

# AGENDA

## Regulatory Sub Committee

Date: **Monday 13 October 2014**

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Time: **12.00 pm**

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Place: **Grand Jury Room, Shirehall, St Peter's Square,  
Hereford, HR1 2HX**

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Notes: Please note the **time, date** and **venue** of the meeting.

For any further information please contact:

**Clive Lloyd, Governance Services**

Tel: 01432 260249

Email: [Clive.lloyd@herefordshire.gov.uk](mailto:Clive.lloyd@herefordshire.gov.uk)

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If you would like help to understand this document, or would like it in another format, please call Clive Lloyd, Governance Services on 01432 260249 or e-mail [Clive.lloyd@herefordshire.gov.uk](mailto:Clive.lloyd@herefordshire.gov.uk) in advance of the meeting.

# **Agenda for the Meeting of the Regulatory Sub Committee**

## **Membership**

**Councillor JW Hope MBE  
Councillor A Seldon  
Councillor GA Vaughan-Powell**

**AGENDA**

	<b>Pages</b>
<b>1. ELECTION OF CHAIRMAN</b> To elect a Chairman for the hearing	
<b>2. APOLOGIES FOR ABSENCE</b> To receive apologies for absence.	
<b>3. NAMED SUBSTITUTES (IF ANY)</b> To receive any details of Members nominated to attend the meeting in place of a Member of the committee.	
<b>4. DECLARATIONS OF INTEREST</b> To receive any declarations of interest by Members in respect of items on the agenda.	
<b>5. APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003 IN RESPECT OF WOK &amp; RICE., 59B COMMERCIAL ROAD, HEREFORD, HR1 2BP</b> To consider an application for the grant of a premises licence in respect of Wok & Rice, 59b Commercial Road, Hereford, HR1 2BP'.	9 - 52



## **The Public's Rights to Information and Attendance at Meetings**

### **YOU HAVE A RIGHT TO: -**

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
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- The Shire Hall is a few minutes walking distance from both bus stations located in the town centre of Hereford.

## **FIRE AND EMERGENCY EVACUATION PROCEDURE**

In the event of a fire or emergency the alarm bell will ring continuously.

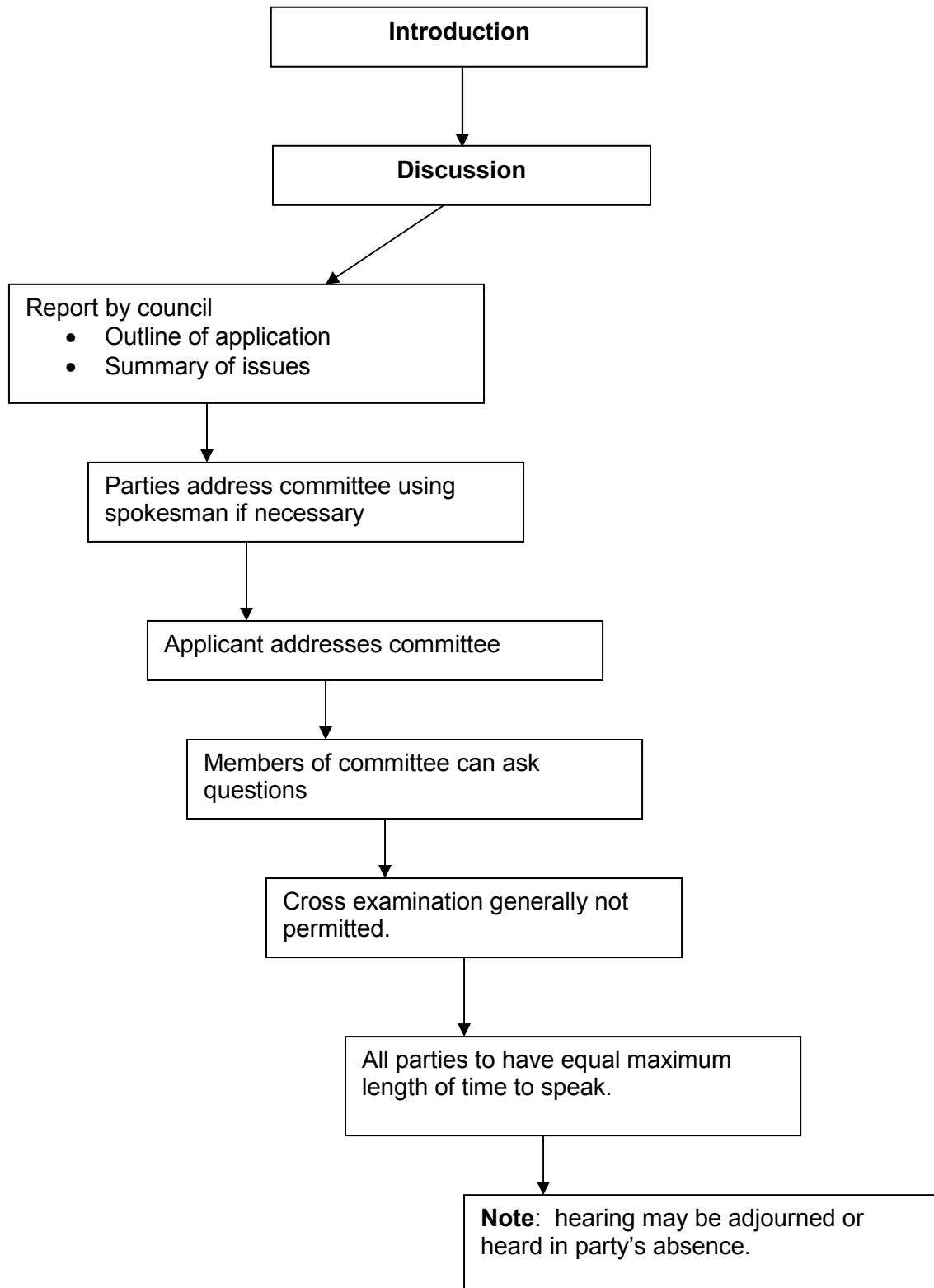
You should vacate the building in an orderly manner through the nearest available fire exit and make your way to the Fire Assembly Point in the Shire Hall car park.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

The Chairman or an attendee at the meeting must take the signing in sheet so it can be checked when everyone is at the assembly point.

