

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

PREMISES	Natalka Polskie Deliktsey
PREMISES LICENCE HOLDER	Mr Robert Stuliglowa
APPLICANT'S NAME	West Mercia Police
APPLICATION TYPE	Full Review following an Expedited Review
PANEL MEMBERS	Councillor JW Hope MBE (Chairman) Councillor RC Hunt Councillor Brig P Jones CBE
DATE OF MEETING	19 October 2011

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 Robert Stuliglowa and Jeremy Phillips, the Premises Licence Holder and his legal representative as well as Inspector Nick Simpler and James Mooney, representing West Mercia Police.

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) and the Council's Licensing Policy. The Members made the following decisions in order to promote the licensing objective of the prevention of crime and disorder.

DECISION

- 1 It is the decision of the Committee that the premises licence in respect of Natalka Polskie Deliktsey be restored forthwith.
- 2 The Committee also decided that the interim steps previously ordered be lifted, also with immediate effect.
- 3 The Committee requests that 2 additional conditions be attached to the licence in order to promote the licensing objective of the prevention of crime and disorder.

CONDITIONS

- 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.

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Cameras shall encompass all ingress and egress to the premises, fire exits, outside areas, and all areas where the sale/ supply of alcohol occurs.

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 30 days and handed to Police on demand.

The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format EITHER DISC or VHS to the Police/Local Authority on demand.

The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.

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 Alcohol for off sales to be purchased by the Designated Premises Supervisor or by someone specifically authorised by him in writing, appropriate records to be kept.

REASON

- 1 The Committee has considered carefully the Home Office guidance dated October 2010 and in particular paragraph 11.23 and those parts immediately following. The reasoning therein contained was instrumental in it reaching its decision. The Committee noted that other proceedings were ongoing but was clear that its decision must be based on the evidence heard before it.

APPEAL INFORMATION

Under Schedule 5 Paragraph 8, the applicant or any party making representation may appeal against the decision. Section 9 states that such an appeal must be made to the Magistrates Court within a period of 21 days from the date that the applicant is notified in writing of the decision.

Should you wish to appeal this decision then it is recommended that you obtain your own legal advice or contact the Magistrates Court at Bath Street, Hereford.