

HEREFORDSHIRE COUNCIL

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

PREMISES	The Ducking Stool
APPLICANT'S NAME	Lorna Kendall
APPLICATION TYPE	Variation
PANEL MEMBERS	Councillor R.I. Matthews (Chairman) Councillor Brig. P. Jones Councillor T.W. Hunt
DATE OF MEETING	2nd August, 2006

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. Wilding, the Applicant's partner, Miss Woodland, the Environmental Health Officer, P.C. Thomas, representing West Mercia Constabulary as well as Mr. Creswell, Mrs. Davies, and Mrs. Scott-Mayfield, who had raised objections to the application.

Having carefully considered those matters brought before them, the Committee were of the opinion that the application should be **granted subject** to the conditions appearing below. In reaching their decision, the Members had full regard to both the provisions of 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 (INSIDE ONLY)

	Live Music	Recorded Music	Supply of Alcohol	Open to the public
Monday		1100 - 2330	1100 - 2330	1100 - 0000
Tuesday		1100 - 2330	1100 - 2330	1100 - 0000
Wednesday	2000 - 2300	1100 - 2330	1100 - 2330	1100 - 0000
Thursday		1100 - 2330	1100 - 2330	1100 - 0000
Friday	2000 - 2330	1100 - 2330	1100 - 0000	1100 - 0030
Saturday	2000 - 2330	1100 - 2330	1100 - 0000	1100 - 0030
Sunday	2000 - 2300	1100 - 2330	1100 - 2330	1100 - 0000

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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.

CRIME & DISORDER

- The provision of a capacity limit.
- The provision of registered door staff on any night when the licensable activity of live music takes place. Door staff to be in place 1 hour before the start of the live music.
- A time limit when the beer garden area can be used for licensable activities and the consumption of alcohol (*2300 as recommended by Environmental Health*)
- The provision of a condition preventing open containers being removed from the premise, except to the beer garden area.
- The provision of CCTV which meets the requirements and expectations of the licensing authority and police.
- The active participation in the Leominster **HAND** scheme.
- The provision of an incident book.
- The inclusion of a condition on irresponsible drinks promotions, such as compliance with the BBPA guidelines.

PREVENTION OF PUBLIC NUISANCE

- A terminal hour for opening and all licensable activities unless otherwise stated of 00:00 Sunday to Thursday; and 00:30 hours Friday and Saturday.
- No recorded music, other than low level background music, shall be provided after 23:30 hours on any day.
- A terminal hour for live music of 23:00 hours Sunday to Thursday; and 23:30 hours Friday and Saturday.
- Alcohol shall not be supplied during the last 30 minutes of opening to allow a wind-down period.
- No noise or vibration shall emanate from the premises so as to materially affect the use or enjoyment of neighbouring properties.
- Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- All external doors and window shall be kept closed except for access when amplified music entertainment is provided at the premises and after 23:00 hours in any day.

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- No music entertainment shall be provided outside the premises at any time.
- The beer garden shall not be used for the consumption of alcohol after 23.00 hours on any day.

PUBLIC SAFETY

- The Licensee shall take all reasonable precautions to ensure the safety of the public, the performers and employees on the premises.
- All windows and doors shall be maintained in a good state of repair.
- The premises shall be adequately ventilated whilst open to the general public. All ventilation equipment shall be maintained in good working order.
- No open containers shall be removed from the premises.
- Adequate systems shall be in place to control persons entering and leaving the premises to prevent overcrowding and effectively deal with any altercations or antisocial behaviour of patrons both on and in the vicinity of the premises.
- A current electrical safety inspection certificate shall be held for all electrical installations in accordance with BS 7671 and BS5266-1.
- All portable electrical equipment in the entertainment areas shall be powered through a suitable and sufficient sensitive earth leakage protection system (residual current device).
- The Licensee shall ensure that a fire risk assessment is carried out for the whole premises. He/she shall also ensure that all fire risks are minimised in accordance with current industry good practice.
 - a) The fire risk assessment shall cover the following areas;
 - a. Means of escape
 - b. Exit routes and exit notices
 - c. Exit doors
 - d. Disabled access and escape
 - e. Reporting of Fires
 - f. Fire Procedure
 - g. Fire Logbook
 - h. Access for Fire Appliances
 - i. Fire Fighting Equipment
 - j. Fire Resistant Furniture and Fittings
 - k. Smoking
 - l. Explosive and Flammable Substances
- All parts of the premises shall be provided with adequate illumination whilst the premises are being used for any licensable activities. All routes of escape and all parts of the premises to which the public have access shall be provided with adequate and assured lighting from two independent supplies and systems.