## Licensing Hearing Flowchart







<b>MEETING:</b>	<b>REGULATORY SUB-COMMITTEE</b>
<b>DATE:</b>	<b>13 OCTOBER 2014</b>
<b>TITLE OF REPORT:</b>	<b>APPLICATION FOR GRANT OF A PREMISES LICENCE IN RESPECT OF 'WOK &amp; RICE, 59b COMMERCIAL ROAD, HEREFORD, HR1 2BP' – LICENSING ACT 2003</b>
<b>REPORT BY:</b>	<b>LICENSING OFFICER</b>

### 1. Classification

Open

### 2. Key Decision

This is not an executive decision

### 3. Wards Affected

Hereford Central

### 4. Purpose

To consider an application for the grant of a premises licence in respect of Wok & Rice, 59b Commercial Road, Hereford, HR1 2BP'.

### 5. Recommendation(s)

**THAT**

**The Sub-Committee determine the application with a view to promoting the licensing objectives in the overall interests of the local community. They should give appropriate weight to:**

- The steps that are necessary to promote the licensing objectives,
- The representations (including supporting information) presented by all parties,
- The Guidance issued to local authorities under Section 182 of the Licensing Act 2003, and
- The Herefordshire Council Licensing Policy.

## 6. Key Points Summary

- The application requests the granting a new premises licence for a fast food takeaway within the area covered by the Herefordshire Council Special Policy (the Cumulative Impact Policy)
- The Licensing Authority have objected to the application.

## 7. Options

There are a number of options open to the Sub-Committee:

- a) 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,
- b) Grant the licence subject to modified conditions to that of the operating schedule where the committee considers it appropriate for the promotion of the licensing objectives and add mandatory conditions set out in the Licensing Act 2003,
- c) To exclude from the scope of the licence any of the licensable activities to which the application relates,
- d) To refuse to specify a person in the licence as the premise supervisor, or
- e) To reject the application.

## 8. Reasons for Recommendations

To ensure compliance with the legislation.

## 9. Introduction and Background

### Background Information

Applicant	<b>Abdul Ahad Haque &amp; Mamunur Rashid</b> <b>20 Pediswell Street, Worcester, WR3 7HZ</b>	
Solicitor	<b>Not known</b>	
Type of application: <b>New</b>	Date received: <b>12<sup>th</sup> July 2014</b>	28 Days consultation <b>8<sup>th</sup> August 2014</b>

On 02.09.2014 the application was part heard but the hearing adjourned. *'The Sub-Committee has decided to defer the determination of this application to give the applicants appropriate time to liaise with the Licensing Authority and West Mercia Police. This time shall be used to determine what conditions or procedures could be put in place by the applicants to ensure that they do not add to the cumulative impact of the area.'*

Documentation relating to two meetings held with the applicant can be found at Appendix C. The Application was scheduled to be re-heard on 23.09.2014 but the hearing could not take place.

## **10. Licence Application**

The application for a new premises licence has received representation and is brought before the committee for determination.

## **11. Summary of Application**

The application requests that:

Late Night Refreshment	23:00 – 01:00	Sunday – Thursday
	23:00 – 01:30	Friday - Saturday

Non Standard Timings: Nil

## **12. Summary of Representations**

A copy of the representations can be found within the background papers.

Representations have been made by:

**One (1)** of the Responsible Authorities (the Licensing Authority who have objected in full)

## **13. Key Considerations**

To consider what action should be taken, if any, to promote the four licensing objectives in accordance with the recommendation.

## **14. Equality and Human Rights**

No implications have been identified.

## **15. Financial Implications**

There are unlikely to be any financial implications at this time to the authority.

## **16. Community Impact**

The granting of the licence as applied for may have an impact on the Community.

## **17. Legal Implications**

The Committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the Licensing Authority.

The case of Daniel Thwaites Plc v Wirral Borough Magistrates' Court (Case No: CO/5533/2006) at the High Court of Justice Queen's Bench Division Administrative Court on 6 May 2008, [2008] EWHC 838 (Admin), 2008 WL 1968943, Before the Honourable Mrs Justice Black.

In this case it was summed up that: -

A licensing authority must have regard to guidance issued by the Secretary of State under section 182. Licensing authorities may depart from it if they have reason to do so but will need to give full reasons for their actions.

Furthermore the Thwaites case established that only conditions should be attached to a licence with a view to promoting the Licensing objectives and that 'real evidence' must be presented to support the reason for imposing these conditions.

This judgement is further supported in the case of *The Queen on the Application of Bristol Council v Bristol Magistrates' Court*, CO/6920/2008 High Court of Justice Queen's Bench Division The Administrative Court, 24 February 2009, [2009] EWHC 625 (Admin) 2009 WL 648859 in which it was said:

'Licensing authorities should only impose conditions which are necessary and proportionate for the promotion for licensing objectives'.

In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

The case of *Luminar Leisure Ltd v Wakefield Magistrates' Court*, Brooke Leisure Limited, Classic Properties Limited, Wakefield Metropolitan District Council, heard before the High Court of Justice, Queen's Bench Division The Administrative Court, 18 April 2008, [2008] EWHC 1002 (Admin) would appear to be relative in this matter.

This matter involved an application by Luminar for a nightclub which was located just outside the Wakefield Cumulative Impact Area. The application was granted by the Local Authority and that decision was subsequently appealed.

