

REPORT OF THE REGULATORY COMMITTEE

Meeting Held on 9th December, 2003

Membership:

Councillors: R.I. Matthews (Chairman), Brig. P. Jones CBE (Vice-Chairman) Mrs. S.P.A. Daniels, G.W. Davis, D.J. Fleet, J.W. Hope, T.W. Hunt, G. Lucas, J.W. Newman, R. Preece, D.C. Taylor, P.G. Turpin.

THE LICENSING ACT 2003

1. A draft licensing policy has been prepared in respect of the transfer of liquor and other such licensing from the Magistrates Court to the Council with effect from 1 April 2004. The views of the Partner Authorities (Hereford & Worcester Combined Fire Authority and West Mercia Constabulary) have been received and further discussions will be held with the two authorities about the procedural arrangements. The views of other interested parties have also been sought and a series of training events arranged early in 2004 for the Committee and Officers.

PUBLIC ENTERTAINMENT LICENSING - VARIATION OF CLOSING HOURS OF CHRISTMAS EVE 2003 TO BE EXTENDED TO CHRISTMAS MORNING - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982.

2. The Committee has considered proposals to extend the opening hours for Christmas 2003 from midnight on Christmas Eve to 1:00 a.m. on Christmas morning. The Police and the Fire Brigade have raised no objections having encountered few problems with a 1:00 a.m. finishing time during Christmas 2002. The Police are of the view that a 1:00 a.m. finishing time on Christmas morning for some of the nightclubs would enable a steady dispersal of those attending and help to avoid potential public order problems.
3. In view of there being no objections from the Police, the Committee decided that the Head of Environmental Health and Trading Standards should be authorised to permit premises to remain open for the purpose of Public Entertainments Licensing up to 1:00 a.m. on 25th December, 2003.

PUBLIC ENTERTAINMENT LICENSING - APPLICATION TO VARY THE CHRISTMAS EVE 2003 OPENING HOURS FOR TIME, 100 COMMERCIAL ROAD, HEREFORD. BEYOND THE HOURS SET BY COUNCIL STANDARD CONDITIONS - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

4. The Committee received an application from Time Nightclub to vary the opening hours of its Public Entertainments Licence to 2.00 am on Christmas Morning 2003. Consideration was given to the Council's policies for licensing which are in place to protect the local community and individuals from disturbance from events involving music, singing and dancing. The Fire Authority and the Police had no objection to the application.
5. The Solicitor acting on behalf of the applicants said that the finishing time of 2.00 a.m. had been applied for by her clients for commercial reasons to enable the differential to be maintained between the nightclub and the finishing time of pubs, which had been increased to 11.45 p.m. on Christmas Eve. She also said that the later finishing time would also enable a more gradual dispersal of customers during

the evening. She advised that her clients had already been granted an extension of their liquor licence to 2.00 a.m. and that they had applied for the Public Entertainments Licence to tie in with this. The Police were in favour of a later finishing time to assist with the dispersal of the public from licensed premises on Christmas Eve.

6. The Legal Practise Manager and myself strongly advised that the request should be granted in view of the decision of the Magistrates Court to allow a 2.00 a.m. finish for the liquor licence. Notwithstanding this, several Members of the Committee expressed concerns about the potential noise nuisance to local residents from those leaving the club late at night felt that a finishing time of 1.00 a.m. would be more appropriate for Christmas morning. The request for a 2.00 a.m. finish was therefore refused.

PUBLIC ENTERTAINMENT LICENSING - APPLICATION TO VARY OPENING HOURS BEYOND THE HOURS SET BY COUNCIL STANDARD CONDITIONS FOR THE GRANDSTAND, GRANDSTAND ROAD, HEREFORD - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

7. The Committee considered an application to vary the Public Entertainments Licence in respect of The Grandstand, Grandstand Road, Hereford to 12.00 midnight on Fridays and Saturdays instead of 11.30 p.m. The Police and Fire Authority had raised no objection to the application and the Council had received no complaints about any noise or nuisance arising from the premises.
8. The applicant was given the opportunity to present his case and he said that the later finishing time would provide him with greater flexibility to stage live music on the premises on Fridays and Saturdays.
9. The Committee acknowledged that the premises were very well run and decided that the requested extension should be granted for the Annual Public Entertainments Licence.

**R.I. MATTHEWS
CHAIRMAN
REGULATORY COMMITTEE**

BACKGROUND PAPERS

- Agenda papers from the meetings of the Regulatory Committee held on 9th December, 2003.