

AGENDA

Regulatory Sub Committee

Date: **Tuesday 17 March 2015**

Time: **10.00 am**

Place: **Committee Room 1, The Shire Hall St Peter's Square
Hereford HR1 2HX**

Notes: Please note the **time, date** and **venue** of the meeting.

For any further information please contact:

Clive Lloyd, Governance Services

Tel: 01432 260249

Email: Clive.lloyd@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format, please call Clive Lloyd, Governance Services on 01432 260249 or e-mail Clive.lloyd@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Regulatory Sub Committee

Membership

**Councillor JW Hope MBE
Councillor Brig P Jones CBE
Councillor A Seldon**

AGENDA

	Pages
1. ELECTION OF CHAIRMAN To elect a Chairman for the hearing.	
2. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the agenda.	
3. NOTIFICATION OF A STANDARD TEMPORARY EVENT NOTICES (TEN) IN RESPECT OF 'FIELD ADJACENT TO DEWSALL COURT, CALLOW, HEREFORD, HR2 8DA' AND THE ISSUE OF AN OBJECTION NOTICE IN RESPECT OF THE TEN GIVEN BY THE ENVIRONMENTAL HEALTH OFFICER.' - LICENSING ACT 2003 To consider the notification of a standard temporary event notices (TEN) in respect of the 'Field adjacent to Dewsall Court, Callow, Hereford, HR2 8DA' and the issue of an objection notice in respect of the TEN given by the Environmental Health Officer.	9 - 32
4. APPLICATION FOR GRANT OF A PREMISES LICENCE IN RESPECT OF ZABKA, 16 EIGN GATE, HEREFORD, HR4 0AB - LICENSING ACT 2003 To consider an application for the grant of a premises licence in respect of 'Zabka, 16 Eign Gate, Hereford, HR4 0AB.	33 - 80

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

Public Transport Links

There are bus stops directly outside the building. Hereford train station is a 15 minute walk, Hereford country bus station and Hereford city bus station are both a 5 minute walk from the Shirehall.

RECORDING OF THIS MEETING

Please note that filming, photography and recording of this meeting is permitted provided that it does not disrupt the business of the meeting.

Members of the public are advised that if you do not wish to be filmed or photographed you should let the governance services team know before the meeting starts so that anyone who intends filming or photographing the meeting can be made aware.

The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

HEREFORDSHIRE COUNCIL

SHIRE HALL, ST PETERS SQUARE, HEREFORD HR1 2HX.

FIRE AND EMERGENCY EVACUATION PROCEDURE

In the event of a fire or emergency the alarm bell will ring continuously.

