

Minutes of the meeting of Licensing Sub-Committee held at Online meeting / Conference Room 2 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Monday 23 March 2026 at 10.00 am

Present: Councillor Polly Andrews (chairperson)
Councillors: Dave Davies and Peter Hamblin

Officers: Licensing technical officer and Senior Lawyer - Civil Litigation

43. APOLOGIES FOR ABSENCE

No apologies for absence were received.

44. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the meeting.

45. DECLARATIONS OF INTEREST

There were no declarations of interest made.

46. APPLICATION FOR A VARIATION OF A PREMISES LICENCE IN RESPECT OF GWALIA STORES, 27-29 BROAD STREET, ROSS-ON-WYE, HR9 7ED - LICENSING ACT 2003.

Members of the licensing Sub-Committee from the Council's Planning and Regulatory Committee considered the above application, full details of which appeared before the members in their agenda published on 13 March 2026 and the supplement published on 17 March.

Prior to making its decision the senior licensing officer presented the report which outlined the options available to the Sub-Committee. One representation was received from the Licensing Authority as a Responsible Authority. The Licensing Authority did not object to the application, however, they suggested additional conditions to be added to the premises licence to promote the licensing objectives for a premises licence granted to this location. These additional conditions were agreed by the applicant. One objection was received from Hereford and Worcester Fire Authority, due to outstanding issues from 17 November 2025. The fire safety deficiencies detailed within a letter dated 17 November 2025 remain unresolved and these outstanding matters compromise the safety of persons on the premises and fail to meet the minimum requirements of the Fire Safety Order. One representation was received from Ross Town Council, the representation stated that the additional hours would potentially increase anti-social behaviour which is already prevalent in the area. No representations were received from the Police.

The Sub-Committee then heard from the applicant's representative Mr Naga Rajesh that:

- The previous review of the premises licence had occurred in 2012, before the management of the current premises licence holder (PLH).
- The current PLH had run the business for 5-6 years and had a good track record.
- It was confirmed that Mr Rajesh had not been involved when the application had been made by the PLH but had become involved later in the process.
- Since the current PLH had taken over the premises, there had been no issues or complaints raised with the running of the business and there had been no objections from any of the responsible authorities.
- The shop was open until 10:00 p.m. but alcohol was not sold beyond the licenced hours of to 8:00 p.m.
- There was a demand from customers to sell later alcohol to a later time than 8pm. The restriction of not being able to sell past 8 p.m. was undermining customer good will. The need to cover alcohol displays after 8:00 p.m. and refuse sales past this time was negatively affecting customer relationships.
- The existing hours of opening had not resulted in any complaints relating to the shop.
- The shop was the PLH's livelihood and he would not jeopardise his livelihood by undermining the licensing objectives.
- There were a number of conditions on the licence which were accepted and would be applied in operations at the shop.
- Fire safety at the premises is being addressed; a company was working at the premises to address issues raised. The work would be completed soon which was an assurance offered by the PLH.
- Other concerns raised regarding the application concerned crime and disorder. The premises was not in an identified problem area. The police are the key consultees in respect of crime and disorder and had not raised an objection.
- Under the s182 guidance a good reason was required to not allow the licensing application; there was no good reason or evidence before the Sub Committee to refuse the application in this case.
- The later opening hours of the store and the presence of the PLH into the evening would actually help address anti social behaviour.
- The PLH is not looking at 24 hour alcohol sales and the licensing objectives will be promoted.

Following questioning by the Sub-Committee, the applicant's agent/applicant confirmed that:

- Work to address the Fire Authorities' requirements was ongoing and would be completed within 1 – 2 weeks.
- The newspapers rack located in the front window to the store could be moved to enable a clear view into the shop.

The Sub-Committee then heard from the premises licence holder Mr Ratheepan Ramanathan that:

- The shop was in a listed building and there were restrictions on changes to the shop frontage, however, the newspaper stand would be removed to enable a view into the shop.
- All conditions were adhered to and would continue to be upheld.
- An HD camera was installed outside of the shop to provide CCTV evidence if required.

The Sub-Committee carefully considered all the representations, reports and evidence before them. They have had regard to their duties under S4 of the Licensing Act and considered guidance issued under s182 of the Licensing Act 2003 and Herefordshire Council's Statement of Licensing Policy 2020

- 2025.

DECISION

The Sub-Committee's decision is to grant the variation application as applied for, together with the additional conditions agreed with the Licensing Authority.

REASONS

The Sub-Committee fully considered the detailed report by the Senior Licensing Officer, the application and written representations in the report pack, as well as the evidence presented at the hearing by the Applicant's Agent, Mr Rajesh and from the Applicant himself, Mr Ramanathan.

