities <b>An indoor sporting event;</b> <b>Monday-Sunday: 10:00 - 23:00</b>  <b>Sale by retail of alcohol</b> <b>Monday-Saturday: 10:00 - 23:00</b> <b>Sunday: 12:00 - 22:30</b>  <b>Non standard timings: None</b> <b>Seasonal variations: None</b>
---

The opening hours of the premises <b>Monday-Sunday: 10:00 - 23:30</b>  <b>Non standard timings: None</b> <b>Seasonal variations: None</b>
---

Name, (registered) address of holder of premises licence <b>Lucie Watts</b> 
---

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies  
**For consumption on the premises**

Registered number of holder, for example company number, charity number (where applicable)  
**Not applicable**

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol  
**Mark James Reynolds**

State whether access to the premises by children is restricted or prohibited  
**Restricted**





EH & TS / LICENSING SECTION  
**RECEIVED**  
 U9 REPRESENTATION FORM – INTERESTED PARTIES

**HEREFORDSHIRE COUNCIL**  
 Licensing Act 2003

Please return this form, and any additional information within the statutory period to:  
**The Licensing Section,**  
 County Offices,  
 PO Box 233,  
 Bath Street, Hereford,  
 HR1 2ZF  
 licensing@herefordshire.gov.uk

TO: On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.  
**When completing this form please print clearly and legibly.**

<b>Your Name:</b> GORDON + HEIDI LYTH	<b>Contact Telephone No:</b> [REDACTED]
<b>Address:</b> [REDACTED]	<b>E-mail address:</b> [REDACTED]
<b>Please state your interest in the premises you are making a representation about:</b> eg Local resident	
<b>Name &amp; Address of premises you are making a representation about:</b> The Potting Shed Ryeland's Street, Hereford	

**DATA PROTECTION ACT 1998.** Please indicate by ticking here  if you are not content for your personal details to be circulated as necessary prior to any hearing.

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

<b>To Prevent Crime &amp; Disorder</b>	<del>Bausham St and Charles St are already crime hotspots; Damage to cars on Ryeland's Street and Bausham St is already a problem; There is a history of drug dealing in the local area and this appears to be returning (continued on separate sheet)</del>
<b>Public Safety</b>	<del>'Boy racers' are already a problem on Ryeland's St. Increased traffic - most users of the club are not local so drive or get taxis - in a residential area. Increase in customers leaving the club late would be intimidatory for local residents (continued)</del>
<b>To Prevent Public Nuisance</b>	<del>Increase in noise from music, clients and cars; Antisocial behaviour, shouting and swearing is already a problem late at night - any increase would be simply unfair to local residents (continued)</del>
<b>To Protect Children from Harm</b>	<del>This is a densely populated town area residential area - sleep of local young children is already disturbed by late night shouting/swearing etc. (continued)</del>

Signed: [REDACTED]  
 Date: 8/12/15 8/12/15

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105



## Crime + Disorder

- ~~Graffiti is a problem, down the alley by the cider museum especially.~~
- ~~Any increase in licensing hours can only increase the potential for further crime.~~

## Public Safety

- ~~Shift workers leave and return home at all hours. They need to be able to do so safely without feeling intimidated.~~

## Prevention of Public Nuisance

- ~~Inconsiderate and potentially dangerous parking already occurs on pavements directly in front of the clubs car park and directly outside houses already occurs when the club is busy.~~

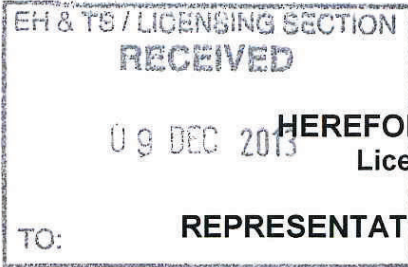
~~These issues will have an enhanced effect on our family - we have 2 primary school aged children and a teenager, who will all be affected by increased disturbance~~

## Protecting Children

~~The Petting Shed is on a main thoroughfare for both primary and secondary school children on their way home. They need to feel safe walking home, not intimidated by customers hanging around outside the clubs and endangered by an increase in volume of traffic as well as by the potential increase~~

