

<b>Meeting:</b>	<b>Regulatory Sub-Committee</b>
<b>Meeting date:</b>	<b>13 April 2015</b>
<b>Title of report:</b>	<b>Review of a Premises Licence in respect of: Mamma Jammass, 15a West Street, Hereford, HR4 0BX - Licensing Act 2003</b>
<b>Report by:</b>	<b>Licensing Officer</b>

## **Classification**

Open

## **Key Decision**

This is not an executive decision.

## **Wards Affected**

Central

## **Purpose**

To consider an application for Review of a Premises Licence in respect of Mamma Jammass, 15a West Street, Hereford, HR4 0BX.

## **Recommendation**

### **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 appropriate to promote the licensing objectives,
- The Guidance issued to local authorities under the Licensing Act 2003, and
- The Herefordshire Council Licensing Policy.
- The Police's review application.
- Any other evidence produced in relation to the review.

## Options

1. There are a number of options open to the Sub-Committee:
  - the modification of the conditions of the premises licence;
  - to exclude a licensable activity from the scope of the licence;
  - the removal of the designated premises supervisor from the licence;
  - the suspension of the licence for a period not exceeding 3 months;
  - the revocation of the licence;
  - take no action

## Reasons for Recommendations

2. Ensures compliance with the Licensing Act 2003.

## Key Considerations

3.

Applicant	<b>West Mercia Constabulary</b>	
	<b>Represented by:- Inspector Semper</b>	
Premise Licence Holder	<b>Mr Jonathan George Charles Jones</b> <b>15 Stanhope Street, Hereford, HR4 0HA</b>	
Solicitor	<b>N/K</b>	
Type of application: <b>Review</b>	Date received: <b>16/2/2015</b>	End of 28 day period <b>16/03/2015</b>

4. The grounds for the review given are:  
  
*'History of crime and disorder that undermines the licensing objective of the prevention of crime and disorder.'*
5. The supporting evidence including a table of incidents can be found within the Review Application contained within the appendices.
6. **Current Licence**

The current licence authorises the following licensable activities during the hours shown:-

Live Music	Monday – Sunday from 17:00 until 23:30
Recorded Music; Facility for Making Music; Facility for Dancing;	Sunday – Thursday from 17:00 until 01:30 Friday – Saturday from 17:00 until 04:00
Supply/Sale of Alcohol	Sunday – Thursday from 17:00 until 01:30 Friday – Saturday from 17:00 until 04:00

7. The licensing authority has not received any representation from any responsible authorities or from the public in relation to the application.
8. Since the review has been submitted the Premises Licence Holder has made application for a minor variation to vary the premises licence to include a last entry time, staff training and door staff.
9. A copy of the minor variation is attached as an appendix.
10. The minor variation as applied for has been refused by the Licensing Authority as it fails to fully promote the licensing objectives.
11. The matter is brought before committee for determination.

## **Community Impact**

12. Any decision is unlikely to have any significant effect of the local community.

## **Equality duty**

13. There are no equality or human rights issues in relation to the content of this report.

## **Financial implications**

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

## **Legal Implications**

15. An appeal may be made within 21 days of the licence holder being notified of the licensing authority's decision to a magistrates' court.
16. An appeal may be made by the premises licence holder, the chief officer of police and/or any other person who made relevant representations.
17. The decision of the licensing authority, following the review hearing, will not have effect until the end of the period allowed for appeal, or until the appeal is disposed of.

## **Risk Management**

18. There is little risk associated with the decision at this time as the legislation allows an appeal to the Magistrates Court.

## **Consultees**

19. Copies of the application have been sent to the responsible authorities. A notice has been displayed at the premises, at the offices of the Licensing Authority and details have been shown on the council website.

## **Appendices**

- a. Application for the review
- b. Application for a minor variation

## **Background Papers**

None.