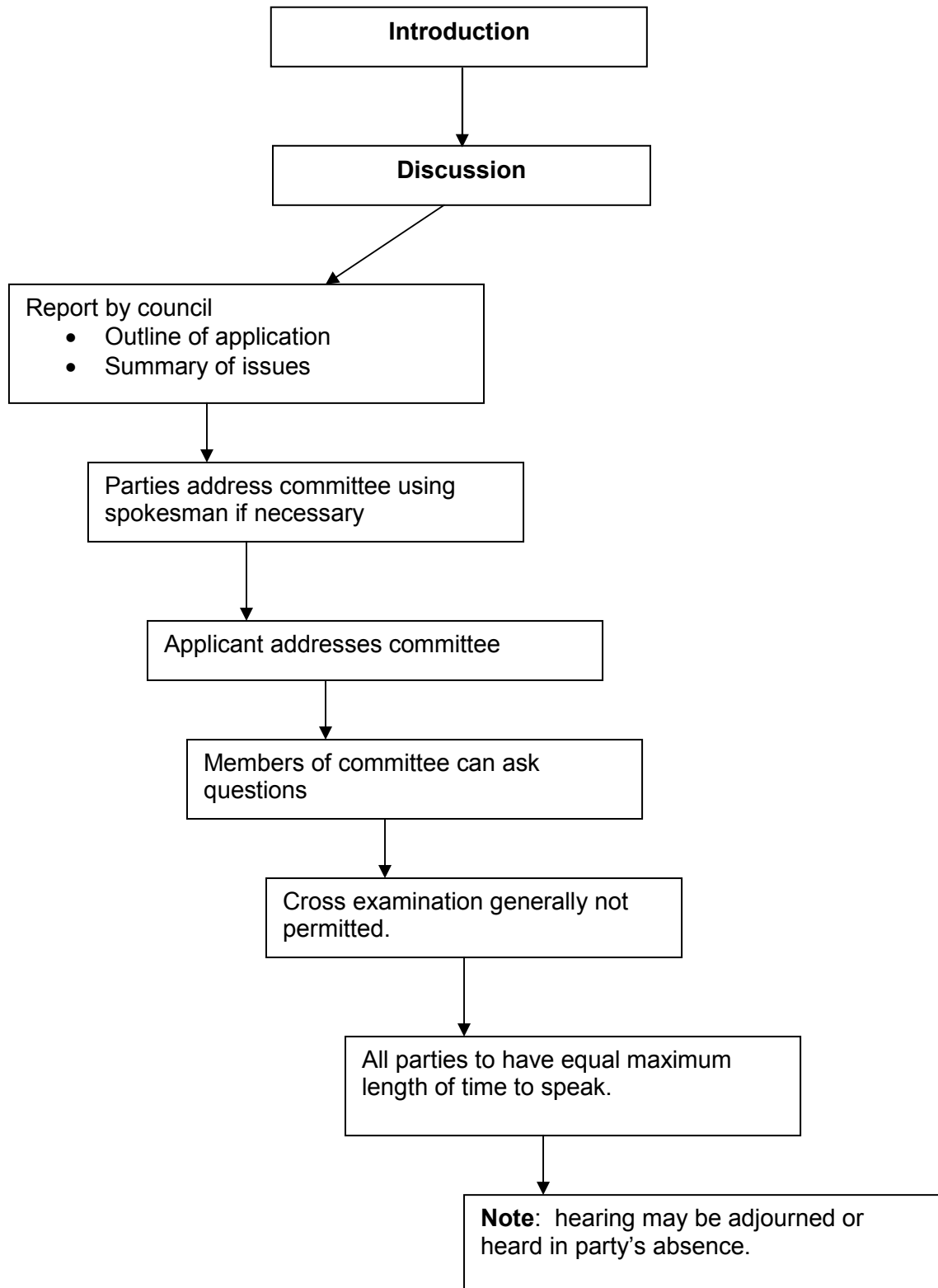
You should vacate the building in an orderly manner through the nearest available fire exit.

You should then proceed to the Fire Assembly Point which is located in the Shire Hall Side Car Park. A check will be undertaken to ensure that those recorded as present have vacated the building following which further instructions will be given.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

Licensing Hearing Flowchart





Meeting:	Regulatory Sub-Committee
Meeting date:	17th MARCH 2015
Title of report:	NOTIFICATION OF A STANDARD TEMPORARY EVENT NOTICES (TEN) IN RESPECT OF 'FIELD ADJACENT TO DEWSALL COURT, CALLOW, HEREFORD, HR2 8DA' AND THE ISSUE OF AN OBJECTION NOTICE IN RESPECT OF THE TEN GIVEN BY THE ENVIRONMENTAL HEALTH OFFICER.' - LICENSING ACT 2003
Report by:	Head of Trading Standards and Licensing

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Hollington

Purpose

To consider the notification of a standard temporary event notices (TEN) in respect of the 'Field adjacent to Dewsall Court, Callow, Hereford, HR2 8DA' and the issue of an objection notice in respect of the TEN given by the Environmental Health Officer.

Recommendation

That:

Sub-Committee determine the application with a view to promoting the licensing objective of the prevention of public nuisance in the overall interests of the local community. They should give appropriate weight to:

- The steps that are appropriate to promote that licensing objective,

Further information on the subject of this report is available from
Fred Spriggs – Licensing Officer 01432 383542

- The objection notice issued by the Environmental Health Officer,
- The Guidance issued to local authorities under Section 182 of the Licensing Act 2003, and
- The Herefordshire Council Licensing Policy

Options

1. There are two options available to the committee:
 - Issue a 'counter notice' if it considers necessary for the promotion of the licensing objectives, or
 - Refuse to issue a counter notice thereby authorising the Licensable Activity and hours as notified in the Temporary Event Notice

Reasons for Recommendations

2. Ensures compliance with the Licensing Act 2003.

Key Considerations

3. The details of the TEN are:

Event Notifier	Matthew Giles 6 Regnolruf Court, Church Street, Walton-on-Thames, KT12 2QT	
Solicitor	Nil	
Type of application: TENS Notification	Date received: 10/02/15	72 hour period concluded 13/02/15

4. **TEN Notification**
The notification of the Temporary Event Notices has received an objection from a relevant person, the Environmental Health Officer. It therefore is now brought before committee to determine the notification.