The judge allowed the appeal on the grounds 'because of the effect which the increase in the number of people attending such a venue in Westgate would have, generally, on crime and disorder in the area'.

The matter was further appealed to the High Court by way of case stated.

Three questions were posed for the Judge to address. The last question asked was 'Was it a proportionate response to refuse the licence rather than to impose conditions on any licence?'

In respect of this it was stated 'To put a limit on the extent to which cumulative impact is legally relevant is something which seems to me not to be permitted by the statute. But with all that this condition was not sought. So the answer to question 3 is "yes"'.

## **18. Right of Appeal**

Schedule 5 gives a right of appeal which states:

Schedule 5 gives a right of appeal to: -

Rejection of applications relating to premises licences

1 Where a licensing authority—

- (a) rejects an application for a premises licence under section 18,
- (b) rejects (in whole or in part) an application to vary a premises licence under section 35,

- (c) rejects an application to vary a premises licence to specify an individual as the premises supervisor under section 39, or
- (d) rejects an application to transfer a premises licence under section 44, the applicant may appeal against the decision.

Decision to grant premises licence or impose conditions etc.

- 2(1) This paragraph applies where a licensing authority grants a premises licence under section 18.
- (2) The holder of the licence may appeal against any decision—
  - (a) to impose conditions on the licence under subsection (2)(a) or (3)(b) of that section, or
  - (b) to take any step mentioned in subsection (4)(b) or (c) of that section (exclusion of licensable activity or refusal to specify person as premises supervisor).
- (3) Where a person who made relevant representations in relation to the application desires to contend—
  - (a) that the licence ought not to have been granted, or
  - (b) that, on granting the licence, the licensing authority ought to have imposed different or additional conditions, or to have taken a step mentioned in subsection (4)(b) or (c) of that section,he may appeal against the decision.
- (4) In sub-paragraph (3) “relevant representations” has the meaning given in section 18(6).

Section 9 states that any such appeal must be made to a Magistrates Court for the area in which the premises are situated within 21 days of notification of the decision.

## 19. Consultees

Responsible authorities and persons living within the vicinity or with a business interest within the vicinity of the premises.

A copy of the application was served on the responsible authorities. This was backed up by an email sent to them by the Licensing Authority.

The notice of application was displayed on the premises prior to the start of the consultation period and for a period of 28 days. In addition, notice of the application was required to be published in a newspaper which was circulated within the vicinity of the premises.

The applicant has produced a copy of the advertisement which is correct.

## 20. Risk Management

No risk identified

## **21. Appendices**

- a. Application Form
- b. Local Authority Representation and Suggested conditions
- c. Licensing Officer memo and email/proffered conditions from applicant

## **22. Background Papers**

**Background papers are available for inspection in the Council Chamber, Brockington, 35 Hafod Road, Hereford 30 minutes before the start of the hearing.**

## **Background Information**

**HEREFORDSHIRE COUNCIL LICENSING POLICY states;**

### **ANNEX 1**

#### **SPECIAL CUMULATIVE IMPACT POLICY**

- A1** The Council recognises that the cumulative effect of licensed premises may result in adverse effects on the licensing objectives and amenity and this in turn may have a number of undesirable consequences, for example:
- An increase in crime against both property and persons;
  - An increase in noise and disturbance to residents;
  - Traffic congestion and/or parking difficulties;
  - Littering and fouling.
- A2** The licensing policy is not the only means of addressing such problems. Other controls include:
- planning controls
  - CCTV
  - provision of transport facilities including Taxi Ranks
  - Alcohol Disorder Zones
  - Designated Public Places Orders
  - police powers
  - closure powers
  - positive measures to create safer, cleaner and greener spaces
- A3** Where the Council recognise there is such a cumulative effect it will consider adopting a specific Cumulative Impact Policy for an area if this proves necessary.
- A4** The Guidance to the Act states that the cumulative impact of licensed premises on the promotion of their licensing objectives is a proper matter for a licensing authority to consider in developing its Statement of Licensing Policy.
- A5** In accordance with the Guidance the Council consulted on the proposal for Cumulative Impact Zones in the area identified as part of the wider consultation

on the council's revision of its Statement of Licensing Policy during 2010. Consultation was therefore specifically undertaken with:

- The Responsible Authorities
- Licensees and those representing licensees
- Local Residents and Businesses
- Those representing local residents and businesses.

**A6** In considering whether to adopt such a Policy for the areas, the council took the following steps as recommended by the Guidance:

- Gather crime and disorder statistics, ambulance service statistics, data from A & E and such other statistics that may be appropriate
- Identify serious and chronic concern from a responsible authority or from residents or local businesses (or their representatives) concerning nuisance and/or disorder;
- Identify the area in which problems are arising and the boundaries of that area

**A7** As a result the Council has designated the following areas within Herefordshire as being subject to a special Cumulative Impact Policy:

- The full length of Commercial Road from its junction with Blueschool Street to its junction with Aylestone Hill.
- 100 metres of Blueschool Street, West from its junction with Commercial Road.
- 50 metres of Bath Street, East from its junction with Commercial Square.
- 50 metres of Commercial Street, South from its junction with Commercial Square.
- 50 metres of Union Street, South from its junction with Commercial Square.

**A8** A summary of the evidence of the problems being experienced is attached to the bottom of this policy. The Licensing Authority are of the opinion based on the evidence that the number of licensed premises in the above areas adversely affect the promotion of the licensing objectives of:

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



**A9** Whilst the summary of the evidence was mainly based on crime and disorder, this Council is of the opinion that such crime and disorder also materially and severely affects the promotion of the other licensing objectives in the above areas.

