

**MINUTES of the meeting of the Regulatory Committee held at Brockington, 35 Hafod Road, Hereford on 17 June 2003 at 2.00 pm.**

**Present: Councillor R.I. Matthews (Chairman)**

**Councillors: Mrs S.P.A. Daniels, G.W. Davis, P.J. Dauncey, J.W. Hope, G. Lucas, J.W. Newman. R. Preece, D.C. Taylor, Mrs A.M. Toon, P.G. Turpin**

**In attendance: P.J. Edwards and P.E. Harling**

**1. APPOINTMENT OF VICE-CHAIRMAN**

**RESOLVED: That it be recommended to Council that Councillor Brig P. Jones be appointed Vice-Chairman for the ensuing year.**

**2. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors D.J. Fleet, T.W. Hunt and Brig P. Jones.

**3. NAMED SUBSTITUTES**

Substitute	Member
Councillor Mrs A.M. Toon	Councillor D.J. Fleet

**4. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**5. MINUTES**

**RESOLVED: That the Minutes of the meeting held on 23 April 2003 be approved as a correct record and signed by the Chairman.**

**6. PROCEDURAL ARRANGMENTS**

The Committee Manager (Statutory, Planning and Corporate) explained the procedure for hearing appeals to ensure that the laws of natural justice were followed to give a fair hearing to applicants and to the licensing officers.

**7. PUBLIC ENTERTAINMENTS LICENSING – APPLICATION FOR LUCTONIANS RUGBY CLUB SUMMER BALL ON 18 JULY 2003 IN A MARQUEE AT LUCTONIANS RUGBY CLUB, KINGSLAND, LEOMINSTER – LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

Consideration was given to a report in respect of an application from Luctonians Rugby Football Club for an Occasional Public Entertainment Licence with a finishing time of later than 0100 hours which was set out in the Council's policies. The Principle Trading Standards Officer provided the Committee with details of the Council's policies for granting public entertainment licenses and said that the finishing time of not later than 0100 hours was in place to protect the local community and individuals from disturbance by events involving music, singing and dancing.

She also advised that the Committee would need to have regard to the implications of any decisions it made which would relate to the provision of the Crime and Disorder Act 1998. She added that the Fire Authority and the Police had no objections to the application and that the Area Environmental Health Manager had also raised none, subject to certain conditions being imposed on the licence if the appeal was upheld.

Mr S Green-Price presented the application by Luctonians Rugby Football Club for a finishing time of 3.30am on 18th July 2003. He said that the event had been held at the venue in previous years and that no problems had been encountered. The funds raised at the event played a very important part to enable the club to promote rugby in the area. Those invited were members of the club, their friends and relatives and no tickets would be sold on the night. As had been the case in previous years, local residents would be notified about the event in writing and the notice would be hand delivered.

At the conclusion of the appeal the applicant and the licensing officers withdrew from the meeting whilst consideration was given to the application. Having considered all the facts in relation to the application the Committee whilst mindful of the Council's policies took the view that Mr Green-Price had given satisfactory evidence to suggest that the event would be well supervised in a responsible manner. The Committee decided that the extension of hours should be granted, but only because of the exceptional circumstances involved. The applicant and the licensing officers were invited back to the meeting and were informed of the decision.

**RESOLVED: That an Occasional Public Entertainment Licence be granted to Luctonians Rugby Football Club in respect of their summer ball on 18th July 2003 between 8.30pm and 3.30am at Mortimer Park, Kingsland, Leominster subject to:**

- (a) the applicant fulfilling any conditions imposed by the Police and the Fire Authority;**
- (b) the applicant agreeing final details of the event with the Head of Environmental Health and Trading Standards, satisfying his requirements regarding car parking, stewarding, minimisation of noise nuisance and providing him with a responsible contact person for the event;  
and**
- (c) the local residents being notified or reminded in writing by the applicant.**