5. **Summary of Notification**
The licensable activity notified is: -
Regulated Entertainment

Between 1800 hours to 2300 on Thursday 16th July 2015

Details of Event

Jazz Band to play to 80 people in a tent. No entry fee. There will be no fee paying bar.

6. **Current Licence**

Although Dewsall Court currently has a premises licence, the licence does not cover the location subject of the TEN notification.

7. **Summary of Representations**

A relevant person, the Environmental Health Officer, has made a written objection on 12th February 2015 on the grounds that the temporary event would undermine the Prevention of Public Nuisance Objective.

8. This matter appeared before the Regulatory Committee on 24th February 2015 where it was decided to adjourn the matter, in the public interest, until today, to allow the Event Notifier to provide further information.

9. The following information and clarity has been sort:

- a. Is the event a wedding?
- b. The plan of Dewsall Court to be marked to show the following:
 - the location of the marquee
 - the location of the stage inside the marquee
 - the location and direction that any speakers will point
- c. Is the event taking place on land within the boundary of the area of Dewsall Court marked on the plan?
- d. If it is on the land owned by Dewsall Court why is their licence not being used?

10. The Event Notifier has contacted the authority and provided the information requested. Details can be found in the appendices.

Community Impact

11. Any decision is unlikely to have any impact on the local community.

Equality duty

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

Financial implications

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

Legal Implications

14. The Committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the Licensing Authority.

The case of Daniel Thwaites Plc v Wirral Borough Magistrates' Court (Case No: CO/5533/2006) at the High Court of Justice Queen's Bench Division Administrative Court on 6 May 2008, [2008] EWHC 838 (Admin), 2008 WL 1968943, Before the Honourable Mrs Justice Black.

In this case it was summed up that: -

A licensing authority must have regard to guidance issued by the Secretary of State under section 182. Licensing authorities may depart from it if they have reason to do so but will need to give full reasons for their actions.

There is a right of appeal against the decision by either the person giving notification of the TEN or the relevant person. Such appeal must be made within 21 days of notification of the decision but not less than 5 working days before the event.

Risk Management

15. There is little risk associated with the decision at this time as the legislation allows a right of appeal to the Magistrates Court.

Consultees

16. The Police or an Environmental Health Officer are the only responsible authorities who are able to issue an objection notice under the act.

Appendices

- Appendix 1 – TEN's application
- Appendix 2 – Environmental Health Officer representation
- Appendix 3 – Email response from Event Notifier
- Appendix 4 – Plan of Dewsall Court from Event Notifier
- Appendix 5 – Decision Notice from Meeting of 24th February 2015
- Appendix 6 – Plan of Dewsall Court as attached to the Premises Licence

Background Papers

None.

* required information

Section 1 of 9

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

First name

Family name

E-mail address

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Your Address

Address official correspondence should be sent to.

Building number or name	<input type="text" value="6 Regnolruf Court"/>
Street	<input type="text" value="Church Street"/>
District	<input type="text"/>
City or town	<input type="text" value="Walton-On-Thames"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="KT12 2QT"/>
Country	<input type="text" value="United Kingdom"/>

Section 2 of 9

APPLICATION DETAILS [\(See also guidance on completing the form, general notes and note 1\)](#)

Have you had any previous or maiden names?

- Yes No

Your date of birth / /
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="6 Regnolruf Court"/>
Street	<input type="text" value="Church Street"/>
District	<input type="text"/>
City or town	<input type="text" value="Walton-On-Thames"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="KT12 2QT"/>
Country	<input type="text" value="United Kingdom"/>

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one? If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

E-mail

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

Does the premises have an address?

Yes No

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither Premises licence Club premises certificate

Location Details

Give an Ordnance Survey (OS) map reference (if a full address has not been given) Give an Ordnance Survey (National Grid) reference e.g. TL683365

Provide further details about the location of the event

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

Describe the nature of the premises below [\(see also guidance on completing the form, note 4\)](#)

Describe the nature of the event below [\(see also guidance on completing the form, note 5\)](#)

Continued from previous page...