**A10** The effect of the Cumulative Impact Policy is that it creates a rebuttable presumption that application within the cumulative impact area will normally be refused: -

1. Where relevant representations are received against any:

New applications for Premises Licences, Club Premises Certificates or Provisional Statement, or Variation applications for an existing Premises Licences or Club Premises Certificates

2. Where the police have issued an objection notice in respect of a Temporary Event Notice

**A11** However, this Policy will not prevent applications in the above areas. Each case will be decided on its own merits, but applicants will have to comprehensively demonstrate in their application that it will not add to existing problems in the area.

**A12** The special policy will apply to all the licensable activities of:

- The sale by retail of alcohol,
- The supply of alcohol by or on behalf of a club to, or to the order of a member of the club,
- Regulated entertainment, and
- The provision of late night refreshment

<b>All Violent Crimes Recorded 2009/10 - Public Place ONLY, by Weekday – Commercial Road Area</b>				
<b>All Offence Groups, Public Place Only</b>				
	<b>Alcohol Involved?</b>		<b>Grand Total</b>	<b>% Alcohol Related</b>
	<b>N</b>	<b>Y</b>		
<b>Monday</b>	<b>39</b>	<b>20</b>	<b>59</b>	<b>33.9%</b>
<b>Tuesday</b>	<b>43</b>	<b>24</b>	<b>67</b>	<b>35.8%</b>
<b>Wednesday</b>	<b>56</b>	<b>28</b>	<b>84</b>	<b>33.3%</b>
<b>Thursday</b>	<b>32</b>	<b>28</b>	<b>60</b>	<b>46.7%</b>
<b>Friday</b>	<b>55</b>	<b>56</b>	<b>111</b>	<b>50.5%</b>
<b>Saturday</b>	<b>47</b>	<b>98</b>	<b>145</b>	<b>67.6%</b>
<b>Sunday</b>	<b>33</b>	<b>79</b>	<b>112</b>	<b>70.5%</b>
<b>Grand Total</b>	<b>305</b>	<b>333</b>	<b>638</b>	<b>52.2%</b>

### **Extracts for the Section 182 Guidance: Effect of special policies**

13.29 The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates which are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations, following relevant representations, unless the applicant can demonstrate in the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. Applicants should give consideration to potential cumulative impact issues when setting out the steps they will take to promote the licensing objectives in their application.

- 13.30 However, a special policy must stress that this presumption does not relieve responsible authorities (or any other persons) of the need to make a relevant representation, referring to information which had been before the licensing authority when it developed its statement of licensing policy, before a licensing authority may lawfully consider giving effect to its special policy. If there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted.
- 13.31 Once adopted, special policies should be reviewed regularly to assess whether they are needed any longer or if those which are contained in the special policy should be amended.
- 13.32 The absence of a special policy does not prevent any responsible authority or other person making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.
- 13.33 Special policies may apply to the impact of a concentration of any licensed premises. When establishing its evidence base for introducing a special policy, licensing authorities should be considering the contribution to cumulative impact made by different types of premises within its area, in order to determine the appropriateness of including different types of licensed premises within the special policy.
- 13.34 It is recommended that licensing authorities should publish contact points in their statements of licensing policy where members of public can obtain advice about whether or not activities should be licensed.

#### **LIMITATIONS ON SPECIAL POLICIES RELATING TO CUMULATIVE IMPACT**

- 13.35 A special policy should never be absolute. Statements of licensing policy should always allow for the circumstances of each application to be considered properly and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted. After receiving relevant representations in relation to a new application for or a variation of a licence or certificate, the licensing authority must consider whether it would be justified in departing from its special policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. For example, while a large nightclub or high capacity public house might add to problems of cumulative impact, a small restaurant or a theatre may not. If the

licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.

- 13.36 Special policies should never be used as a ground for revoking an existing licence or certificate when representations are received about problems with those premises. Where the licensing authority has concerns about the effect of activities at existing premises between midnight and 6am on the promotion of the licensing objectives in a specific area, it may introduce an Early Morning Alcohol Restriction Order (EMRO) if there is sufficient evidence to do so (see chapter 16). The “cumulative impact” on the promotion of the licensing objectives of a concentration of multiple licensed premises should only give rise to a relevant representation when an application for the grant or variation of a licence or certificate is being considered. A review must relate specifically to individual premises, and by its nature, “cumulative impact” relates to the effect of a concentration of many premises. Identifying individual premises in the context of a review would inevitably be arbitrary.
- 13.37 Special policies can also not be used to justify rejecting applications to vary an existing licence or certificate except where those modifications are directly relevant to the policy (as would be the case with an application to vary a licence with a view to increasing the capacity limits of the premises) and are strictly appropriate for the promotion of the licensing objectives.
- 13.38 Every application should still be considered individually. Therefore, special policies must not restrict such consideration by imposing quotas – based on either the number of premises or the capacity of those premises. Quotas that indirectly have the effect of predetermining the outcome of any application should not be used because they have no regard to the individual characteristics of the premises concerned.

[Insert name and address of relevant licensing authority and its reference number (optional).]

**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Abdul Ahad Haque & Mamunur Rashid

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description <b>Wok &amp; Rice, 59b Commercial Road</b>			
<b>Post town</b>	Hereford	<b>Postcode</b>	<b>HR1 2BP</b>
Telephone number at premises (if any)		<b>01432 508949</b>	
Non-domestic rateable value of premises		<b>£Not yer rated</b>	

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
- i. as a limited company  please complete section (B)
- ii. as a partnership  please complete section (B)
- iii. as an unincorporated association or  please complete section (B)
- iv. other (for example a statutory corporation)  please complete section (B)

- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or   
 a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> Haque			<b>First names</b> Abdul		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address		20 Perdiswell Street Worcester Worcs WR3 7HZ			
Post town	Worcester			Postcode	<b>WR3 7HZ</b>
<b>Daytime contact telephone number</b>			<b>01905 617797</b>		
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> Rashid			<b>First names</b> Mamunur		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address		39 Stanley Road, Worcester,			
Post town	Worcester		Postcode	WR5 1BB	
<b>Daytime contact telephone number</b>			07970 254977		
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

**Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.**

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

01	06	2014
┆	┆	┆
┆	┆	┆
┆	┆	┆

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
┆	┆	┆
┆	┆	┆
┆	┆	┆

Please give a general description of the premises (please read guidance note 1)

Takeaway food restaurant with casual eat in for 12 persons maximum

Ground floor premises of a three storey building with public entrance off Commercial Road.

