

**PUBLIC ENTERTAINMENTS LICENSING VARIATION  
TO EXTEND THE OPENING HOURS BEYOND THE  
HOURS SET BY COUNCIL POLICY FOR O'NEILLS',  
COMMERCIAL ROAD, HEREFORD, HR1 2BP**

**LOCAL GOVERNMENT (MISCELLANEOUS  
PROVISIONS) ACT 1982**

**Report By: Head of Environmental Health and Trading Standards**

**Wards Affected:**

Hereford Central

**Purpose**

1. To consider an application to vary opening hours for an Annual Public Entertainment Licence that requires a finishing time later than the current policy of 23.30 hours.

**Legislation**

2. Local Authorities are, when licensing public entertainment events, permitted to make the licence conditional.

The purpose of conditions attached to and forming part of a licence broadly fall into four categories.

- (a) Securing the safety of everyone present:
- (b) Securing adequate access to the premises in emergencies
- (c) Ensuring adequate sanitary arrangements in the premises and
- (d) Preventing nuisance and disturbance in the neighbourhood.

The holder of an Entertainment's Licence may at any time apply to the Authority for such variations of the terms, conditions and restrictions on a subject to which the licence is held.

The Authority may:-

- (a) Make the variation specified in the application
- (b) Make such variations as they think fit, including subject to the four categories above.
- (c) Impose terms, conditions or other restrictions other than those specified or
- (d) Refuse the application

### Regulations/Conditions

3. Amongst the various Conditions and Regulation there are specific ones which related to finishing times for events.

Condition 4.1 of the Standard Conditions for Licensing of Premises for Public Entertainment

Premises licensed for public entertainment shall only be opened and used for any of the said purposes on such days and during such hours as the Licensing authority specifies in the schedule to the licence conditions.

The Regulations (standard conditions) of the Council specify the opening times of entertainment establishments as follows

11.00 until 23.30 (Monday to Saturday)	In respect of premises that have the benefit of a liquor licence under the Licensing Act 1964.
11.00 until 22.30 (Sundays)	For MUSICAL entertainment only in respect of all types of premises.

### The application for deviation from policy

4. Darren M Lord of O'Neill's, Commercial Road, Hereford requests a variation of the licence conditions to extend the Annual Public Entertainment Licence opening hours from:-

Current Closing Hours	Requested
Monday to Saturday 23.30	01.30
Sunday 22.30	00.30

### Issues

5. The Police were consulted and had objections. Objections are attached to this report.

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Further information on the subject of this report is available from Suzanne Laughland, Acting Licensing Manager on (01432) 261675

6. The Fire Brigade were consulted. They had no objections to the application provided that fire safety precautions were complied with.
7. Environmental Health have been consulted. Comments are awaited.
8. A Public Notice was published in the Hereford Times over a two week period. The attached objections were received from:-

Play Night Club, 51-55 Blue School Street, Hereford.

Speedplus Dry Cleaners, 81 Commercial Road, Hereford.

CV Osborne, 2 Union Street, Hereford.

Mr and Mrs Young, 61 Bodenham Road, Hereford.

Any further objections will be submitted at Committee

### **Options**

- to grant the extended hours
- to grant the extended hours and impose conditions
- to refuse the extended hours
- or come to some other conclusion