**8. PUBLIC ENTERTAINMENTS LICENSING AND CINEMA LICENSING – APPLICATION FOR THE BIG CHILL FESTIVAL AT EASTNOR DEER PARK, EASTNOR CASTLE, LEDBURY – LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AND CINEMAS ACT 1985**

Consideration was given to a report in respect of an application from Chill Fest Ltd for an Occasional Public Entertainment Licence and an Occasional Cinema Licence for a finishing times later than those which were set out in the Council's policies. The Principle Trading Standards Officer gave details of the policies and the reasons for which they were in place. She advised that the policies protected the local community and individuals from disturbance by such events and she also said that the Committee would need to have regard to the implications of any decisions it made which would relate to the provision of the Crime and Disorder Act 1998. She added that the Fire Authority and the Police had no objections to the applications and that the Area Environmental Health Manager had also raised none, subject to certain conditions being imposed on the licence if the appeal was upheld. The Environmental Health Officer also gave advice to the Committee about the conditions that could be imposed regarding noise arising from the event.

Fiona Stewart presented the application on behalf of Chill Fest Ltd for a finishing time of 2.00 am on 1st and 2nd August 2003 and 1.00 am on 3rd August 2003. She asked for the opening hours to be varied to 6.00 am in respect of an Occasional Cinema License on 1st August 2003 – 3rd August 2003. She provided the Committee with details about the event and said that four full time Police Officers and forty-five professional security guards would be employed. The event had first been held at the same venue last year and had proved to be extremely successful with few problems or complaints arising. CCTV would be used around the venue and steps would be taken to minimise traffic congestion on the adjoining road network by staggering the admission period. There would be strict controls in place so that those attending would be by ticket only. She also explained that the Occasional Cinema License was for a 12ft by 12ft screen which would be located in a marquee showing films during the event. Councillor PE Harling, the Local Ward Councillor said that neither he nor the local parish council had received any complaints about the event last year, which had proved to be extremely successful for the locality by benefiting entertainment and tourism.

At the conclusion of the appeal the applicant and the licensing officers withdrew from the meeting whilst consideration was given to the applications. Having considered all the facts in relation to the application the Committee whilst mindful of the Council's policies took the view that Ms Stewart had given satisfactory evidence to suggest that the event would be well supervised in a responsible manner. The Committee decided that the extension of hours should be granted, but only because of the exceptional circumstances involved. The applicant and the licensing officers were invited back to the meeting and were informed of the decision.

**RESOLVED: That**

- (i) an Occasional Public Entertainment Licence be granted to Chill Fest Ltd in respect of the Big Chill Festival at Eastnor Castle Deer Park, Ledbury with a finishing time of 2.00 am on 1st and 2nd August 2003 and 1.00 am on 3rd August 2003; and**
- (ii) an Occasional Cinemas License be granted to Chill Fest Ltd at Eastnor Castle Deer Park, Ledbury to 6.00 am Friday 1st August 2003 – Sunday 3rd August 2003, subject to:**

- (a) the applicant fulfilling any conditions imposed by the Police and by the Fire Authority;
- (b) the applicant agreeing final details of the event with the Head of Environmental Health and Trading Standards, satisfying his requirements regarding car parking, stewarding, minimisation of noise nuisance and providing him with a responsible contact person for the event;  
and
- (c) the local residents being notified or reminded in writing by the applicant.

## 9. ENFORCEMENT OF CARAVAN SITE LICENCE CONDITIONS

The Principle Trading Standards Officer said that at its meeting in February 2003 the Regulatory Committee had approved new Caravan site Standard Licence Conditions for the County. She advised that the Environmental Health and Trading Standards Licensing unit had carried out some routine visits to determine compliance with the new Standard Conditions and that these visits had revealed a number of cases of non-compliance. She said that the main points of concern were

- a) the distances between the mobile homes were less than the 6 metres rule stipulated in condition 2.1 of the Permanent Residential Mobile Home Site Licence conditions;
- b) some mobile homes had enclosed porches contrary to condition 2.2 of the Permanent Residential Mobile Home Site Licence conditions: and
- c) sheds erected in close proximity to the mobile homes were not of a non-combustible construction contrary to 2.6 of the Permanent Residential Mobile Home Site Licence conditions.