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises

[\(see also guidance on completing the form, note 6\):](#)

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.
[\(See also guidance on completing the form, note 7\).](#)

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 8\)](#)

Event start date

16	/	07	/	2015
dd		mm		yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date

16	/	07	/	2015
dd		mm		yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

18:00 - 23:00

[\(see also guidance on completing the form, note 9\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

90

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 10\)](#)

Continued from previous page...

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 11\)](#):

- On the premises only
- Off the premises only
- Both

Section 5 of 9

RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 12\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

NO

Section 6 of 9

PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 13\)](#)

Do you currently hold a valid personal licence? Yes No

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 14\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? Yes No

Have you already given a temporary event notice for the same premises in which the event period:
a) Ends 24 hours or less before; or Yes No
b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 15\)](#)

Continued from previous page...

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:
a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice? Yes No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? Yes No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:
a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice? Yes No

Section 9 of 9

CONDITION [\(See also guidance on completing the form, note 17\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.
This formality requires a fixed fee of £21

DECLARATION [\(See also guidance on completing the form, note 18\)](#)

* The information contained in this form is correct to the best of my knowledge and belief

Continued from previous page...

* I understand that it is an offence:

- * (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
- * (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name	<input type="text" value="Matthew Giles"/>
Capacity	<input type="text" value="Premises User"/>
Date	<input type="text" value="10"/> / <input type="text" value="02"/> / <input type="text" value="2015"/> dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/herefordshire/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="Giles"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

< Previous 1 2 3 4 5 6 7 8 9 Next >

MEMORANDUM

To : **ADY POOLE – LICENSING ASSISTANT**

From : **Elisabeth Laughland**

Tel : **01432 261753** My Ref : **ELA/171202**

Date : **12 February 2015** Your Ref : **TEN15/72**

**FIELD ADJ TO DEWSALL COURT, DEWSALL COURT, CALLOW, HEREFORD,
HEREFORDSHIRE, HR2 8DA**

Having assessed the TEN application at the above location, I would like to make the following comments:

- Discussions with the TENS applicant has further clarified the event. It is part of a wedding function being held at Dewsall Court on Dewsall Court land.
- Dewsall Court hold regularly wedding functions at the premises in a part enclosed structure and a temporary structure. These events take place nearly every weekend in the summer months. The 'noise' from live bands at this function site has cause noise disturbance to local residence. Officers of this Authority have witnessed the noise from the venue and found the live band music to be clearly 'audible and discernible' from several monitoring points in the village above Dewsall Court.

Therefore, I object to this TENS application on the grounds of potential noise disturbance to the surrounding area, which has a detrimental affect on the residence enjoyment of their gardens and the general area.

**ELISABETH LAUGHLAND
PRINCIPAL ENVIRONMENTAL HEALTH OFFICER.**

Hi Fred

Apologies, I was unaware there was a hearing or indeed that I could attend, I could have missed it at this end.

From previous correspondence I was under the impression that permission had been denied. I am of course delighted that this is not the case and happy to help in any way I can.

Please see attached the updated PDF with a blue circle illustrating where the Marquee is intended to be placed and the position and direction of the stage (there is no stage as such but this is where the band will be standing) and the position of the speakers with arrows showing the direction of the sound.

Also answers to the questions below:

1. Is the event a wedding? [Its a celebration taking place after a wedding.](#)
2. Please mark on the attached plan the location of the marquee [Please see attached](#)
3. Also on that plan please mark the location of the stage inside the marquee [Please see attached](#)
4. Also the location and direction that any speakers will point [Please see attached](#)
5. Is the event taking place on land within the boundary of the area of Dewsall Court marked on the plan?
[Yes](#)
6. If it is on the land owned by Dewsall Court why are you not using the licence for Dewsall Court? [I understand that a license is not in place and wanted to handle it personally](#)

If you need any other information, please don't hesitate to contact me.

Kind regards

Matt Giles

On 4 Mar 2015, at 14:21, Spriggs, Fred <fspriggs@herefordshire.gov.uk> wrote:

Hi Matthew

I am the Licensing Officer for Herefordshire Council and part of my role is to present matters to the Licensing Committee.

As you are aware you gave notification of a Temporary Event Notice in respect of the field adjacent to Dewsall Court for Regulated Entertainment on 16th July 2014.

You were notified of the hearing in respect of this matter which appeared before the committee on Tuesday 24th February.

It is disappointing that you failed to attend the committee hearing or to contact the authority to submit information to be considered by the committee.