~~in antisocial behaviour / criminal activity  
That local residents are concerned will  
occur as detailed in previous sections,  
should a license extension as detailed in  
the application be granted.~~





**HEREFORDSHIRE COUNCIL**  
Licensing Act 2003

Please return this form, and any additional information within the statutory period to:  
**The Licensing Section,**  
County Offices,  
PO Box 233,  
Bath Street, Hereford,  
HR1 2ZF  
licensing@herefordshire.gov.uk

**TO: REPRESENTATION FORM – INTERESTED PARTIES**

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

**When completing this form please print clearly and legibly.**

<b>Your Name:</b> Mr & Mrs C Eldred	<b>Contact Telephone No.</b> [REDACTED]
<b>Address:</b> [REDACTED] Hereford [REDACTED]	<b>E-mail address:</b> [REDACTED]
	<b>Please state your interest in the premises you are making a representation about:</b> Local resident
<b>Name &amp; Address of premises you are making a representation about:</b> The Potting Shed, Ryeland Street, Hereford, HR4 0A	

**DATA PROTECTION ACT 1998. Please indicate by ticking here ..... if you are not content for your personal details to be circulated as necessary prior to any hearing .**

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

<b>To Prevent Crime &amp; Disorder</b>
<b>Public Safety</b>
<b>To Prevent Public Nuisance</b> [REDACTED] we <del>wish to register our strong objection to the application for a variation of licence.</del>  <del>The increased opening hours proposed, would cause a noise nuisance as people leave the premises at 1.00 in the morning, as will the use of recorded music.</del>  My children sleep in bedrooms [REDACTED] and their sleep will be

~~disturbed. This is not acceptable, especially on a weeknight as it could potentially have an impact on their health and schooling. This would amount to a statutory nuisance, which would be prejudicial to health or a nuisance under the Environmental Protection Act 1990 [see Section 79(1) (g) of the EPAQ].~~

~~The premises already always has all it's doors open during summer evenings, which would definitely exacerbate the problem.~~

~~This is not a purpose built premises, so has not been designed and constructed so as to prevent problems arising due to the "breakout" of noise caused by the use of amplified music, & video jukeboxes etc.~~

~~We would ask the applicants to consider this application from it's neighbour's perspective. To put themselves in their shoes and consider the potential impact of a mid week music playing until 1.00am in the morning next door to a families with young children who go to bed at 8.00 p.m. Or the impact of finishing late at night every Thursday, Friday and Saturday on a person who retires to bed at 10.30 p.m. as they need to get up early to go to work.~~

~~We are also annoyed at the lack of consultation regarding this application, as a neighbour only drew it to our attention. The only notice of the planned changes, is a small notice on the front of the property in question.~~

**To Protect Children from Harm:  
Sleep disturbance during school nights and over weekend – as above**

Signed:  
Date:



If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105







  
4<sup>th</sup> December

Dear Sir or Madam:

Re: The Potting Shed, Ryeland Street, Hereford, HR4 0LA

 with a property backing on to the above ~~premise, we wish to register our strong objection to the application for a variation of licence.~~


~~The increased opening hours proposed, would cause a noise nuisance as people leave the premises at 1.00 in the morning, as will the use of recorded music.~~

~~My children sleep  and their sleep will be disturbed. This is not acceptable, especially on a weeknight as it could potentially have an impact on their health and schooling. This would amount to a statutory nuisance, which would be prejudicial to health or a nuisance under the Environmental Protection Act 1990 [see Section 79(1) (g) of the EPAQ].~~

The premises already always has all it's doors open during summer evenings, which would definitely exacerbate the problem.

