

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

|                          |  |
|--------------------------|--|
| <b>PREMISES</b>          | The Royal Hall   |
| <b>APPLICANTS' NAMES</b> | Donna and Sheila Heaney  |
| <b>APPLICATION TYPE</b>  | New Premises Licence   |
| <b>PANEL MEMBERS</b>     | Councillor JW Hope MBE (Chairman)<br>Councillor GA Powell<br>Councillor Brig P Jones CBE |
| <b>DATE OF MEETING</b>   | 18 September 2012  |

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 Jim Mooney, representing West Mercia Police; David Hough, the Principal Trading Standards Officer; Fred Spriggs, the Licensing Officer; together with Miss Heaney and Mr Heaney, the applicant and her father; and Mr Barnes, Mrs Hooley and Mrs Weller, three of the neighbouring residents who had made representations 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, the guidance issued under 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)**

|                  | Plays, Films,<br>Indoor Sporting<br>Events | Live / Recorded<br>Music,<br>Performance of<br>Dance(or similar) | Making Music,<br>Dancing (or<br>similar) | Late Night<br>Refreshment | Supply of<br>Alcohol | Open to the<br>Public |
|------------------|--|--|--|---------------------------|----------------------|-----------------------|
| <b>Monday</b>    | 1100 - 2400                                | 1100 - 2400  | 1100 - 2400                              | 2300 - 0100               | 1100 - 0130          | 1100 - 0200           |
| <b>Tuesday</b>   | 1100 - 2400                                | 1100 - 2400  | 1100 - 2400                              | 2300 - 0100               | 1100 - 0130          | 1100 - 0200           |
| <b>Wednesday</b> | 1100 - 2400                                | 1100 - 2400  | 1100 - 2400                              | 2300 - 0100               | 1100 - 0130          | 1100 - 0200           |
| <b>Thursday</b>  | 1100 - 2400                                | 1100 - 2400  | 1100 - 2400                              | 2300 - 0100               | 1100 - 0130          | 1100 - 0200           |
| <b>Friday</b>    | 1100 - 2400                                | 1100 - 2400  | 1100 - 2400                              | 2300 - 0100               | 1100 - 0130          | 1100 - 0200           |
| <b>Saturday</b>  | 1100 - 2400                                | 1100 - 2400  | 1100 - 2400                              | 2300 - 0100               | 1100 - 0130          | 1100 - 0200           |
| <b>Sunday</b>    | 1100 - 2400                                | 1100 - 2400  | 1100 - 2400                              | 2300 - 0100               | 1100 - 0130          | 1100 - 0200           |

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**NON STANDARD TIMINGS**

|                            | Plays, Films,<br>Indoor<br>Sporting<br>Events | Live /<br>Recorded<br>Music,<br>Performance<br>of Dance(or<br>similar) | Making Music,<br>Dancing (or<br>similar) | Late Night<br>Refreshment | Supply of<br>Alcohol | Open to the<br>Public |
|----------------------------|---|--|--|---------------------------|----------------------|-----------------------|
| <b>Christmas Eve</b>       | 1100 - 0100                                   | 1100 - 0100  | 1100 - 0100                              | 2300 - 0100               | 1100 - 0130          | 1100 - 0200           |
| <b>New Year's Eve</b>      | 1100 - 0100                                   | 1100 - 0100  | 1100 - 0100                              | 2300 - 0100               | 1100 - 0130          | 1100 - 0200           |
| <b>Bank Holiday Monday</b> | 1100 - 0100                                   | 1100 - 0100  | 1100 - 0100                              | 2300 - 0200               | 1100 - 0130          | 1100 - 0200           |
| <b>Bank Holiday Sunday</b> | 1100 - 0100                                   | 1100 - 0100  | 1100 - 0100                              | 2300 - 0200               | 1100 - 0130          | 1100 - 0200           |

**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

**PREVENTION OF CRIME**

- 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, an authorised Herefordshire Trading Standards Officer or the 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.