Rear access / egress / escape to rear yard

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)



**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)		
Thur								
Fri								
Sat						<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sun								

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Thur								
Fri						<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat								
Sun								

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Tue			
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)					
Mon								
Tue								
Wed						<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur								
Fri						<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat								
Sun								

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)					
Mon								
Tue								
Wed						<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Thur								
Fri						<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat								
Sun								

# G

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sun					



# I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3) Food takeaway / carry out service with casual indoor seats and tables to accommodate 12 persons maximum.		
Tue			Background unamplified music		
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4) None		
Thur					
Fri	23.00	01.00	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat	23.00	01.00	N/A		
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b><u>Will the supply of alcohol be for consumption – please tick</u></b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			<b><u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
			N/A		

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:**

Name	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).**

None

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4) NONE
Day	Start	Finish	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5) NONE
Mon	11.00	23.00	
Tue	11.00	23.00	
Wed	11.00	23.00	
Thur	11.00	23.00	
Fri	11.00	1.00	
Sat	11.00	1.00	
Sun	11.00	23.00	

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

The premises and public area is very simple and straightforward with no hidden areas and all clearly visible from staffed areas. There is only one entrance and exit for the public which can be seen and constantly monitored by staff.

**b) The prevention of crime and disorder**

Prevention of Crime & Disorder: The public space is very limited and clearly visible from both the cooking area and the serving counter

**c) Public safety**

Promotion of Public Safety: No public will be allowed beyond the counters where food is prepared of food is being served. Fire exit signage is clearly visible and illuminated in the event of a fire. Fire extinguishers are provided in both public and staff areas. The floor is on one level with no steps or barriers

**d) The prevention of public nuisance**

Prevention of Public Nuisance: The main entrance doors and public waiting and seating area is clearly visible from both the cooking area and the serving counter and can be easily monitored.

**e) The protection of children from harm :**

The protection of children from harm: There are no objects that would be a hazard to children. Cooking and serving areas will be behind high counters. The glass entrance doors and shop window meet the safety standards for glazing.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.

- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11).  
**If signing on behalf of the applicant, please state in what capacity.**

Signature	<i>Derek Sakol - DS Architects</i>
Date	11/06/14
Capacity	Agent (Architect)

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Derek Sakol, DS Architects, Tree Tops, Old Storridge, Alfrick

Post town	<b>Worcester</b>	Postcode	<b>WR6 5HT</b>
Telephone number (if any)	01886 833676		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) architects@sakol.co.uk			

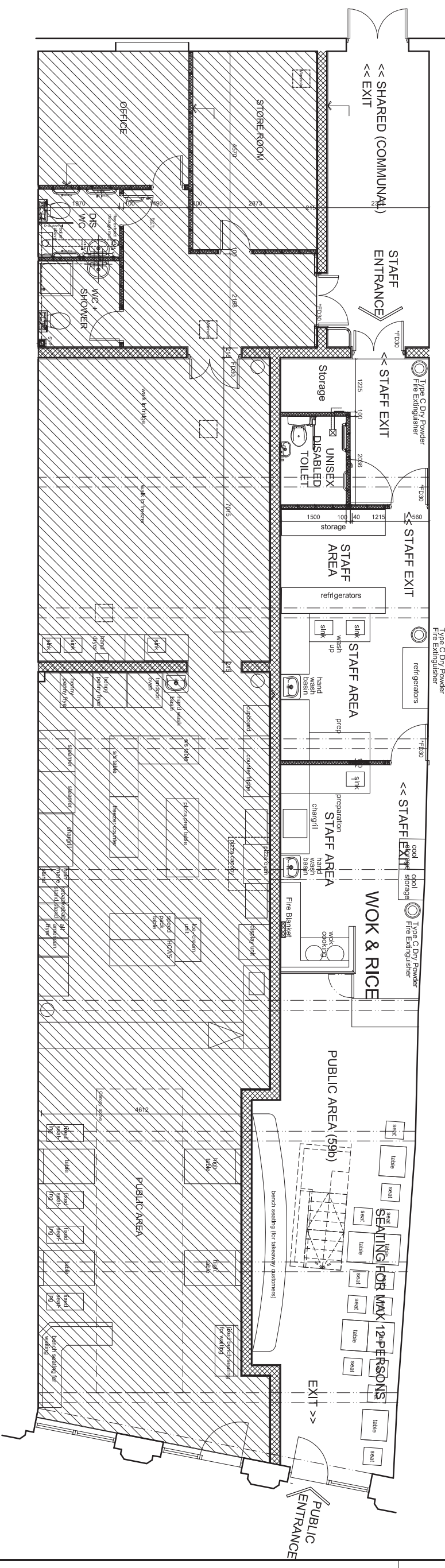
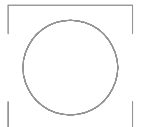
**Notes for Guidance**