~~This is not a purpose built premises, so has not been designed and constructed so as to prevent problems arising due to the "breakout" of noise caused by the use of amplified music, & video jukeboxes etc.~~

~~We would ask the applicants to consider this application from it's neighbour's perspective. To put themselves in their shoes and consider the potential~~

impact of a mid week music playing until 1.00am in the morning   
~~families with young children who go to bed at 8.00 p.m. Or the impact of  
finishing late at night every Thursday, Friday and Saturday on a person who  
retires to bed at 10.30 p.m. as they need to get up early to go to work.~~

~~We are also annoyed at the lack of consultation regarding this application, as  
a neighbour only drew it to our attention. The only notice of the planned  
changes, is a small notice on the front of the property in question.~~

~~Given that this premises is in the middle of a residential area, I trust that you  
will look favourably on our and our neighbour's objections.~~

Kind Regards

Mr & Mrs C Eldred, Miss M.M Eldred & Miss M.C. Eldred





**HEREFORDSHIRE COUNCIL  
Licensing Act 2003**

**REPRESENTATION FORM – INTERESTED  
PARTIES**

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

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**The Licensing Section,  
County Offices,  
PO Box 233,  
Bath Street, Hereford,  
HR1 2ZF  
licensing@herefordshire.gov.uk**

<b>Your Name:</b> Matthew Baker	<b>Contact Telephone No.</b> [REDACTED]
<b>Address:</b> [REDACTED]	<b>E-mail address:</b> [REDACTED]
<b>Please state your interest in the premises you are making a representation about:</b> Local resident	
<b>Name &amp; Address of premises you are making a representation about:</b> The Pottingshed, Ryelands Street Hereford	

**DATA PROTECTION ACT 1998. Please indicate by ticking here  if you are not content for your personal details to be circulated as necessary prior to any hearing .**

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

<b>To Prevent Crime &amp; Disorder</b>
<b>Public Safety</b>
<p><b>To Prevent Public Nuisance</b>  <del>Ryelands Street is predominantly a residential area. Many of the properties close to the Potting Shed are owned by families with young children. Already we have a degree of noise is associated with those leaving the premises later in the evening.</del></p> <p><del>By extending the opening times and permitting alcohol to be served at later times, the chance of noise and disruption is increased. This is particularly relevant to the Thursday evening when many residents will be working on the Friday.</del></p> <p><del>I feel that permitting the extension in a residential areas where working families need a degree of quiet so that they are prepared for the following days work/school is inappropriate, as well as a general entitlement not to suffer from undue noise/disruption late on any evening.</del></p>
<b>To Protect Children from Harm</b>

Signed: Matthew Baker  
Date: 9<sup>th</sup> Dec

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105



HEREFORDSHIRE  
COUNCIL

## Representation Form – Interested Parties Suggested Conditions

Premise: \_\_\_\_\_ Your name: \_\_\_\_\_

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

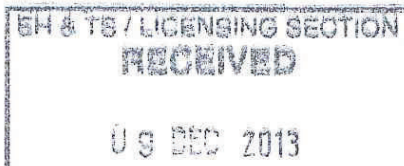
All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

<b>To Prevent Crime and Disorder</b>
<b>Public Safety</b>
<b>Prevent Public Nuisance</b>
<b>Protect Children from Harm</b>

Signed:

Date:

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105



**HEREFORDSHIRE COUNCIL**  
Licensing Act 2003 TO:

**REPRESENTATION FORM – INTERESTED PARTIES**

Please return this form, and any additional information within the statutory period to:  
**The Licensing Section,  
County Offices,  
PO Box 233,  
Bath Street, Hereford,  
HR1 2ZF  
licensing@herefordshire.gov.uk**

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

**When completing this form please print clearly and legibly.**

<b>Councillor Sharon Michael</b>	<b>Contact Telephone No.</b> [REDACTED]
<b>Address:</b> [REDACTED]	<b>E-mail address:</b> [REDACTED]
County and City councillor for the ward C	
<b>Name &amp; Address of premises you are making a representation about:</b> The Potting Shed Rylands Street Hereford license no pr01209	

**DATA PROTECTION ACT 1998. Please indicate by ticking here ..... if you are not content for your personal details to be circulated as necessary prior to any hearing .**