The Sub-Committee was concerned with the representation received from Hereford and Worcester Fire Authority but felt the evidence and assurances provided by Mr Rajesh and the PLH, that work was being undertaken to comply with fire safety, were acceptable and addressed the Sub-Committee's concerns.

However, the Sub-Committee would like to be clear, that should this premises come before the Sub-Committee in the future, for unaddressed fire safety issues, the matter would be taken very seriously.

The Sub-Committee went on to review the representation made by Ross Town Council and the Council's position on the potential for an increase in anti-social behaviour should the application be granted. The Sub-Committee noted that there was no history of complaints against the premises linked to anti-social behaviour under the management of the current PLH and the Police had not made a representation in respect of the application. Therefore, there was no evidence before the Sub-Committee to support the concerns raised by Ross Town Council. The Sub-Committee were of the view, that should such anti-social behaviour result from the granting of this application, Ross Town Council could seek to review the licence with supporting evidence.

The Sub-Committee carefully considered the submissions of both Mr Rajesh and the PLH and felt the submissions were comprehensive and detailed. The Sub-Committee were of the view that the PLH took his responsibility to promote the licensing objectives seriously and that to grant this application would not undermine the licensing objectives.

In reaching their decision, the Sub-Committee balanced the evidence before them and took into account the relevant parts of Herefordshire Council's policy, the statutory guidance and the legal framework under the Licensing Act 2003 and felt it was appropriate to grant the application.

47. REVIEW OF A PREMISES LICENCE IN RESPECT OF: OUT TO GRASS, WOODEND FARM, CRADLEY, HEREFORDSHIRE, WR13 5JW - 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 13 March 2026 and the supplements published on 16 March, 19 March and 20 March 2026.

The Chairperson on the Sub-Committee opened the hearing and explained that there was a preliminary issue to consider prior to moving to the full hearing of the application. It was proposed that a site visit was arranged to enable members to view the setting of the premises/campsite and understand the proximity to residential dwellings.

All attendees to the hearing were given the opportunity to comment on the proposed site visit. Two members of the public who had made representations in respect of the application for review, proposed that the hearing should proceed to hear the evidence first and that the site visit should take place following evidence being heard as this would provide greater clarity when the site visit took place. The representative of the Premises Licence Holder, was in agreement with the proposed site visit taking place and that this should happen before evidence was heard. The representatives of the applicant Responsible Authority, agreed that there should be a site visit before hearing the evidence in the case.

This concluded the evidence heard in respect of the preliminary issue of a site visit at the hearing.

DECISION

The Sub-Committee's decision was to adjourn the hearing to allow for a site visit to be undertaken to Out to Grass, Woodend Farm, Cradley, Herefordshire, WR13 5JW.

The site visit will be held at 2:30 p.m. on Thursday 9 April.

The reconvened hearing will be held at 10:00 a.m. on Friday 10 April.

The site visit will be held in accordance with the following rules:

Attendees:

- Member of the Sub Committee
- Applicant Responsible Authority – Environmental Health Officers
- Premises Licence Holder and their Agent
- A member of the Licensing Authority – who will also take notes of the visit in the absence of the Clerk of the Committee.
- The Sub-Committee's Legal Advisor

The purpose of the site visit is fact finding.

The Sub Committee members will be able to ask Officers for the Applicant Responsible Authority and/or the Premises Licence Holder or their Agent to point out relevant features of the site and surroundings and to seek clarification on points the Sub Committee consider to be relevant.

No discussion of the merits of the case is permitted at site inspections and all questions from you will be put through the chairperson.

The visiting party will stay together as a group. Wherever possible the party should arrive at and leave the site together.

No decision on the application will be made until the meeting of the Sub Committee on 10 April 2026 at which the application is to be considered, when the Sub Committee will have before them all necessary information to be able to make an informed decision, including any material facts arising from the site visit.

Conduct of visits

- a) the visit will be conducted in a formal manner.
- b) the chairperson will open the visit and remind members of its purpose and conduct.

- c) Officers for the Applicant Responsible Authority and/or the Premises Licence Holder or their Agent will highlight issues relevant to site inspection and clarify issues raised by the Sub Committee.
- d) the chairperson will close the visit.

General matters

- (a) No decision will be made concerning the application on site.
- (b) no hospitality will be accepted
- (c) a note of the questions raised and responses provided on the site visit will be published before the recommenced hearing.

REASONS

The Sub-Committee has taken into account the submissions from all those in attendance at the hearing. The Sub Committee noted that all those in attendance agreed that a site visit would be appropriate but that the views of those in attendance differed as to when the visit should take place. The Sub Committee determined that an understanding of the setting and surroundings of the premises are fundamental to the determination of the application and the conditions being considered, and cannot reasonably be made without visiting the site in question and the site visit should take place before the evidence as this would provide a clearer context for the Sub-Committee when hearing the evidence in the application.

The meeting ended at 11.11 am

Chairperson