The committee were uncomfortable to refuse the notice without being in possession of additional information from you.

The committee have asked that you answer the following questions and address the following:

1. Is the event a wedding?
2. Please mark on the attached plan the location of the marquee
3. Also on that plan please mark the location of the stage inside the marquee
4. Also the location and direction that any speakers will point
5. Is the event taking place on land within the boundary of the area of Dewsall Court marked on the plan?
6. If it is on the land owned by Dewsall Court why are you not using the licence for Dewsall Court?

This matter has been put off until 17th March. The Chairman has advised that should they not be in possession of further information they will have no alternative but to reject the notification.

I will send you details of the hearing in the next few days.

Best wishes

Fred Spriggs

“Any opinion expressed in this e-mail or any attached files are those of the individual and not necessarily those of Herefordshire Council, Herefordshire Clinical Commissioning Group (HCCG), Wye Valley NHS Trust or 2gether NHS Foundation Trust. You should be aware that Herefordshire Council, Herefordshire Clinical Commissioning Group (HCCG), Wye Valley NHS Trust & 2gether NHS Foundation Trust monitors its email service. This e-mail and any attached files are confidential and intended solely for the use of the addressee. This communication may contain material protected by law from being passed on. If you are not the intended recipient and have received this e-mail in error, you are advised that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error please contact the sender immediately and destroy all copies of it.”<20150224123446.pdf>

Notes

BARN 1 - POLE BARN.
 BARN 2 - COTTAGE BARN
 BARN 3 - STABLES
 BARN 4 - LOCKSHOP
 BARN 5 - HIGH BARN
 BARN 6 - UNINSURED.

ONLY - BARN 2
 BARN 6

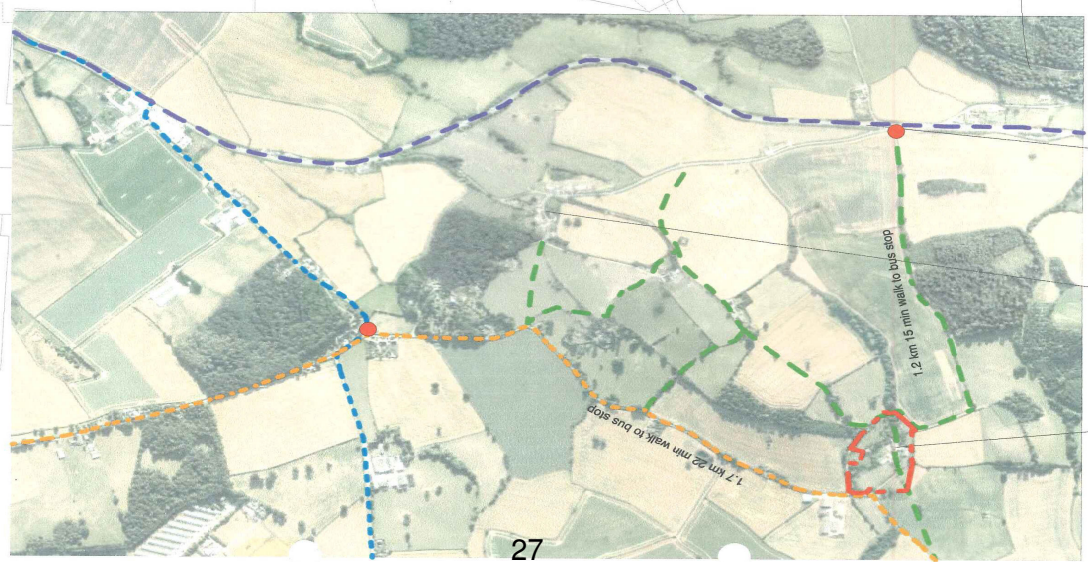
DEWSALL COURT
 TO BE LICENSED.
 BOTLEWORKS

- BOUNDARY OF
 OUTDOOR LICENSED
 AREA.

ARCHITYPE

Project: Dewesall Court
 Client: Vaughan and Robinson

Site Plan
 Existing Site Plan
 PL 001
 Revision: B
 Date: 29.04.09
 Drawing: PU MB
 Checked: PU MB
 Drawn: [Name]



Herefordshire Council
Regulatory Sub-Committee Decision Notice
(Licensing Act 2003)

Premises	Field adjacent to Dewsall Court Callow, Hereford HR2 8DA
Applicant's Name	Mr Mathew Giles
Application Type	Temporary Events Notice (TEN)
Panel Members	Councillor A Seldon(Chairman) Councillor J W Hope MBE Councillor Brig Jones CBE
Date of Meeting	24 February 2015

Members of the Licensing Panel of the Council's Regulatory Sub-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 Fred Spriggs, representing the Licensing Authority and Elisabeth Laughland, representing Herefordshire Council Environmental Health Department..