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

<p><b>To Prevent Crime &amp; Disorder</b></p> <p>I have had several concerns from residents that this application will increase the crime and disorder in this area, and raise the anti social behaviour in this area ,</p>
<p><b>Public Safety</b></p>
<p><b>To Prevent Public Nuisance</b></p> <p><del>I believe that the increase in trading hours will cause a nuisance to this area. Already there is a large area in front of the building that customers use to smoke and also at the side so people are already outside the building . These areas are surrounded by residential properties and with the application also applying for an increase in music this will also cause in my opinion a public nuisance. The area surrounding the potting shed are streets with terraced houses and gardens that back on to the premises most are family dwelling with school age children and I have concerns that the increase in licencing hours will impact on these families. I believe the license already granted should stand and an increase be rejected .</del></p>

Signed



Date: 4/12/13

If you have any queries about this form or are unsure of when the statutory period ends please contact the **Licensing Helpline on 01432 260105**



<b>To Protect Children from Harm</b>
--------------------------------------

Signed:  
Date:



HEREFORDSHIRE  
COUNCIL

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 260105

### Representation Form – Interested Parties Suggested Conditions

Premise: \_\_\_\_\_ Your name: \_\_\_\_\_

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

<b>To Prevent Crime and Disorder</b>
<b>Public Safety</b>
<b>Prevent Public Nuisance</b>
<b>Protect Children from Harm</b>

**Poole, Ady**

---

**From:** Poole, Ady  
**Sent:** 09 December 2013 14:48  
**To:** 'clare canning'  
**Subject:** RE: Objection to extension potting shed licence

Dear Dr Canning

**LICENSING ACT 2003  
REPRESENTATION IN RESPECT OF APPLICATION FOR VARIATION OF PREMISES LICENCE  
THE POTTING SHED, RYELANDS STREET, HEREFORD**

I refer to the recent application for variation of a Premises Licence in respect of the above premises.

I am in receipt of the representation made by you.

As you have made representations you are entitled to attend the hearing, which will decide upon this matter. This will take place before members of the Regulatory Licensing Committee of Herefordshire Council. You will be notified in due course of the date/time and location of the hearing. Please confirm your postal address for this information to be sent to you.

~~Should you have any queries or require any additional information, please contact the Licensing Helpline on 01432 260105.~~

Yours sincerely,

Adrienne Poole  
Licensing Officer,  
Economy, communities and corporate directorate  
Environmental Health & Trading Standards  
Council Offices  
PO Box 233 Blueschool House  
HR1 2ZB


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P Save paper - please only print out this message if you really need to.

-----Original Message-----

**From:** clare canning [mailto:   
**Sent:** 08 December 2013 04:43  
**To:** Licensing  
**Subject:** Objection to extension potting shed licence

To whom it may concern,



~~I have just heard (through word of mouth - I have seen NO notices from the council) that the potting shed in Hereford is applying for an extension of its licence.~~

I live very close to this snooker club [REDACTED] and I already find the club quite disruptive. At closing time there is often a lot of noise from people walking past our house and also from cars leaving the property. I note the request for an extension of licence for music and also for serving alcohol - including outside drinking in the smoking area situated very close [REDACTED]

I am a [REDACTED] and also a parent. I am very concerned about the potential increase in general disruption to my quiet home life and especially to disturbances to my sleep pattern.

~~I strongly object to an application to extend the clubs hours. This is a residential area not a city centre party area.~~

~~I know that my neighbours feel the same and a petition is being organised which I and my partner have both signed.~~

Dr Clare Canning

Sent from my iPad



8<sup>th</sup> December 2013

Dear Sirs,

**Re: The Potting Shed, Ryelands Street, Hereford**

Please find enclosed herewith various objections to the proposals by the Potting Shed. You will see that there are a number of individual objections together with a petition.

With regard to the petition, because we only became aware of the proposal very late in the day this restricted the numbers of people that we were able to contact. Almost without exception the signatories to the petition were not aware of the proposals and were surprised at their extent. We are certain that if we had been able to contact more people we would have a very much longer petition. Only two people out of 60+ contacted said that they did not wish to sign the petition.

If we can be further assistance please do not hesitate to contact us.