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-

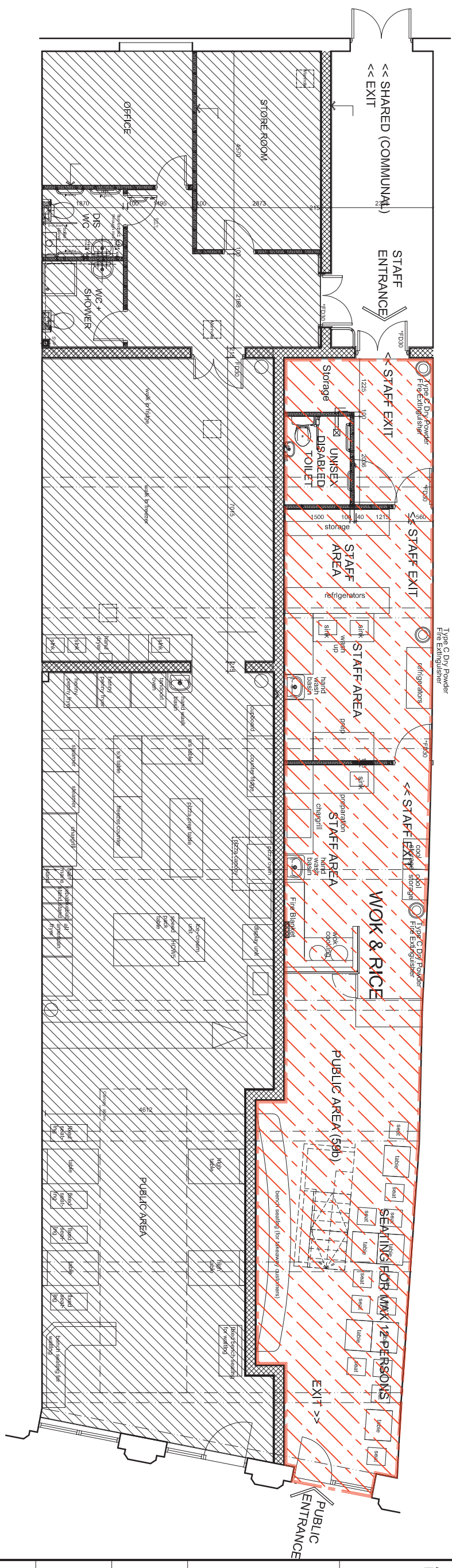
supplies, you must include a description of where the place will be and its proximity to the premises.

2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

CHECK ACCURACY OF DIMENSIONS ON SITE. DISCREPANCIES BETWEEN SCALE DIMENSIONS, DRAWINGS OR SPECIFICATION ARE SUBJECT TO VERIFICATION BEFORE PURCHASES. MANUFACTURE OR CONSTRUCTION WORK PROCESSES. WORK TO COMPLETION OF THE PROJECT. THE DRAWING IS THE PROPERTY OF DEREK SAKOL ARCHITECT AND THE ILLUSTRATED WORKS ARE COPYRIGHT OF DEREK SAKOL ARCHITECT AND MUST NOT BE REPRODUCED BY ANY OTHER PARTY WITHOUT WRITTEN PERMISSION.



Ground Floor Plan as Proposed



Ground Floor Plan as Proposed (Licensing Area Hatched in Red)

REVISIONS:  
A - 10.06.14 :  
B - 11.06.14 :

### Licensing

DEREK SAKOL - ARCHITECT  
Tree Tops  
Old Stortidge  
Aitrick  
Worcestershire  
WR6 5HT  
Tel: (01886) 833676  
Email: architects@sakol.co.uk

Client  
S Haque & M Rashid

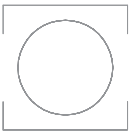
Project  
Wok & Rice  
59b Commercial Road  
Hereford, HR1 2BP

Title  
Plans  
as  
Proposed

Date  
June 2014  
Scale  
1-100@A3

Job No. 3097  
Dwg No. 921  
Rev B

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REVISIONS:  
A -

# Licensing

DEREK SAKOL - ARCHITECT

Tree Tops  
Old Storridge  
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Worcestershire  
WR6 5HT

Tel: (01886) 833676  
Email: architects@sakol.co.uk

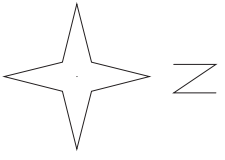
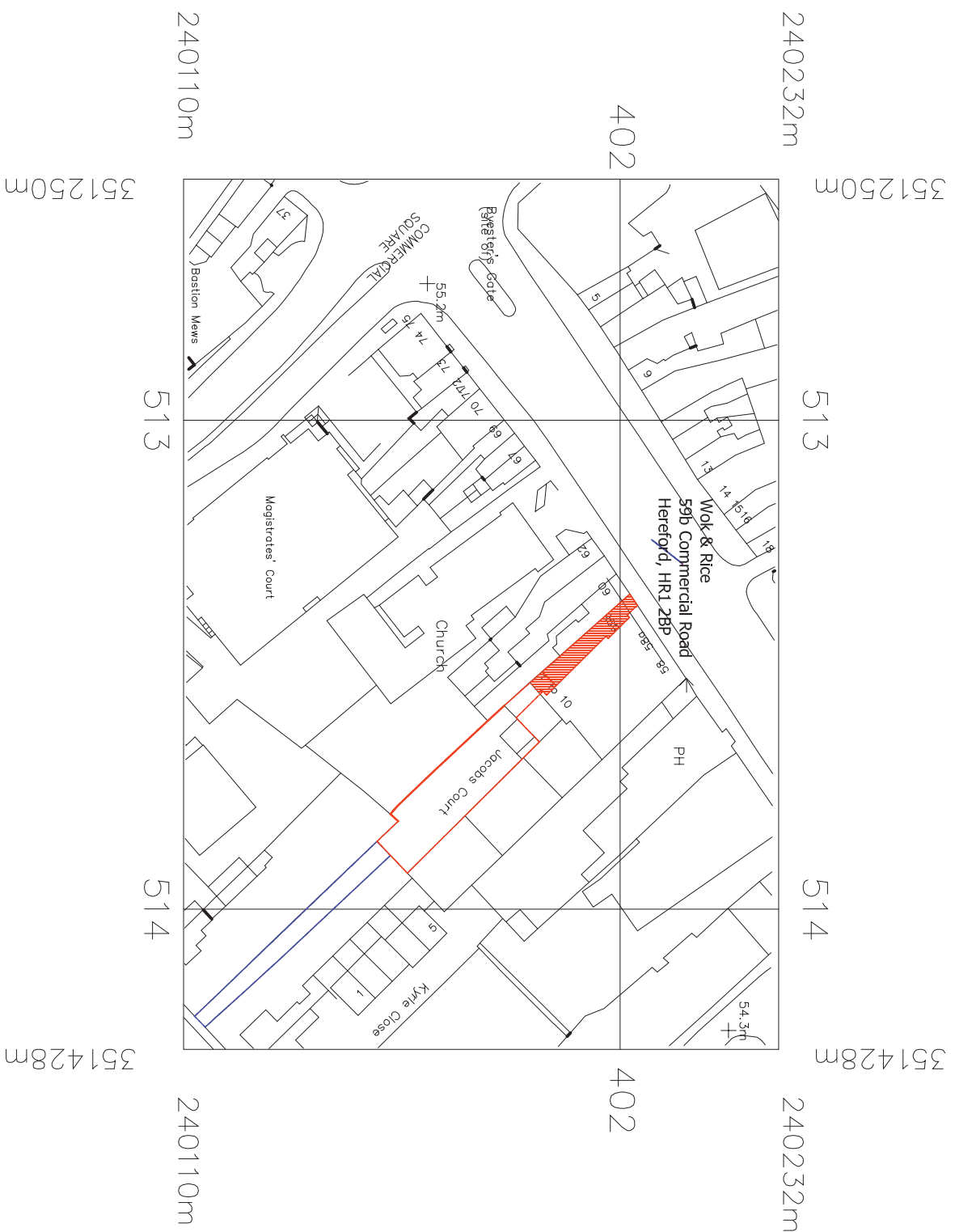
Client  
A Haque

