

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

PREMISES	Arte
APPLICANT'S NAME	Miro Catering Ltd
APPLICATION TYPE	New Premises Licence
PANEL MEMBERS	Councillor P Jones CBE (Chairman) Councillor A Seldon Councillor JD Woodward
DATE OF MEETING	15 September 2009

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 Mr Branczik, Mr Higton, and Ms Cottringer, as well as a written representation from Mr Williams. They also heard from Mr Shaw, the applicant and Mr Thompson, both in support of the application.

Having carefully considered those matters brought before them, the Committee were of the opinion that the application should be **granted subject** to the conditions appearing below. 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 Members imposed conditions 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.

HOURS OF LICENSABLE ACTIVITY

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Plays, Films	1100 - 2300	1100 - 2300	1100 - 2300	1100 - 2300	1100 - 0000	1100 - 0000	1200 - 2300
Live/Recorded Music	1100 - 2300	1100 - 2300	1100 - 2300	1100 - 2300	1100 - 0000	1100 - 0000	1200 - 2300
Perf. Of Dance	1100 - 2300	1100 - 2300	1100 - 2300	1100 - 2300	1100 - 0000	1100 - 0000	1200 - 2300
Prov. of Facilities for Making Music	1100 - 2300	1100 - 2300	1100 - 2300	1100 - 2300	1100 - 0000	1100 - 0000	1200 - 2300
Prov. of Facilities for Dancing	1100 - 2300	1100 - 2300	1100 - 2300	1100 - 2300	1100 - 0000	1100 - 0000	1200 - 2300
Late Night Refreshment	2300 - 0000	2300 - 0000	2300 - 0000	2300 - 0000	2300 - 0000	2300 - 0000	
Supply of Alcohol	1100 - 0000	1100 - 0000	1100 - 0000	1100 - 0000	1100 - 0100	1100 - 0100	1200 - 2300
Open to the Public	1000 - 0030	1000 - 0030	1000 - 0030	1000 - 0030	1000 - 0130	1000 - 0130	1200 - 2330

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(THE LICENSING ACT 2003)****CONDITIONS**

The application was granted in respect of the hours of operation of the licensable activities described in the box above together with the following conditions

- The mandatory conditions of The Licensing Act 2003.
- All conditions proposed by the applicant under section p of the application form.

PREVENTION OF PUBLIC NUISANCE

- Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- The licensee shall ensure as far as reasonably practicable that patrons leave the premises and the immediate vicinity in an orderly and sociable manner.
- A suitable and sufficient dispersal policy shall be implemented to deal with any rowdy or unsociable behaviour from patrons leaving the premises.
- All external windows and doors shall be kept closed, except for access, when amplified sound or music is provided on the premises. All windows and doors to the premises shall be maintained in a good state of repair.
- A sound limiting/cut out device must be installed, maintained in full working order and be used each time entertainment is provided in the entertainment area. The level at which the device operated must be agreed with the Council's' Environmental Health Officer.
- Prior to its use for licensable activities, the public club area shown on the first floor plan submitted with the application shall be further sound proofed in a suitable manner to be agreed between the applicant and the appropriate Environmental Health Department.

PROTECTION OF CHILDREN FROM HARM

- Challenge 25 should be employed.

APPEAL INFORMATION

Under Schedule 5 Section 2, the applicant or any party making representation may appeal against the decision. Section 9 states that such an appeal must be made to the Magistrates Court within a period of 21 days from the date that the applicant is notified in writing of the decision.

Should you wish to appeal this decision then it is recommended that you obtain your own legal advice or contact the Magistrates Court at Bath Street, Hereford.