- 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), an authorised Herefordshire Trading Standards Officer or the Police, which must record the following:

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- (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 refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service
- 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 appears on this licence. All new staff shall be trained within one month of taking up employment. All staff shall be re-trained six 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, an authorised Herefordshire Trading Standards Officer or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) on demand.
  - SIA door staff shall be used on a risk assessed basis. The risk assessment for each event shall be written down and shall be produced to the police or an 'authorised person' as defined by Section 13 of the Licensing Act 2003 on demand.
  - 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 or the Police.
  - The premises shall be an active member of the HAND Scheme (Pub Watch) while such a scheme or similar exists.
  - A 'Pub Radio' shall be held at the premises. The DPS will ensure that a responsible person: logs on at the control centre at the commencement of licensable activities and monitors the radio throughout the period which the premises are open for licensable activities. Any information likely to have an impact on any of the licensing objectives shall be transmitted on the radio immediately.

**PUBLIC SAFETY**

- All staff shall wear clothing which identifies them as members of staff of the premises.
- First aid
- A HSE Compliant Industrial High Response First Aid Kit for 21-50 people shall be kept fully stocked at the premises and kept behind the bar. Such kit shall contain:
    - 1 x Guidance Leaflet
    - 60 x Washproof Plasters

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6 x Eye Pads with Bandage  
8 x Triangular Bandages  
12 x Safety Pins  
16 x Assorted Sterile Dressings  
20 Moist Wipes  
3 Pairs Disposable Gloves

**Electrical & Gas Installations**

- All electrical wiring and distribution systems shall have a current electrical safety certificate signed off by a competent person whose name is shown within the Local Authority Building Control Part P Competent Persons Register (<http://www.competentperson.co.uk/search.asp>). The sign off certificate shall be produced to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or Police on demand.
- Any and all gas appliances (except cellar gas) used in the premises must be tested at least once a year and signed off by a competent person whose name appears within the current Gas Safety register (GSR). The sign off certificate shall be produced to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or Police on demand.

**Hypnotism**

- The Licensed premises shall not be used for any exhibition, demonstration or performance of hypnotism unless the hypnotist has been licensed by the relevant Local Authority in England or Wales. Any performance must comply in accordance with any conditions attached to that licence.

**Maintenance, Repair and Cleanliness**

- All parts of the premises and all fixtures and fittings therein including seating, door fastenings, notices, floors, carpets and furniture shall be kept clean and maintained in good order.

**Special Effects**

- The installation and use of laser beams, pyrotechnics or real flames, explosive or highly flammable or smoke producing agent, for any purpose shall not be permitted without prior notification to the Licensing Authority. Notification, together with a detailed description of the method of use, shall be made to the Licensing Authority not less than 14 days prior to the day on which the laser equipment is to be used.

**Capacity limits**

- The maximum permitted numbers of persons in the premises including staff shall not exceed the numbers set within the fire risk assessment for the premises.

**PREVENTION OF PUBLIC NUISANCE**

- All windows and external doors will be closed after 2200 hours except for immediate access and egress.
- Noise or vibration shall not emanate from the premises so as to cause a nuisance.

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- 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.
- Where regulated entertainment is provided, the premises licence holder or DPS or a responsible person nominated by either in writing will monitor noise emanating from the premises at least every 60 minutes to ensure that no noise nuisance is being caused and where there is shall cause the noise to be reduced. A written record shall be kept on the premises detailing the name of the person carrying out the monitoring, the monitoring locations, the date and time and the result obtained. Such record shall be made available on demand of an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or police.
- 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.
- No external area at the premises shall be used after 23:00 hours.
- The use of the Royal Hall is exclusively for pre-planned events.

### PROTECTION OF CHILDREN

- No person under the age of 18 shall be permitted on the premises unless accompanied by an adult aged 21 or over.
- The premises shall operate a Challenge 25 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).

### 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.