Yours faithfully,



Chris Reynolds



Gordon Lyth



Heidi Lyth



We the undersigned object to the proposed Variation and Extension to the Licence at the Potting Shed in Ryelands Street.

~~The proposal is to increase the licensing hours as follows:~~

~~Wednesday 10.00 to 24.00~~

~~Thursday 10.00 to 01.00~~

~~Friday 10.00 to 01.00~~

~~The variation also includes the use of recorded music on the premises and the provision of a beer garden.~~

~~We contend that this is wholly unacceptable in this residential area on the grounds of:~~

Crime and Disorder – there is already disorder with customers hanging around outside the club on a regular basis after it closes talking loudly and using unacceptable language. Cars are often damaged on Baysham Street, Ryelands Street and Chandos Street. ~~An increase in the licensing hours can only exacerbate this problem.~~

Public Safety – ~~the extended hours are likely to cause drunkenness and the possibility of damage to residents cars and property as well as disorder as above. In an area with many young families and retired residents it is likely that residents will feel intimidated by the noise and other anti social behaviour. There would be the potential for confrontation and aggressive behaviour.~~

Prevention of Public Nuisance - following on from the above we see noise, both during the proposed licensing hours and immediately after closing as being a major problem and would re-iterate that this is primarily a residential area. The addition of recorded music to the loud voices and bad language and the anticipated increase in general rowdiness after longer drinking hours can only make matters worse. ~~The customers of the club regularly park across the pavement outside the club and along Ryelands Street and Baysham Street in particular. Some residents, particularly female residents make a detour to avoid passing the front of the club after 9.00 pm~~



Protection Of Children from harm – This is a residential area with many young families. We feel that the increased opening hours and the outside drinking area will cause additional noise and rowdy behaviour along Ryelands Street, Baysham Street and Chandos Street. Children are already woken up by the noise from the club and this will happen later and more frequently if the proposals are adopted. ~~Many of these children have to attend school the following day and this is clearly unacceptable.~~

~~In Addition.~~

~~Is music essential to a “sporting venue” that already has Sky TV to show sporting events?~~

~~Likewise, is a beer garden essential for this?~~

~~Why is snooker/pool to be played so late? Surely 01.00 is far too late.~~

~~CCTV will not help in the surrounding neighbourhood where drunkenness and other anti-social activity may take place. Nor will it record the noise levels or shouting/bad language.~~

~~The fact that door staff are to be employed indicates many more customers and potential for trouble is anticipated. Exactly what we are against.~~

~~The application states on page 12 that “no external area shall be used after 24.00 hours except for smoking” but on page 8 it says no alcohol will be allowed in the beer garden after 23.00 hours. This inconsistency indicates confusion at application stage and makes us wonder what would actually happen if the variation/extension is granted.~~

~~We believe that we have a very strong case for the council to refuse this application and this is further supported by the signatures appended below which shows the strength of feeling in the immediate area.~~

70 signatures appended - list not copied











[REDACTED]

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**From:** Mooney, James [REDACTED]  
**Sent:** 13 November 2013 12:42  
**To:** Licensing  
**Cc:** Semper, Nick  
**Subject:** Potting Shed, Ryeland Street, Hereford

**NOT PROTECTIVELY MARKED**

West Mercia Police are in receipt of an application to vary the premises licence for a location known as the **Potting Shed, Ryeland Street, Hereford**.

The applicant seeks to extend the operating hours for licensable activities and to extend the same activities into an outside area.

West Mercia Police do not object to this application. It is right to say that the current premises licence is not 'fit for purpose' with a number of conditions that do not effectively promote the licensing objectives.

The applicant has made submissions to promote the licensing objectives. It is our view that if these conditions are reflected in any new licence issued that they would promote the licensing objectives in a proportionate, achievable and enforceable manner.

There are no further police representations

Regards

Jim Mooney (on behalf of Insp 0795 Semper)  
Harm Reduction and Licensing Co Coordinator  
Policing Unit - Herefordshire  
West Mercia Police

[REDACTED]

