

APPLICATION FOR TWO TEMPORARY EVENT NOTICES FOR 'THE GOLDEN GALLEON, 61A COMMERCIAL ROAD, HEREFORD HR1 2BP.' - LICENSING ACT 2003

Report By: Head Of Environmental Health And Trading Standards

Wards Affected:

Central

1. Purpose

To consider an application for two temporary event notices (TEN's) for 'The Golden Galleon' (Fish and Chip Shop), 61a Commercial Road, Hereford, HR1 2BP.

2. Background Information

Applicant	Mr Harjinder Singh
Type of applications:	T.E.N.
Date Received (for both):	3 June 2009
Date Served on Police:	3 June 2009
Issue Deadline: First Application:	11 June 2009
Issue Deadline: Second Application:	19 June 2009

3. Current Licence Details

The premise currently holds a Premises Licence authorising the Provision of Late Night Refreshment as follows: -

Monday to Sunday: 2300 – 01.30 hours

Seasonal Variation: 10.00 New Year's Eve to 01.30 on New Year's Day.

There was also a Regulatory Sub-Committee Hearing on 4 July 2008 to consider an application to extend the closing times to 02.00 Monday to Thursday and 04.00 Friday to Sunday. Although there were representations, the application was rejected due to errors in the application. An application has not been resubmitted to date.

4. TEN Applications

Applications for two 'Temporary Event Notices' have been received. They relate to two Saturday nights in June and July, for extensions of the closing time to 04.00.

An objection from the relevant Chief Officer of Police was received by Herefordshire Council on 4 June 2009. These applications are therefore now brought before the committee to determine the application.

5. Summary of Applications

The licensable activities applied for are for 'Late Night Refreshment'.

The following dates and hours have been applied for: -

1st Application

An extension of their late night opening from 23.00 on Saturday 27 June to 04.00 on Sunday 28 June 2009.

2nd Application

An extension of their late night opening from 23.00 on Saturday 4 July to 04.00 on Sunday 5 July 2009.

7. **Summary of Police Objection**

The relevant Chief Officer of Police made a written objection on 4 June 2009 on the grounds that the temporary events would undermine the Crime and Prevention Objective as: -

- Prior to the current Licensing Act's restrictions, the premises operated without a control of its hours and as such it was the centre of alcohol related crime and disorder.
- In the 12 month period prior to the current Licensing Act's restrictions, the police were called to a total of 47 incidents at the premises.
- On at least two occasions it has been necessary to close the premises due to serious crime and disorder.
- In the 12 month period following the current Licensing Act's restrictions, the police were only called to the premises 13 times. The only serious assault took place at 02.20, which was in breach of its licensed hours.
- Since the current Licensing Act's restrictions, a number of TENs have been granted without police objection. However, these were on special occasions such as New year's Eve, when extra policing resources were deployed.

A copy of this objection can be found within the background papers.

8. **Herefordshire Council Licensing Policy**

In making its decision, the committee should have regard to its own policy, the DCMS guidance and have regard to all documents submitted in respect of the application.

9. **Options: -**

There are two options available to the committee:

- Issue a 'counter notice' if it considers it is necessary for the promotion of the crime prevention objective, or
- Refuse to issue a counter notice, thereby approving the Licensable Activities and hours requested by the Temporary Events Notice.

10. **Background Papers**

- Police representation
- Both applications

Background papers are available for inspection in the Council Chamber, Brockington, 35 Hafod Road, Hereford 30 minutes before the start of the hearing.