

MINUTES of the meeting of Regulatory Sub Committee held at Committee Room 1, The Shire Hall, St Peter's Square, Hereford, HR1 2HX on Friday 30 October 2015 at 11.00 am

Present:

Councillors: BA Durkin, DW Greenow and PJ McCaull

29. ELECTION OF CHAIRMAN

Councillor DW Greenow was elected as Chairman for the Regulatory Sub-Committee hearing.

30. DECLARATIONS OF INTEREST

There were no declarations of interest made.

31. TO CONSIDER AN APPLICATION FOR A NEW PREMISES LICENCE IN RESPECT OF: THE ROYAL OAK HOTEL, SOUTH STREET, LEOMINSTER. HR6 8JA - LICENSING ACT 2003

The Regulatory Sub Committee was convened in order to determine an application for a new premises licence in respect of The Royal Oak Hotel, South Street, Leominster

Prior to making their decision the Members heard from Mr Fred Spriggs, Licensing Officer for Herefordshire Council, Ms Charmaine Brookes, the applicant, Inspector Nick Semper, West Mercia Police, Mr Ian Vaughan, a local shop owner, Mr Helder Pinto, door supervisor at the Royal Oak, Mr Russell Stevens, owner of the Royal Oak, and Mrs Anna Falcini, Secretary of the South Street Residents Association.

Having carefully considered those matters brought before them and in reaching their decision, the Members had full regard to both the provisions of the Licensing Act 2003, the Guidance Issued under Section 182 of the Licensing Act 2003 and the Council's Licensing Policy.

It referred and gave weight to the appropriate statutory provision, best practice and evidence put before it by all parties.

The Hearing relied upon the Licensing Act 2003 (Hearings) Regulations 2005. The Legal Adviser referred the Committee particularly to certain paragraphs of these Regulations which the Committee duly considered and followed in its decisions concerning what evidence to admit, who it would hear and in what capacity and how the proceedings should generally be conducted.

The Committee was invited to consider;

- Whether to grant a new premises licence and if so with what conditions;

- Whether, in the event of it granting such a licence, it can accept Ms Charmaine Brookes as its designated premises supervisor.

The Committee made the following decisions with the following reasons given:-

These decisions are made in accordance with the duty placed upon us to safeguard the four Licensing Objectives in general and in particular the protection of Public Safety and prevention of Crime and Disorder objectives to which we have specifically been referred:-

Resolved

1. For reasons which will be explained the Committee adjourns this application in the public interest to the 14 of December 2015 at 11:00am. preceded by a site visit at 09:30am
2. The Committee requires a site visit in order that it may particularly consider whether it may consider granting a licence to all those parts of the licensed premises as requested or only some of them. The Committee noted carefully the points made by the South Street Residents Association and wishes to look into the matter further.
3. The Committee is considering granting a premises licence but only:
 - a) If the Fire Safety Improvement Notice presently affecting the Premises is removed;
 - b) A rated and signed Commission Certificate relating to the installation of CCTV camera and supporting equipment in respect of the premises is in force.
 - c) Evidence of both of the above are provided to the Committee.

Note: It is not sufficient for Fire Safety matters to have been completed for the licenced premises only – the safety of persons using them is dependent on the whole premises being appropriately protected.

The matter of the appointment of Ms Brookes as the designated premises supervisor is adjourned to the next meeting, by which time the Committee wishes to see the appropriate qualifications as advised by the Licensing Officer. The Committee is satisfied that it receives sufficient evidence concerning Ms Brookes for it to make a decision.

The meeting ended at Time Not Specified

CHAIRMAN