

MINUTES of the meeting of Regulatory Sub Committee held at Meeting Room 22a, Brockington, 35 Hafod Road, Hereford on Tuesday 31 May 2011 at 2.00 pm

Present: Councillor JW Hope MBE (Chairman)
Councillors: CM Bartrum and RC Hunt

1. ELECTION OF CHAIRMAN

Councillor JW Hope MBE was elected as Chairman for the Regulatory Sub-Committee hearing.

2. APOLOGIES FOR ABSENCE

No apologies for absence were received.

3. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the hearing.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made.

5. APPLICATION FOR AN EXPEDITED REVIEW 'RADUNI INDIAN CUISINE, 66 THE HOMEND, LEDBURY, HR8 1BT.' (Pages 1 - 2)

The Regulatory Sub-Committee met to consider a representation made by Keith Evans Solicitors, representing the premises licence holder, against the interim steps imposed on 25 May 2011 following the expedited licence review of the premises licence for Raduni Indian Cuisine, 66 the Homend, Ledbury, HR8 1BT.

The Chairman introduced the Members and Officers and asked any interested parties to introduce themselves. He advised them of the hearing procedures and asked if any party required an extension to the 10 minute time limit for public speaking, no extensions were requested.

The Licensing Officer introduced the report and advised members that the full review hearing in respect of the premises had been arranged for 17 June 2011.

Mr Mooney, representing West Mercia Police, addressed the sub committee and advised members of the reasons why the premises had been the subject of a review. He added that in his opinion the suspension should remain in place in order to promote the licensing objective of the prevention of crime and disorder.

Mr Light, representing the premises licence holder, addressed the sub-committee and advised that the concerns of the police could be addressed through an appropriate condition. He had concerns that the premises had been the subject of an expedited review as he felt that the process should only be used to address incidents of violent crime.

All parties were given the opportunity to sum up their representations in a brief closing statement before the sub committee retired to make its decision.

RESOLVED

That the suspension of the premises licence for Raduni Indian Cuisine be rescinded subject to an additional condition being added to the licence as an interim step and a full review hearing taking place on 17 June 2011.

The meeting ended at 3.35 pm

CHAIRMAN

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

PREMISES	Korai Ltd. Trading as Raduni Indian Cuisine
DESIGNATED PREMISES SUPERVISOR	Mohammed Hasnath
APPLICANT'S NAME	West Mercia Police
APPLICATION TYPE	Representation Against Interim Steps
PANEL MEMBERS	Councillor JW Hope MBE (Chairman) Councillor CM Bartrum Councillor RC Hunt
DATE OF MEETING	31 May 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 James Mooney, representing West Mercia Police, and Roy Light, legal advisor for Korai Ltd.

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 suspension of the premises licence for Raduni Indian Cuisine be rescinded subject to an additional condition being added to the licence as an interim step and a full review hearing taking place on 17 June 2011.

ADDITIONAL CONDITION

- 1 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) or the Police. 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 shall be provided.

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- h) In respect of non EU citizens a current visa showing the right to be employed in the UK.

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.

REASONS

- 1 As a result of further information being provided both by the police and the premises licence holder's legal advisor, the sub committee felt that a continued suspension would be disproportionate in all the circumstances. This decision in no way limits the sub committee's discretion as to any view it may take at the final hearing.
- 2 The Committee came to this decision in order to promote the licensing objective of the prevention of crime and disorder.

ADDITIONAL INFORMATION

- 1 The Committee is required to review the premises licence in full within 28 days of the application for a summary licence review made on 23 May 2011. The Full Review Hearing will take place at 14:00 on Friday 17 June 2011.
- 2 There is no right of appeal to a magistrates' court against the licensing authority's decision at this stage.