

Minutes of the meeting of Licensing Sub-Committee held at Online meeting/Conference Room 2 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Wednesday 8 October 2025 at 2.00 pm

Present: Councillor Polly Andrews (chairperson)

Councillors: Dave Davies and Stef Simmons

Officers: Democratic Services Officer, Licensing Technical Officer and Senior Lawyer - Civil Litigation

14. APOLOGIES FOR ABSENCE

No apologies for absence were received.

15. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the meeting.

16. DECLARATIONS OF INTEREST

There were no declarations of interest made.

17. APPLICATION FOR A VARIATION OF A PREMISES LICENCE IN RESPECT OF MARDEN STORES RESTAURANT, MARDEN, HEREFORD, HR1 3EW- 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 reports published on 30 September 2025 and supplement on 8 October 2025.

Prior to making its decision, the Senior Licensing Technical Officer presented the report which outlined the options available to the Sub-Committee. No representations were received from the responsible authorities. One (1) relevant representation was received from a member of the public that the licensing authority accepted as being relevant.

The Sub-Committee then heard from the applicant's representatives Mrs Dorinda Howells and Mr Wayne Jones that:

- The applicant currently had 2 existing and valid licenses. 1 covered the sales for consumption off premises and the 2nd covered the sales for consumption on premises. The applicant wished to merge the two licenses in order for good housekeeping and to save the cost of maintaining 2 licences.
- It was felt the condition stating alcohol must be consumed at a table was unreasonable and wished the condition to be revoked and replaced with the suggested new wording of "in the consumption area".

- The premise had never received complaints from any neighbouring properties and had a blemish free record of licenced activities at both the stores and restaurant.

Following questioning by the Sub-Committee, Mr Wayne Jones confirmed that:

- Seating accommodated 24 people which took up the majority of the consumption area and there were no concerns with overcrowding should the license be granted.
- The premise currently does not play music and had no plans in the future to play music or open their premise past 6pm.

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 (as amended by the Violent Crime Reduction Act 2006), the Guidance Issued under Section 182 and Herefordshire Council's statement of licensing policy.

DECISION

The Sub-Committee's decision following an application to vary the premises licence is as follows:

The premises licence shall be varied in accordance with the submitted and consulted upon application.

REASONS

The Sub-Committee has fully considered the detailed report by Senior Licensing Officer Emma Bowell, the application and written representation in the report pack, as well as the evidence presented at the hearing by Mrs Dorinda Howells and Mr Wayne Jones on behalf of the Applicant.

The Sub-Committee has also taken into account the relevant policies and guidance.

The sub-committee carefully considered the written representation that had been received against the granting of the variation and took the relevant points made in the representation into account when hearing from the representatives of the applicant and when asking questions.

The Sub-Committee considered the submissions of Mrs Howells and Mr Jones and noted that the purpose of the variation was to improve the experience for customers and to allow flexibility in how the business operated. Mrs Howells was clear that the business had operated responsibly over a long period of time and that they had not received any complaints.

The sub-committee were able to ask questions of those in attendance and regarded the answers provided by the applicant's representatives to be very helpful when reaching their decision. The sub-committee noted that the outside area could accommodate approximately 24 people and was only open until 6:00pm. Mr Jones stated that there were no current plans to change how the business operated or to change the nature of the business.

The sub-committee were disappointed that the one (1) member of the public that had submitted representations was not in attendance at the hearing to expand upon their representation, as this representation was the reason why the hearing was convened. The sub-committee would have been assisted with further information underpinning the representation and would have welcomed the opportunity to explore the reasons behind the representation in order to assist them in their decision making.

In the absence of this further information, the sub-committee were satisfied that they had explored the concerns raised in the representation as far as they could and were reassured by the evidence from those representing the applicant that the granting of the variation would not undermine the licensing objectives. Based on the evidence before them, the sub-committee were of the view that granting the variation would not lead to irresponsible alcohol consumption, it would not have an adverse effect on the locality, and it would not send children the wrong message about drinking.

The Sub-Committee considered the options available to them and based on the evidence available, decided to grant the application to vary the Premises Licence.

The meeting ended at 2.30 pm

Chairperson