Having carefully considered those matters brought before them, the Sub-Committee determined the objection as follows, with a view to promoting the four licensing objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm, as set out in the guidance issued under Section 182 of the Licensing Act 2003, and the Council's Licensing Policy:

The Sub-Committee has determined the application as follows:

The Committee is minded to defer this application for further information. A Schematic drawing of the field with the locations of any marquee, stage, bar and toilet facilities will be required for us to make a decision

Reasons for the Decision

The application has not included sufficient information to enable the committee to make a decision.

Deferred date.

A date to hear the above application has been set as the 17 March 2015 with the time to be determined.

Notes: This drawing is for information only. Do not use the information on this drawing without checking all dimensions on site. Do not use any area indicated for other valuation, purchase, sale or other form of highly trading contract. Do not reproduce any part of this drawing without prior written consent.

NOTES

- BARN 1 - POLE BARN
- BARN 2 - COTTAGE BARN
- BARN 3 - STABLES
- BARN 4 - LOCKSHOP
- BARN 5 - HIGH BARN
- BARN 6 - MAIN SITE

ONLY - BARN 2
BARN 6

DEWSALL COURT
TO BE LICENSED
BUILDINGS

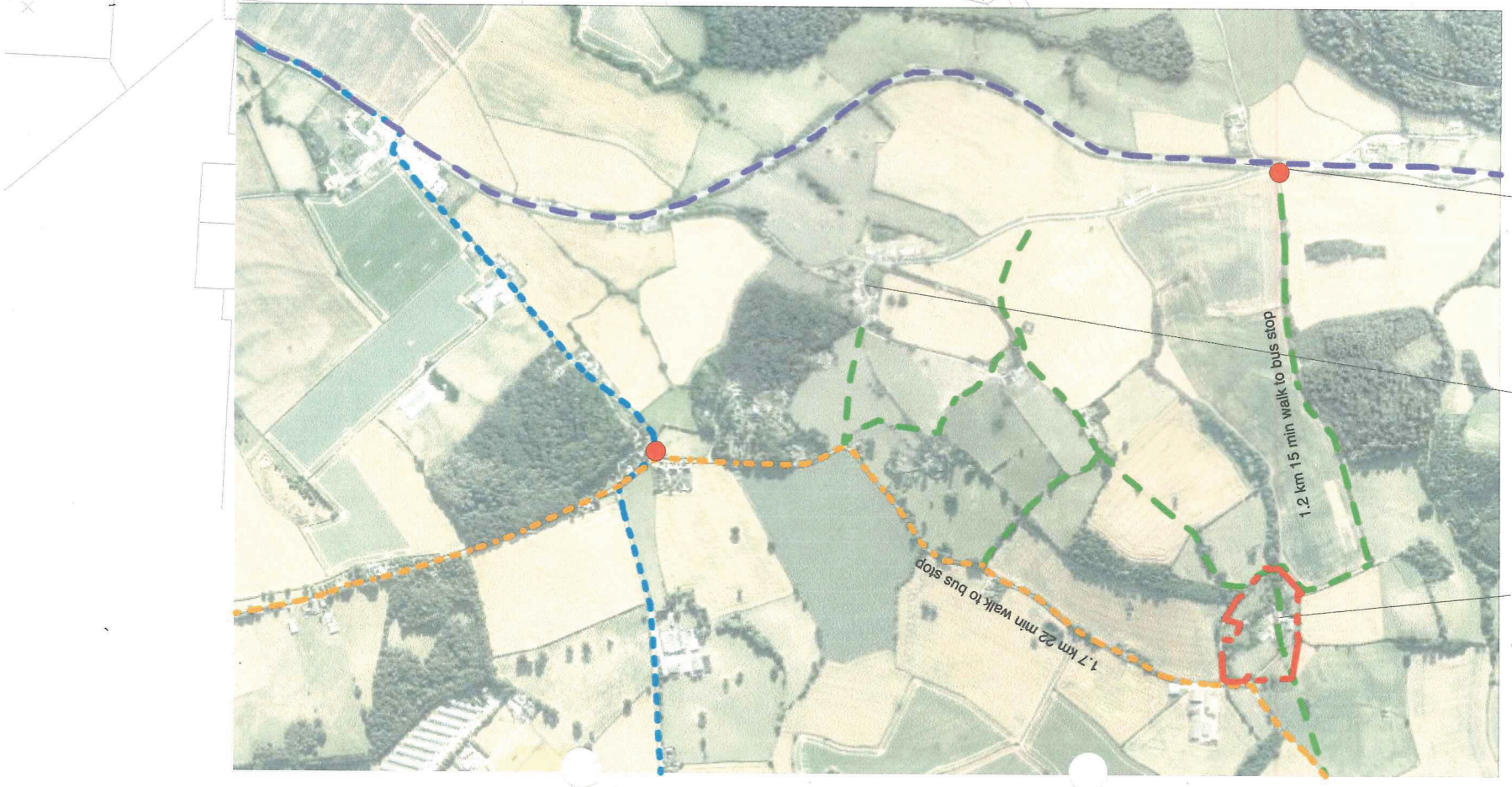
BOUNDARY OF
OUTDOOR LICENSEABLE
AREA

Revisions

Rev	Date	Drawn	Checked
B	20/03/09	MB	MB
A	24/03/09	PU	MB

ARCHITYPE

Project	Dewesall Court
Client	Vaughan and Robinson
Draw Title	Existing Site Plan
Draw No.	PL 001
Scale	1:1250 at A3
Date	29.04.09
Drawn by	PU
Checked by	MB



- Public Right of Way
- Service bus route
- Frequent bus service
- National Cycle Network Route 46
- Bus stop



Meeting:	Regulatory Sub-Committee
Meeting date:	17th MARCH 2015
Title of report:	APPLICATION FOR GRANT OF A PREMISES LICENCE IN RESPECT OF ZABKA, 16 EIGN GATE, HEREFORD, HR4 0AB – LICENSING ACT 2003
Report by:	LICENSING OFFICER

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Central Ward

Purpose

To consider an application for the grant of a premises licence in respect of 'Zabka, 16 Eign Gate, Hereford, HR4 0AB.

