

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

PREMISES	The Royal Oak
PREMISES LICENCE HOLDER	Charmain Rhoda Brooke
APPLICANT'S NAME	Charmain Rhoda Brooke
APPLICATION TYPE	Premises Licence
PANEL MEMBERS	Councillor DW Greenow (Chairman) Councillor BA Durkin Councillor PJ McCaull
DATE OF MEETING	30 October 2015

Members of the Council's Regulatory Sub Committee considered the above application, full details of which appeared before the Members in their agenda.

Prior to making their decision the Members heard from Mr Fred Spriggs, Licensing Officer for Herefordshire Council, Ms Charmaine Brookes, the applicant, Inspector Nick Semper, West Mercia Police, Mr Ian Vaughan, a local shop owner, Mr Helder Pinto, door supervisor at the Royal Oak, Mr Russell Stevens, owner of the Royal Oak, and Mrs Anna Falcini, Secretary of the South Street Residents Association.

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, the Guidance Issued under Section 182 of the Licensing Act 2003 and the Council's Licensing Policy.

DECISION

This Regulatory Sub-Committee has heard an application for a new Premises licence made in respect of the Royal Oak Hotel Leominster.

It has referred and given weight to the appropriate statutory provision, best practice and evidence put before it by all parties.

The Hearing today relied upon the Licensing Act 2003 (Hearings) Regulations 2005. Our Legal Adviser has referred the Committee particularly to certain paragraphs of these Regulations which the Committee duly considered and followed in its decisions concerning what evidence to admit, who it would hear and in what capacity and how the proceedings should generally be conducted.

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Our clerk has kept a clear note which documents the committee has relied on in addition to the appendices listed in paragraph 15 of the report before us.

The Committee is invited to consider;

- Whether to grant a new premises licence and if so with what conditions;
- Whether, in the event of it granting such a licence, it can accept Ms Charmaine Brookes as its designated premises supervisor.

The Committee has made the following decisions for the reasons which will be subsequently given:-

These decisions are made in accordance with the duty placed upon us to safeguard the four Licensing Objectives in general and in particular the protection of Public Safety and prevention of Crime and Disorder objectives to which we have specifically been referred:-

1. For reasons which will be explained the Committee adjourns this application in the public interest to the 14 of December 2015 at 11:00am. preceded by a site visit at 09:30am
2. The Committee requires a site visit in order that it may particularly consider whether it may consider granting a licence to all those parts of the licensed premises as requested or only some of them. The Committee noted carefully the points made by the South Street Residents Association and wishes to look into the matter further.
3. The Committee is considering granting a premises licence but only:
 - a) If the Fire Safety Improvement Notice presently affecting the Premises is removed;
 - b) A rated and signed Commission Certificate relating to the installation of CCTV camera and supporting equipment in respect of the premises is in force.
 - c) Evidence of both of the above are provided to the Committee.

Note: It is not sufficient for Fire Safety matters to have been completed for the licenced premises only – the safety of persons using them is dependent on the whole premises being appropriately protected.

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The matter of the appointment of Ms Brookes as the designated premises supervisor is adjourned to the next meeting, by which time the Committee wishes to see the appropriate qualifications as advised by the Licensing Officer. The Committee is satisfied that it receives sufficient evidence concerning Ms Brookes for it to make a decision.