

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

PREMISES	Bromyard Rugby Club
APPLICANT'S NAME	Mr D Baker
APPLICATION TYPE	New Premises Licence
PANEL MEMBERS	Councillor JW Hope MBE (Chairman) Councillor CM Bartrum Councillor FM Norman
DATE OF MEETING	16 September 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 James Mooney, representing West Mercia Police together with Mr Rivers, on behalf of the applicant and Mr Delahay, a neighbouring resident who had made a representation in respect of the application.

Having carefully considered those matters brought before them, the Committee were of the opinion that the application should be **granted with immediate effect 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 (INDOORS ONLY)

	Indoor Sporting Events, Live Music / Recorded Music, Performance of Dance, Prov. of facilities for Dancing	Late Night Refreshment	Supply of Alcohol	Open to the Public
Monday	1900 - 0000	2300 - 0000	1900 - 0000	1900 - 0000
Tuesday	1900 - 0000	2300 - 0000	1900 - 0000	1900 - 0000
Wednesday	1900 - 0000	2300 - 0000	1900 - 0000	1900 - 0000
Thursday	1900 - 0000	2300 - 0000	1900 - 0000	1900 - 0000
Friday	1200 - 0200	2300 - 0200	1200 - 0200	1200 - 0200
Saturday	1200 - 0200	2300 - 0200	1200 - 0200	1200 - 0200
Sunday	1200 - 2330	2300 - 2330	1200 - 2330	1200 - 2330

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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

- In the event of pre-planned events on Friday, Saturdays and New Year's Eve SIA Licensed Door staff shall be employed at the premises as shown below until the termination of licensable activities. When employed externally Door staff shall wear hi-viz reflective jackets or vests. When employed internally they shall be readily identifiable as door staff.

Duties:

Two (1) Door-staff shall commence duty at 2100 hrs.

Two (2) further Door-staff shall commence duty at 2200 hrs when the premises operate for licensable activities.

After 2300 hrs - Two (2) SIA Licensed Door-staff shall be deployed at the main access and egress point(s) until the termination of licensable activities. One (1) Licensed Door-staff shall be deployed patrolling the internal licensable area until the termination of all licensable activities

The DPS will employ SIA doorstaff at other times when risk assessment dictates door supervision to be necessary.

- The Premises Licence Holder or DPS or a person nominated by them in writing for the purpose, shall maintain a register of door supervisors which shall be kept on the premises showing the names and addresses of the door supervisors, their badge numbers and shall be signed by the door supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), or the Police or an authorised officer of the SIA.
- An incident log must be kept at the premises, and made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police, which must record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) seizures of drugs or offensive weapons
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service
- The Premises Licence Holder/DPS shall successfully complete the BIIAB NCPLH level 2 (or recognised equivalent)
- All bar staff engaged in the sale of alcohol to be trained in Responsible Alcohol Retailing to the minimum standard of BIIAB level 1 or any other training recognised and agreed with trading standards. (All existing staff shall be trained within one month of the date that this condition

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appears on this licence. All new staff shall be trained within one month of taking up employed. All staff shall be re-trained twelve monthly thereafter. Training records shall be kept on the premises which shall show the name of the training course attended, the date of the training, the name of the person undertaking the training and shall be produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) on demand.

- All existing staff shall be trained within one month of the date this condition appears on this licence. All new staff shall be trained within one month of taking up employed. All staff shall be re-trained twelve monthly thereafter. The training shall include:
 - Drugs Awareness
 - Conflict resolution
 - Selling to under age person
 - Selling to drunksTraining records shall be kept on the premises which shall show the area of training covered, the date of the training, the name of the person and shall be signed by the trainer and trainee. This shall be produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) on demand.
- No admission for new customers will be allowed to the premises after midnight.
- Signage in not less than 32 font shall be clearly displayed prominently at the point of access to the premises in relation to the Admission Policy, Age Policy, Drug Policy, and Dress Policy.
- The DPS and all other staff shall ensure that no open vessels are taken off the premises by customers except for consumption in any external area provided for that purpose.
- No external areas shall be used for the consumption of alcohol after midnight. Provided external areas will only be used for smoking after this time.
- No person under the age of 18 shall be permitted on the premises unless accompanied by an adult aged 18 or over.
- The premises shall operate a Challenge 21 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of an authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.
- No adult entertainment or services or activities must take place at the premises (Adult Entertainment includes, but is not restricted to, such entertainment or services which would generally include topless bar staff, striptease, lap-table, or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language).
- No person under the age of 18 years shall be permitted to be on the premises after 2200hrs other than a member of staff employed at the premises or a child of the premises licence holder or DPS

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- No person under the age of 18 shall be permitted on the premises during the time that any drinks promotion is in place.
- Noise or vibration shall not emanate from the premises so as to cause a nuisance.
- 'Noise' from the premises must not be 'audible or discernable' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. In this condition; 'Noise' is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. 'Audible or discernable' is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed premises.
- The Premises Licence Holder or DPS or the responsible person must immediately comply with any request to adjust noise levels/ frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.
- Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to any beer garden, patio area, smoking area or similar, requesting the public to respect the needs of local residents and to be quiet.

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.