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 representations (including supporting information) presented by all parties,
- The Guidance issued to local authorities under Section 182 of the Licensing Act 2003, and
- The Herefordshire Council Licensing Policy.

Options

1. There are a number of options open to the Sub-Committee:
 - a) Grant the licence subject to conditions that are consistent with the operating schedule accompanying the application and the mandatory conditions set out in the Licensing Act 2003,
 - c) Grant the licence subject to modified conditions to that of the operating schedule where the committee considers it appropriate for the promotion of the licensing objectives and add mandatory conditions set out in the Licensing Act 2003,
 - d) To exclude from the scope of the licence any of the licensable activities to which the application relates,
 - e) To refuse to specify a person in the licence as the premise supervisor, or
 - f) To reject the application.
 - g) Adjourn the matter, to a set date, if the committee feel that to do so would be in the public interest

Reasons for Recommendations

2. Ensures compliance with the Licensing Act 2003.

Key Considerations

3. **Licence Application**
The application for a new premises licence has received representation and is brought before the committee for determination.
4. The details of the application are:

Applicant	Zardashit Karem Salh 6 Wycliffe Grove, Walsall, West Midlands, WS2 9BF	
Solicitor	Neil Coulson, Coulson Reid, Hereford	
Type of application: New	Date received: 30th September 2014	28 Days consultation ended 28th October 2014

5. **Summary of Application**
The application requests the granting of a new premises licence for a Convenience Store selling alcohol for consumption off the premises. The licensable activities:
Sale/Supply of alcohol 0800 – 2000 daily
6. **Summary of Representations**
A copy of the representations can be found within the background papers.

Representations have been made by:

Two (2) of the Responsible Authorities (Police, Trading Standards) - both object to the application.