Project  
Wok & Rice  
59b Commercial Road  
Hereford, HR1 2BP

Title  
Location Plan

Date  
Feb 2014  
Scale  
1-1250 @ A3

Job No. 3097  
Dwg No. 901  
Rev -



## LOCATION PLAN



## **The Licensing Authority object to the application in full.**

Whilst we are aware that the police have not objected to the application, nevertheless the authority must object to it as it is within the heart of the area of the City covered by the Special Policy (Cumulative Impact Policy). It is unable to see any reason why the authority should divert from this policy.

The special policy at paragraph A8 states:

*The Licensing Authority are of the opinion based on the evidence that the number of licensed premises in the above areas adversely affect the promotion of the licensing objectives of:*

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

The Licensing Authority believe that the granting of the licence would have an adverse effect on the Licensing Objectives of the Prevention of Crime and Disorder and the Prevention of public nuisance, in that the granting of the licence is likely to mean that additional people will congregate in an area which is already overcrowded due to the concentration of hot food outlets and alcohol premises.

I will draw your attention to the plan which is within your background papers where you will see that within the block to the NE of the church there are only licensed premises. The application premises sit right within the centre of these.

Therefore the adding of an additional hot food outlet will only further add to the blockage of the footway which occurs on a regular basis due to queues of people waiting to go into Yates's.

This is likely to result in crime and disorder caused by a large number of people within such a small area. There will be additional litter and noise to residents who live over some of these premises.

The policy at paragraph A10 states '*The effect of the Cumulative Impact Policy is that it creates a rebuttable presumption that application within the cumulative impact area will normally be refused: -*

The policy goes on to say at paragraph A11 '*However, this Policy will not prevent applications in the above areas. Each case will be decided on its own merits, but applicants will have to comprehensively demonstrate in their application that it will not add to existing problems in the area. However, this Policy will not prevent applications in the above areas. Each case will be decided on its own merits, but applicants will have to comprehensively demonstrate in their application that it will not add to existing problems in the area.*

It is the submission of the licensing authority that evidence has been supplied by the applicant that it will not add to existing problems in the area.

The Guidance under Section 182 at paragraph 8.36 states 'Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.'

I am sure that following a number of stated cases that the committee must follow this guidance unless there is good reason not to do so.

**Should the committee wish to override their current policy then the Licensing Authority recommend that the following conditions should be attached to the licence**

1. **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. 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 (provided that the police will allow reasonable time for the recording to be obtained in the event that the request for recordings is made at a time when the premises are closed. The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. 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.**
2. **The premises licence holder shall employ SIA registered Door Supervisors on a Friday and Saturday night and on a Sunday night preceding a Bank Holiday from midnight until the terminal hour shown on the licence or until the premises close which ever is the earlier.**
3. **The Premises Licence Holder shall maintain a register of Door Supervisors which will 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' (as defined by Section 13 of the Licensing Act 2003) or the police or an authority Officer of the SIA.**
4. **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:**
  - (a) **The date and time of the incident**
  - (b) **A general description of the incident**
  - (c) **A description of offenders and or person involved (with name if possible)**
  - (d) **The member of the staff dealing with the incident.**
  - (e) **Any faults in the CCTV system**
  - (f) **Any visit by a relevant authority or emergency service**
5. **Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exists to the premises requesting the public to respect the needs of local residents and to leave the premises quietly.**
6. **The premises licence holder shall provide 2 additional refuse (litter) containers to be located outside the premises. Such containers shall be secured and shall**

be sighted at a location agreed with Herefordshire Council Highways Department or their agent. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exists to the premises requesting the public to respect the area and ensure that litter is disposed of properly and in appropriate litter bins.

7. The Premises Licence holder will ensure that the area immediately outside the premises is checked for litter at least once every 30 minutes, during operating hours and that any litter found is disposed in refuse sacks or bins.
8. All staff shall wear clothing which identifies them as members of staff of the premises.
9. The Premises Licence Holder and staff will not permit alcohol to be consumed on the premises.
10. The premises licence will ensure that drunks are not served on the premises.
11. The premises licence holder shall ensure that all staff are trained in conflict resolution within one month of being employed at the premises and 6 monthly thereafter. Such training records 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.



