

HEREFORDSHIRE COUNCIL

**REGULATORY COMMITTEE DECISION NOTICE
(THE LICENSING ACT 2003)**

PREMISES	The Horse and Jockey
LICENCE HOLDER	Punch Taverns
APPLICANT'S NAME	Mrs Janet Roberts
APPLICATION TYPE	Review of Premises Licence
PANEL MEMBERS	Councillor JW Hope MBE (Chairman) Councillor A Seldon Councillor JW Goodwin
DATE OF MEETING	4 July 2008

Members of the Licensing Panel of the Council's Regulatory Committee considered the above application, full details of which appeared before the Members in their agenda and the background papers.

Prior to making their decision, the Members heard from:

- Mrs Roberts (The applicant)
- Mr Delpinto (an interested party in support of the review)
- Mr Phipps (The Premises Licence Holder's Legal Advisor)
- Mr Rowley (Representing Punch Taverns, the Premises Licence Holder)
- Mr Callow (The Designated Premises Supervisor's Legal Advisor)
- Mrs Harmer (The Designated Premises Supervisor)
- Mr Nelson (an interested party in support of the DPS)
- Miss Woodland (Herefordshire Council, Environmental Health Officer)

Having carefully considered those matters put before them, the Members of the Committee considered that in order to promote the Licensing Objectives that the application should be, and was determined as follows:-

That the following additional conditions be imposed forthwith* upon the licence:-

- A notice shall be displayed reading 'Customers must not smoke on the street outside these premises. Any person failing to observe this condition will be refused further service at the bar upon re-entry'. This notice, measuring not less than A4 size shall be prominently displayed on both the entrance door to the premises and also on the ground floor, street facing windows in such a manner that it is clearly visible to customers both inside and outside the premises.
- There shall be no use of televisions or amplified music in any external area of the premises after 2100 on any evening.

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That the following recommendation be added to the licence forthwith*:-

- A liaison group to be set up between all parties involved with mediation offered by Council Officers when reasonable.

** Subject to Section 52(11) which states that a determination under this section does not have effect:*

*(a) until the end of the period given for appealing against the decision, or
(b) if the decision is appealed against, until the appeal is disposed of.*

REASONS

In reaching their decision, the Members had full regard to both the provisions of the Licensing Act 2003 and the Council's Licensing Policy, the Guidance issued pursuant to Section 182 of the Act, together with the matters raised both orally and in the documents presented to the meeting. The Committee were cognisant of the fact that the Licence amounted to 'property' within the meaning of Article 1 to the First Protocol of the European Convention on Human Rights and considered that their decision was proportionate, having regard to all the matters put before them. The Members made their decision in order to promote the four licensing objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.