

**MINUTES of the meeting of Regulatory Sub Committee held at Committee Room 1, The Shire Hall, St Peter's Square, Hereford, HR1 2HX on Thursday 24 March 2016 at 2.00 pm**

**Present:** Councillor (Chairman)  
Councillor (Vice Chairman)

**Councillors:** TL Bowes, BA Durkin and DW Greenow

**In attendance:** Councillors

**4. ELECTION OF CHAIRMAN**

Councillor DW Greenow was elected as Chairman for the Regulatory Sub-Committee hearing.

**5. DECLARATIONS OF INTEREST**

Councillor Durkin declared a non-pecuniary interest as Mr Neil Coulson the legal representative for the applicant also recently acted as conveyancing solicitor for councillor Durkin.

**6. REVIEW OF A PREMISES LICENCE FOLLOWING THE EXPEDITED/SUMMARY LICENCE REVIEW IN RESPECT OF: ZABKA, 16 EIGN GATE, HEREFORD, HR4 0AB - LICENSING ACT 2003**

The sub-committee considered a review of a premises licence following the expedited/summary licence review concerning Zabka, 16 Eign Gate Hereford.

The chairman read out the guidance notes and asked all parties to introduce themselves.

The committee made it clear that it need find no proof and apportioned no blame to any individual in respect of any criminal investigation which were believed to be ongoing and were matters that might be dealt elsewhere.

The committee heard that a substantial amount of illicit tobacco products were found on the premises following a raid on the 25 February 2016. This fact was not contested by the premises owner/designated premises supervisor or his representation.

The committee found that criminal activity exists in connection with the premises namely the sale of smuggled tobacco

The committee considered the option before it on page 10 of the agenda papers

The committee found that criminal activity exists in connection with the licensed premises, namely the sale of smuggled tobacco. It also heard evidence attributed to a member of staff which differed in its versions however the committee was satisfied that criminal activity did take place.

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 (as amended by the violent crime reduction act 2006), the guidance Issued under section 182 and the guidance issued under section 53A of the licensing act 2003 as amended and the council's licensing policy.

The Committee gave considerable weight to the need to uphold the four licensing objectives, particularly the prevention of crime and disorder. Also to the guidance issued under S.182 of the licensing act 2003 – with particular reference to paragraph 11.27 and 11.28. The committee listened carefully to the points put before it by the licensing officer, Mr Mooney on behalf of the police and Mr Coulson on behalf of Mr Sahl the premises licence holder.

The sub-committee retired to make their decision. On its return the Council's legal adviser read out the decision.

**Resolved**

That the premises licence in respect of Zabka, 16 Eign gate Hereford be revoked.

The meeting ended at Time Not Specified

**CHAIRMAN**