From : Adrienne Poole, Licensing Officer

To: Chairman, Regulatory Committee

Reference: Wok & Rice Commercial Road Hereford – Application for Grant of Premises Licence

Sir

Following the decision of the Regulatory Committee on 2 September 2014:

**The Sub-Committee has decided to defer the determination of this application to give the applicants appropriate time to liaise with the Licensing Authority and West Mercia Police. This time shall be used to determine what conditions or procedures could be put in place by the applicants to ensure that they do not add to the cumulative impact of the area.**

I have met with Mr Abdul Haque on two occasions to discuss the application and to clarify his understanding of the Special Cumulative Impact Policy.

Following those meetings Mr Haque and Mr Rashid have submitted an email response for Committee and proposed conditions should the Committee be minded to issue the licence.



**From:** Mamunur Rashid [mrashid1101@hotmail.com]  
**Sent:** 15 September 2014 11:07  
**To:** Poole, Ady  
**Cc:** shaheen\_maa@hotmail.com  
**Subject:** Wok & Rice

**Follow Up Flag:** Follow up

**Flag Status:** Yellow

Dear Mrs Poole.

We understand that this application for a new premises within the Cumulative Impact Zone may be rejected but, having considered the special policy regarding the CIZ, we do not believe that addition of our premises will add any issue towards crime and disorder, because the crowds and gathering happens once the Pubs and Clubs closes, this is much later then 01:30am.

We have been operative already for last four months, opening time until 11pm. We have also observed until 1:30am, we haven't seen any gathering or disorder during this time.

Most of the crowds and gathering happen after the Pubs and Clubs closes 2am.

We have also asked our neighbours Munchies and Fish & Chips, their opinions are same.

If the committee decides to issue the licence, we are willing to propose the following steps to promote the Licencing objectives to be included on the licence.

Kind regards,

Abdul Haque.







### **TO PROMOTE ALL FOUR LICENSING OBJECTIVE**

We will keep Strong management control and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to;

1. No drunk and disorderly behaviour on the premises area
2. Vigilance in preventing the use and sale of illegal drugs at the retail area
3. No violent and anti-social behaviour
4. No harm to children

### **The prevention of crime and disorder**

Installation of Close Circuit Television CCTV internally and externally and maintain good working order, Cover all point of access and egress.

Incorporate a recording facility that allows recordings to be stored for at least a calendar month. The Police and Council officers will be given access to the recording on request.

A Door supervisor will be provided on Saturday night of the week. The door supervisor will be registered with the Security Industry Authority (SIA). We will keep a register with details of Door Supervisor.

Logging information in a crime and disorder incident book

The incident book will contain the following;

1. The date and time of the incident
2. A general description of the incident
3. A description of offenders and or person involved (with name if possible)
4. The member of the staff dealing with the incident.

### **Public Safety**

1. Internal and external lighting to be maintained at all times
2. Adequate refuse (litter) container will be located in the premises
3. Prominent, clear and legible display at all exits to the premises requesting the public to the area and ensure that litter is disposed of properly and in appropriate litter bins.
4. Any persons that are drunk will be refused service and asked to leave the premises

59B Commercial Road, Hereford, HR1 2BP.  
Tel: 01432 508949 email; [info@wokandrice.co.uk](mailto:info@wokandrice.co.uk)  
[www.wokandrice.co.uk](http://www.wokandrice.co.uk)



### **The Prevention of Public Nuisance**

1. Any refuse with bottles or cans will be emptied between 11:00 – 22:00.
2. We will ensure that the area immediately outside the premises is checked every half hour for any litter found and is disposed of appropriately.
3. Keep the rubbish bins and refuse at the rear of the premises, away from public access.
4. Signs will be displayed on the entrance and exits requesting customer to leave the premises and the area quietly.
5. Staff will be requested not to have conversations outside the premises during the breaks.
6. Notice advising customers not to park outside and not to obstruct the highway.

### **The Protection of Children from Harm**

1. No alcohol is served on the premises.
2. We will protect children from Moral, Psychological, and physical harm. This includes protecting them from early exposure to;
  - a. Strong Language
  - b. Sexual Expletives
  - c. Adult entertainment
  - d. Violence
  - e. Drinking alcohol
3. Any children under the age of 16 years will have to be supervised by an adult.

### **General**

All staff will wear clothing which identifies them as a members of the staff of the premises.

**Herefordshire Council**

**Regulatory Sub-Committee Decision Notice  
(Licensing Act 2003)**

<b>Premises</b>	Wok and Rice, 59b Commercial Road, Hereford, HR1 2BP
<b>Applicant's Name</b>	Mr Abdul Ahad Raque and Manumur Rashid
<b>Application Type</b>	Grant of Premises Licence
<b>Panel Members</b>	Councillor A Seldon (Chairman) JW Hope MBE Councillor SM Michael
<b>Date of Meeting</b>	2 September 2014

Members of the Licensing Panel of the Council's Regulatory Sub-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 Ady Poole, representing the Licensing Authority, Fred Spriggs, presenting the Licensing Authority's representation, Jim Mooney representing West Mercia Police and Mr Abdul Ahad Haque and Mr Manumur Rashid, the applicants.

Having carefully considered those matters brought before them, the Sub-Committee determined the application as follows, with a view to promoting 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, as set out in the guidance issued under Section 182 of the Licensing Act 2003, and the Council's Licensing Policy:

**The Sub-Committee has decided to defer the determination of this application to give the applicants appropriate time to liaise with the Licensing Authority and West Mercia Police. This time shall be used to determine what conditions or procedures could be put in place by the applicants to ensure that they do not add to the cumulative impact of the area.**

**The application shall be heard by this Sub-Committee within 21 days of this hearing date.**

