

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

PREMISES	The Hop Pole
LICENCE HOLDER	Scottish & Newcastle Pub Enterprises
APPLICANT'S NAME	West Mercia Police
APPLICATION TYPE	Review of Premises Licence
PANEL MEMBERS	Councillor P Jones CBE (Chairman) Councillor JW Hope Councillor RC Hunt
DATE OF MEETING	18 August 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 a representative of West Mercia Police, together with Mr Phipps, the Premises Licence Holders' Legal Advisor. They also heard from Mrs Silver who had made a representation in support of the review.

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 door supervisor shall be employed on the premises, with the authority of the licensee exclusively or mainly to decide upon the suitability of customers to be allowed on the premises and/or to maintain order on the premises when there is regulated entertainment taking place.
- The Licensee shall have regard to the effects of sound levels from any amplified sound systems used in connection with an event(s) and shall take all reasonable steps to minimise the chances of complaints arising.
- The Licensee must take such steps as are reasonably necessary to avoid causing a nuisance to residents in the neighbourhood of the premises.

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That the hours of licensable activity be amended as follows:

	Live Music (e)	Recorded Music (f)	Sale of Alcohol (M)	Open to the public (O)
Friday	1100 - 0000	1100 - 0000	1100 - 0000	1100 - 0015
Saturday	1100 - 0000	1100 - 0000	1100 - 0000	1100 - 0015

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.

** 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.*