

Application for the review of a premises licence or club premises certificate 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.

We Herefordshire Council as the Licensing Authority

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Mila, 102-104 Belmont Road	
Post town Hereford	Post code (if known) HR2 7JS

Name of premises licence holder or club holding club premises certificate (if known) Hardi Mohammed

Number of premises licence or club premises certificate (if known) PR01758
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Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises

- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Fred Spriggs
Licensing Officer
Herefordshire Council as the Licensing Authority

Telephone number (if any)

01432 261761

E-mail address (optional)

licensing@herefordshire.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

The premises licence was issued following a hearing held by the Licensing Sub-committee on 10th April 2017. The licence issued was subject to a number of conditions. Since the licence has been issued there have been a number of visits to the premises by both the police and the licensing authority. On each of these visits the conditions shown attached to the premises licence have not been complied. On a visit today they were still not being complied with and as a result this review has been launched.

Please provide as much information as possible to support the application
(please read guidance note 2)

On 10th April 2017 the premises licence was issued following a hearing with conditions. In addition to the mandatory conditions the following conditions were 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, 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 31 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 recordable media format, an authorised Herefordshire Trading Standards Officer or the 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 '101' immediately

2. *An incident log must be kept at the premises. Incident log records will be retained for a period of 12 months from the date it occurred. It will 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) all crimes reported to the venue (where relevant to the licensing objectives)*
 - (b) all ejections of patrons*
 - (c) any complaints received (where relevant to the licensing objectives)*
 - (d) any incidents of disorder*
 - (e) any faults in the CCTV system or searching equipment or scanning equipment*
 - (f) any refusal of the sale of alcohol*
 - (g) any visit by a relevant authority or emergency service*

3. *All staff engaged in the sale of alcohol to be trained in responsible alcohol retailing to the minimum standard of BIIAB level 1 or any equivalent training course within 1 month of commencing employment at the premises. Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence. Refresher training will be conducted at 6 monthly intervals. Training records shall be kept on the premises and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.*

4. *Personal Licence Holder to be on the premises at all times.*

5. *A log book 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), the Police or an officer of the UK Border Agency. The log book must record the following:*
 - A. Details of all persons employed at the premises in any capacity.*
 - B. Date of birth of the person.*
 - C. The full name of the person.*
 - D. Their current address.*
 - E. Their national insurance number.*
 - F. Their passport details.*
 - G. In respect of EU citizens, proof of a current EU passport, national insurance card, P45 or P60 shall be provided.*

H. In respect of non EU citizens, a passport or other travel document endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinite in the United Kingdom, has the right of abode in the United Kingdom, or has no time limit on their stay in the United Kingdom must be provided. All such information shall be recorded prior to them working at the premises. All information detailed above to be supported by a copy of the relevant document.

- 6. The premises licence holder will ensure that that there is unobstructed view at all times into the licensable area of the premises. This will mean at least 75% of all windows and 100% of all doors looking into the premises from Belmont Road are clear of obstruction. Obstruction includes any permanent or temporary signage placed on the glass surfaces of windows and doors.*
- 7. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.*
- 8. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any sale area advertising the scheme operated.*
- 9. A written or electronic register of refusals will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months. It will be collected and reviewed on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.*

On 25th April the Licensing Officer drove past the premises and noticed that condition 6 was not being complied with. As a result he wrote to the premises licence holder the following day to inform him what he had seen and what the condition required him to do.

On 12th May West Mercia Police attended the premises and report to the licensing authority that condition 6 was not being complied with, with virtually all of the windows and doors still covered. They also handed him a copy of the letter sent by the Licensing Officer on 26th April.

On 17th June police reported to the Licensing Authority that the windows still remained covered.

On 29th June the Licensing Officer visited the premises and found that conditions 1, 2, 3, 5, 6, 7, 8 and 9 were not being complied with. The Licensing Officer wrote to the premises licence holder to inform him of the breaches of the conditions of the licence. The advice given by the authority was that we may seek a closure order after 7 days if the conditions were not complied with.

On 30th July the police attended the premises in relation to a crime. The person in charge of the shop was unable to play the CCTV recording to the police. They shared this information with the Licensing Authority.

On 11th August the Licensing Officer attended the premises again, where the premises licence holder was present. He found that conditions 2, 6 and 7 were still not being complied with. As a result this review was launched.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO 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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date 7th September 2017

Capacity Licensing Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

