

## APPLICATION FOR VARIATION OF PREMISES LICENCE IN RESPECT OF 'THE CROWN INN, LONGTOWN, HEREFORD, HR2 0LT.' - LICENSING ACT 2003

Report By: Head Of Environmental Health And Trading Standards

### Wards Affected:

Golden Valley South

#### 1. Purpose

To consider an application for variation of the premises licence in respect of The Crown Inn, Longtown, Hereford, HR2 0LT.

#### 2. Background Information

Applicant	<b>Richard Dennis SMITH</b>		
Solicitor	<b>T A Matthews, 6 King Street, Hereford. HR4 9BS</b>		
Type of application: <b>Variation</b>	Date received: <b>05/08/05</b>	28 Days consultation <b>02/09/05</b>	Issue Deadline: <b>04/10/05</b>

The Justices Licence and Supper Hours certificate for the premises has been seen and accepted, as has the advertisement for the premises.

#### 3. Conversion Licence Application

The premises currently hold a Justices On Licence and Suppers Hours Certificate. A conversion licence has been issued as follows; -

<b>Licensable activity</b>	<b>Hours</b>	
Sale of alcohol on and off the premises	Mon to Sat	10:00 to 23:00 hours
	Sundays	12:00 to 22:30 hours
	Good Friday	12:00 to 23:00 hours
	Christmas Day	12:00 to 15:00 hours and 19:00 to 22:30 hours
	New Year's Eve	from end of permitted hours to start of permitted hours on following day
Supper hours Certificate	Dining Area - an extension of one hour of the above hours for public taking table meals and between 15:00 and 19:00 hours on Christmas Day.	

With the following conditions attached: -

- 30 minute drinking up period at the end of the sale of alcohol

**4. Variation Licence Application**

The application for a variation has received representations from an interested party. It is therefore now brought before committee to determine the application.

**5. Summary of Application**

The licensable activities applied for are: -  
Supply of Alcohol

**6. The following hours have been requested in respect of all the licensable activities applied for (*On & Off Premises*): -**

Monday to Thursday	1000 to 0100 hours
Friday and Saturday	1000 to 0200 hours
Sunday	1200 to 0100 hours

The premises to close 30 minutes after these times.

**7. Seasonal Variations**

There is no application for seasonal variations.

**8. Non Standard Hours**

There is no application for non standard hours.

**9. Removal of Conditions**

The applicant has not applied to remove any conditions.

**10. Summary of Representations****Responsible Authorities**

Have no representations to make in respect of the application.

**Interested Parties**

The Local Authority has received 1 letter of representation in respect of the application from a local resident.

The concerns relate to:-

- Prevention of Crime and Disorder
- Prevention of Public Nuisance
- Protection of Children from Harm

**11. Issues for Clarification**

This Authority has not requested clarification on any particular point.

**12. Herefordshire Council Licensing Policy**

In making its decision the committee will be obliged to have regard to its own policy, the DCMS guidance and have regard to all documents specified within the DCMS Guidance.

**13 Options: -**

It is for the committee to take such steps below as it considers necessary for the promotion of the licensing objectives:

- Grant the licence subject to conditions that are consistent with the operating schedule accompanying the application and the mandatory conditions set out in the Licensing Act 2003.
- Grant the licence subject to modified conditions to that of the operating schedule where the committee considers it necessary for the promotion of the licensing objectives and add mandatory condition set out in the Licensing Act 2003.
- To exclude from the scope of the licence any of the licensable activities to which the application relates.
- To refuse to specify a person in the licence as the premise supervisor
- To reject the application.

**14. Background Papers**

- Copy of Representation
- Application Form
- Location Plan

**Background papers are available for inspection in the Library, Shirehall, Hereford, 30 minutes before the start of the hearing.**

**NOTES**

**Guidance issued under section 182 of the Licensing Act 2003, Section S18(7)**

**Relevant, vexatious and frivolous representations**

- 5.73 A representation would only be “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives....
- 5.75 It is for the licensing authority to determine on its merits whether any representation by an interested party is frivolous or vexatious....

The licensing authority must determine this and make the decision on the basis of what might ordinarily be considered to be vexatious or frivolous. Vexation may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Frivolous representations would be essentially categorised by a lack of seriousness....