

**Minutes of the meeting of Licensing sub-committee held at
Committee Room 1, The Shire Hall, St Peter's Square, Hereford,
HR1 2HX on Friday 5 July 2019 at 10.00 am**

Present: Councillor Alan Seldon (chairperson)
Councillors: John Hardwick and Tony Johnson

Officers: Fred Spriggs

32. APOLOGIES FOR ABSENCE

No apologies for absence were received.

33. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the meeting.

34. DECLARATIONS OF INTEREST

There were no declarations of interest made.

**35. GRANT OF A PREMISES LICENCE IN RESPECT OF: 'MILA, 102-104 BELMONT
ROAD, HEREFORD, HR2 7JS' - LICENSING ACT 2003**

At the request of the applicant's solicitors, this application had been deferred to the sub committee meeting due to be held on 2 August 2019 at 10.30 am.

**36. APPLICATION FOR A VARIATION OF A PREMISES LICENCE IN RESPECT OF
SHOOTERS BAR, GRAFTON HOUSE, BURGESS STREET, LEOMINSTER. HR6 8DE
- LICENSING ACT 2003**

Members of the licensing sub committee of the council's planning and regulatory committee considered the above application, full details of which appeared before the Members in their agenda and the background papers.

The licensing officer presented the report.

The environmental health officer outlined the reason for their representation which were about the extension of the hours and the ongoing noise issues, particularly in connection with music events. There had also been complaints from residents about noise management. It was reported that there was an ongoing noise complaint which is currently being investigated. The environmental health officer stated that there had been discussions with applicant about the noise concerns emanating from inside the premises and about controlling the noise for every night and not just the extended hours being sought by the application. The agreed conditions had been published as supplement (as supplement 2). As part of the agreed conditions, there would only be extended hours on 12 Thursdays in a year and that if the variation was granted, a noise management plan would be produced and agreed which would include controlling the noise. It was stated that discussions between the environmental health officer, the applicant and the applicant's agent were ongoing.

The environmental health officer confirmed that on the basis of the agreed conditions, the original representation had been withdrawn.

Following a request for clarification, the environmental health officer confirmed that there was an ongoing noise issue with the premises and that work was ongoing with the applicant in connection with this.

The ward member then outlined her representation which included the fact that Shooters Bar was an important part of Leominster's night time economy. She was very encouraged by the environmental health officer's comments. However, she had received verbal reports of drunken behaviour next to the central car park and that she had an outstanding query with the police in relation to an alleged chainsaw incident.

The member of the public who had made a public representation outlined that there was already noise from Shooters Bar to 0300 hrs. On a bank holiday weekend, the noise was on a Friday, Saturday and Sunday and that in his view the hours did not need to be extended. He reported that the patrons from Shooters were often outside with foul language and bad behaviour and that granting the extension would only make matters worse.

Following a request for clarification, the environmental health officer confirmed that the extension on a Thursday night was the only major change to the current premises licence. There were concerns about potential noise issues on Thursday, Friday and Saturday and this had been the basis for representation. There had been discussions with the applicant about ways of reducing the noise. This had led to an agreement to reduce the number of Thursdays to 12 per year. It was also reported that the applicant would be making structural changes to the premises, changing the sound systems and would notify the council prior to events so that checks could be made.

It was further clarified that there were approximately three (3) premises in the vicinity of the premises, with Shooters Bar having the longest operating hours.

The sub committee then heard from the applicant's agent who made the following points:

- Work on the variation to the premises licence had commenced last year.
- The applicant had worked with the police in connection with the variation
- The police had not put in any representation
- Accordingly to the crime MAPPa website, in April 2019 there had only been 4 incidents of crime or disorder in the centre of Leominster.
- The sub committee were required to have evidence before they could impose conditions or refuse to grant the application for refusal.
- The request for the extension for three (3) additional hours on a Thursday night were for music nights with a DJ. They had liaised with the environmental health officer which had resulted in an agreed condition for one (1) music event every 28 days.
- The request for an additional 30 minutes operating time was in respect of late night refreshment which would be new to the premises.
- The premises had a commercial kitchen.
- Temporary event notices (TENS) had been used in connection with the late night refreshment offering and there had been no issues raised.
- It was hoped that having late night refreshment included within the licence would mean that there were no longer large groups of people trying to find something to eat and talking loudly or shouting.
- The issues of anti-social behaviour which had been raised were unsupported by the police as they hadn't put in a representation.
- The applicant was proactively working with the environmental health officer.

- The applicant would be looking to do considerable improvements to the building in the future to reduce the noise.
- The two supporting statements from nearby residents were highlighted and which had been published as a supplement to the agenda (supplement 1).

Following a question from a member of the sub-committee, it was confirmed that it was anticipated that the consumption of hot food would take place mostly on the premises.

DECISION

The sub committee's decision is to grant the variation to the licence with the additional conditions agreed with environmental protection.

REASONS

The committee had taken into account the representations made by environmental protection, the member of the public, the ward member and the applicant. The sub-committee had noted the requirement to produce a noise management plan within 28 days of the granting of the variation and the ongoing project with regard to noise control. The sub committee noted that no evidence had been produced which indicated that the licensing objectives were being undermined.