The Committee discussed the situation that had arisen and explored the options that were available. Having considered the matter in detail the Committee agreed with several recommendations put forward by the officers and decided there was merit in a time limit being imposed for licensees to comply.

### **RESOLVED: That**

- (a) the licensees of caravan sites be advised that they have 3 years to comply with the Council's licensing conditions in relation to;
  - mobile homes impinging into the 6 metre space,
  - combustible sheds,
  - enclosed porches.
- (b) any new/replacement caravans/sheds contravening the licence conditions will be investigated and that if the present non conformances are not rectified the licensee leaves the business at risk to any claims from persons who sustain damaged or a loss if the site has a fire outbreak as a consequence of the non conformances to the standard conditions.

**10. REPORT TO RENEW THE LICENCE FEES FOR GAME DEALERS LICENSES – THE GAMING ACT 1860**

The Principle Trading Standards Officer presented a report suggesting the implementation of revised licence fees for Game Dealers Licenses. The fee suggested was £25 to cover the cost of administration and enforcement work.

**RESOLVED:** That a licence fee of £25 be adopted for Game Dealers Licenses.

**11. REPORT TO CONSIDER DELIGATING POWERS TO SET STATUTORY FEES TO THE HEAD OF ENVIRONMENTAL HEALTH AND TRADING STANDARDS**

A report was presented by the Head of Environmental Health and Trading Standards suggesting that the licenses issued by the Environmental Health and Trading Standards Department which had their fees determined by Statute, should be set by him rather than having to be referred to the Committee. The Committee concurred with his proposals.

**RESOLVED:** That the Head of Environmental Health and Trading Standards be authorised to set the statutory fees in respect of licenses that are issued by the Environmental Health and Trading Standards Department.

**12. PUBLIC ENTERTAINMENTS LICENSING – APPLICATION FOR EARDISLEY AND DISTRICT YOUNG FARMERS CLUB SUMMER BALL ON 21 JUNE 2003 IN A FARM BUILDING, WILLERSLEY COURT FARM, WILLERSLEY, NR EARDISLEY, HEREFORDSHIRE – LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

Consideration was given to a report in respect of an application from Eardisley and District Young Farmers Club for an Occasional Public Entertainment Licence with a finishing time of later than 0100 hours which was set out in the Council's policies. The Principle Trading Standards Officer provided the Committee with details of the Council's policies for granting Public Entertainments Licenses and said that the finishing time of not later than 0100 hours was in place to protect the local community and individuals from disturbance by events involving music, singing and dancing. She also advised that the Committee would need to have regard to the implications of any decisions it made which would relate to the provision of the Crime and Disorder Act 1998. She added that the Police and the Fire Authority had no objections to the application and that the Area Environmental Health Manager had also raised none, subject to certain conditions being imposed on the licence if the appeal was upheld. .

A representative of the Eardisley and District Young Farmers Club was not present at the meeting to present the appeal but the Committee decided that in view of the circumstances and previous good record of the applicants that the application should be granted.

**RESOLVED:** That an Occasional Public Entertainment Licence be granted to Eardisley and District Young Farmers Club in respect of their summer ball on 21 June 2003 at Willersley Court Farm, Willersley, Eardisley, Herefordshire until 2.00 am subject to:

- (a) the applicant fulfilling any conditions imposed by the Police and the Fire Authority;
- (b) the applicant agreeing final details of the event with the Head of Environmental Health and Trading Standards, satisfying his requirements regarding car parking, stewarding, minimisation of noise nuisance and providing him with a responsible contact person for the event;  
and
- (c) the local residents being notified or reminded in writing by the applicants.

The meeting ended at 3.20 pm

**CHAIRMAN**