

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

<b>PREMISES</b>	McDonalds Restaurant Belmont
<b>APPLICANT'S NAME</b>	Kemco (Hereford) Ltd
<b>APPLICATION TYPE</b>	New Premises Licence
<b>PANEL MEMBERS</b>	Councillor JW Hope MBE (Chairman) Councillor PJ McCaull Councillor RC Hunt
<b>DATE OF MEETING</b>	17 June 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; Mr Kerry, Hereford City Council Town Clerk; Councillors Edwards and Powell, local ward Councillors; and Mr Gill, legal advisor for Kemco (Hereford) Ltd.

Having carefully considered those matters brought before them and in reaching their decision, the Members had full regard to both the provisions of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006) and the Council's Licensing Policy. The Members made the following decisions in order to promote the licensing objective of the prevention of crime and disorder.

**HOURS OF LICENSABLE ACTIVITY**

	Late Night Refreshment	Open to the Public
<b>Monday</b>	2300 - 0000	0600 - 0000
<b>Tuesday</b>	2300 - 0000	0600 - 0000
<b>Wednesday</b>	2300 - 0000	0600 - 0000
<b>Thursday</b>	2300 - 0000	0600 - 0000
<b>Friday</b>	2300 - 0000	0600 - 0000
<b>Saturday</b>	2300 - 0000	0600 - 0000
<b>Sunday</b>	2300 - 0000	0600 - 0000

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(THE LICENSING ACT 2003)****CONDITIONS**

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

- The mandatory conditions of The Licensing Act 2003.
- 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 faults in the CCTV system or searching equipment or scanning equipment
  - (g) any visit by a relevant authority or emergency service
- CCTV will be provided as follows:
  - 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, outside areas, and all areas where the sale/ supply of alcohol occurs.
  - 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 X0300 333 3000 immediately.
- Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly. Staff employed at the premises shall remind customers of the requirement to leave quietly if necessary. Additionally systems to be in place with regards to monitoring and challenging any type of

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nuisance from customers using the premises car park whether on foot or mobile by any means.

- The premises licence holder ensures they have procedures in place for the collection of litter on land owned/leased by and occupied by the premises. To include regularly checking of the exterior public areas and the clearing of any litter where necessary.
- The premises licence holder will ensure that the ingress and egress to the premises customer car park is not accessible to vehicles outside of operating hours.
- No open alcohol containers to be carried into the in-store area.
- Self closing doors must be present at the entrance to the premises.
- The premises licence holder or their nominated representative shall meet with the local ward councillors for Belmont ward, in consultation with Hereford City Council if appropriate, no less than quarterly on the request of the said local ward councillors. Such meetings will include litter picking issues for the prevention of public nuisance.

**REASONS**

- The sub committee considered the 4 licensing objectives in general and the issues of public nuisance and the prevention of crime and disorder in particular.
- The sub committee were mindful of the absence of any police representations against the application.
- The sub committee considers that the additional conditions agreed, together with the proposed liaison meetings will provide the necessary support for residents in the vicinity of the premises.

**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.