

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

PREMISES	The Commercial
DESIGNATED PREMISES SUPERVISOR	Steven Harrison
APPLICANT'S NAME	West Mercia Police
APPLICATION TYPE	Review
PANEL MEMBERS	Councillor JW Hope MBE (Chairman) Councillor PGH Cutter Councillor P Jones CBE
DATE OF MEETING	14 January 2011

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 Mooney, representing West Mercia Police as well as Mr Harrison, the premises licence holder.

Having carefully considered those matters brought before them and in reaching their decision, the Members had full regard to the provisions of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006), the Council's Licensing Policy, the representation made by the premises licence holder and the representation made by the West Mercia Police. The Members made the following decisions in order to promote the licensing objectives of the prevention of crime and disorder and the protection of children from harm.

The Sub-Committee requested that the following conditions be added to the licence and to be enforced from 14 February 2011*.

CONDITIONS

- Provision of SIA qualified door staff on Fridays, Saturday, and any evening before a public holiday. (eg: door staff to be in operation on Sunday evenings prior to a bank holiday Monday)
- The applicant must install a CCTV system, of a specification to be agreed with the Licensing Authority, in the premise.

The agreed specification is:

(CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition.

Cameras shall encompass all ingress and egress to the premises, fire exits and all areas where the sale/ supply of alcohol occurs.

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Equipment must be maintained in good working order , be correctly time and date stamped , recordings must be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand.

The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format EITHER DISC or VHS to the Police/Local Authority on demand.

The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual.

An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS must report the failure to the Police on contact number 0300 333 3000 immediately .

- Ensure that a Personal Licence Holder is within the licensed premises at all times of licensable activity.
- All staff to be qualified to level 1 in the BIIAB Licensing course within 1 month of their appointment.

** 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.*

There is a right of appeal under Schedule 5 Paragraph 8a, which must be made to a magistrates court within 21 days of this decision. It is recommended that you obtain your own legal advise or contact the Magistrates Court at Bath Street, Hereford, if you do wish to appeal this decision.