

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

PREMISES	Dusk
APPLICANT'S NAME	Helena Leisure 28 Ltd
APPLICATION TYPE	Variation
PANEL MEMBERS	Councillor JW Hope (Chairman) Councillor RC Hunt Councillor JD Woodward
DATE OF MEETING	27 November 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 Firth, a local resident and business owner who had made a representation in respect of the application, and Mr Wilkinson, the applicant.

Having heard the representations and considered all of those matters brought before them, the Panel decided to **REJECT** the said application on the following basis:-

- Herefordshire Council has a Special Policy in force covering the area in which the applicant's premises is located.
- The Special Policy creates a rebuttable presumption that applications for material variations of licensable activity will add to the cumulative impact in the area.
- The applicant has not presented sufficient evidence or proposals, in the reasonable opinion of the sub-committee, to rebut this presumption therefore in accordance with paragraph 5 of the Special Policy this application is rejected.