

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

**MINUTES of the meeting of Regulatory Sub Committee held at Committee Room 1, The Shire Hall St Peter's Square Hereford HR1 2HX on Tuesday 17 March 2015 at 10.00 am**

**Present:** (Chairman)  
(Vice Chairman)

**Councillors:** JW Hope MBE, Brig P Jones CBE and A Seldon

**1. ELECTION OF CHAIRMAN**

Councillor A Seldon was elected as Chairman for the Regulatory Sub-Committee hearing.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**3. NOTIFICATION OF A STANDARD TEMPORARY EVENT NOTICES (TEN) IN RESPECT OF 'FIELD ADJACENT TO DEWSALL COURT, CALLOW, HEREFORD, HR2 8DA' AND THE ISSUE OF AN OBJECTION NOTICE IN RESPECT OF THE TEN GIVEN BY THE ENVIRONMENTAL HEALTH OFFICER.' - LICENSING ACT 2003**

Members of the Licensing Panel of the Council's Regulatory Sub-Committee considered the above application, full details of which appeared before the Members in their agenda : background papers.

Prior to making their decision the Members heard from Fred Spriggs, representing the Licensing Authority and Elisabeth Laughland, representing Herefordshire Council Environmental Health Department.

Having carefully considered those matters brought before them, the guidance issued under Section 182 of the Licensing Act 2003, the Council's Licensing Policy and with a view to promoting 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 the committee decided that:

No counter notice should be issued. (The effect of this is to approve the temporary event notice listed above).

However the committee did decide that the following condition should be attached to the Temporary Event Notice in order to promote the licencing objective of the prevention of public nuisance:

Noise from the premises must not be 'audible or discernable' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. In this condition: 'noise' is defined as sound which is

created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both.  
' Audible or discernable' is defined as 'noise' which is distinct above the general hubbub of activity from the premises which can be identified by the human ear as originating from discrete sources from the licensed premises.

The committee further recommended that the notifier of the event should work closely with the Council's Environmental Health Department to achieve compliance with the condition.

4. **APPLICATION FOR GRANT OF A PREMISES LICENCE IN RESPECT OF ZABKA, 16 EIGN GATE, HEREFORD, HR4 0AB - LICENSING ACT 2003**

The Committee adjourned the item until the 26 March 2015 – with the time to be confirmed

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