7. This is the 3rd time that application has been made for a premises licence at these premises. On the 2 previous occasions both the police and trading standards have objected to the grant of the licence and the application has been withdrawn.
8. This matter appeared before this committee on 20th November when it was adjourned until 8th December following application from Mr Coulson who was required at the Crown Court.
9. On 8th December 2014 the matter again appeared before this committee.
10. At that hearing the committee made the following statement:
*'The Licensing Panel of the Council's Regulatory Sub-Committee are mindful to approve the application subject to the following:
All conditions to be reserved until a copy of the lease for the premises' has been seen and approved by the Licensing Authority.
After a period of six weeks from the date of the completion of the lease the Sub-Committee will deliberate on conditions'*
11. To date no lease has been produced.
12. The matter is now bought back before the committee for determination.
13. **Additional Information Requested**
In order to clarify certain matters the Licensing Authority in accordance with Regulation 7(1)(d) have requested the following:

The Licensing Authority shall require documentary evidence to show that the applicant is the current owner of the premises OR documentary evidence to show that the applicant currently holds the lease for the premises. The lease shall also show from whom the premises are leased.

Community Impact

14. Any decision is unlikely to have any impact on the local community.

Equality duty

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

Financial implications

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

Legal Implications

17. The Committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the Licensing Authority.

The case of Daniel Thwaites Plc v Wirral Borough Magistrates' Court (Case No: CO/5533/2006) at the High Court of Justice Queen's Bench Division Administrative Court on 6 May 2008, [2008] EWHC 838 (Admin), 2008 WL 1968943, Before the Honourable Mrs Justice Black.

In this case it was summed up that: -

A licensing authority must have regard to guidance issued by the Secretary of State under section 182. Licensing authorities may depart from it if they have reason to do so but will need to give full reasons for their actions.

Furthermore the Thwaites case established that only conditions should be attached to a licence with a view to promoting the Licensing objectives and that 'real evidence' must be presented to support the reason for imposing these conditions.

This judgement is further supported in the case of *The Queen on the Application of Bristol Council v Bristol Magistrates' Court*, CO/6920/2008 High Court of Justice Queen's Bench Division The Administrative Court, 24 February 2009, [2009] EWHC 625 (Admin) 2009 WL 648859 in which it was said:

'Licensing authorities should only impose conditions which are necessary and proportionate for the promotion for licensing objectives'.

In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

Right of Appeal

18. Schedule 5 gives a right of appeal which states:

Schedule 5 gives a right of appeal to: -

Rejection of applications relating to premises licences

1 Where a licensing authority—

- (a) rejects an application for a premises licence under section 18,
 - (b) rejects (in whole or in part) an application to vary a premises licence under section 35,
 - (c) rejects an application to vary a premises licence to specify an individual as the premises supervisor under section 39, or
 - (d) rejects an application to transfer a premises licence under section 44,
- the applicant may appeal against the decision.

Decision to grant premises licence or impose conditions etc.

2(1) This paragraph applies where a licensing authority grants a premises licence under section 18.

(2) The holder of the licence may appeal against any decision—

- (a) to impose conditions on the licence under subsection (2)(a) or (3)(b) of that section, or
- (b) to take any step mentioned in subsection (4)(b) or (c) of that section (exclusion of licensable activity or refusal to specify person as premises supervisor).

(3) Where a person who made relevant representations in relation to the application desires to contend—

- (a) that the licence ought not to have been granted, or

(b) that, on granting the licence, the licensing authority ought to have imposed different or additional conditions, or to have taken a step mentioned in subsection (4)(b) or (c) of that section,

he may appeal against the decision.

- (4) In sub-paragraph (3) “relevant representations” has the meaning given in section 18(6).

Section 9 states that any such appeal must be made to a Magistrates Court for the area in which the premises are situated within 21 days of notification of the decision.

Risk Management

19. There is little risk associated with the decision at this time as the legislation allows a right of appeal to the Magistrates Court.

Consultees

20. The Police or an Environmental Health Officer are the only responsible authorities who are able to issue an objection notice under the act.

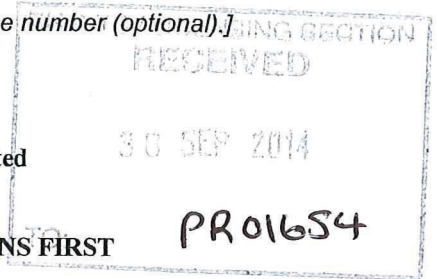
Appendices

- a. Application Form
- b. Application form from March 2013
- c. Application form from January 2014
- d. Police Representation
- e. Trading Standards Representation
- f. Decision Notice of 8th December 2014

Background Papers

None.

[Insert name and address of relevant licensing authority and its reference number (optional).]



**Application for a premises licence to be granted
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.

I/We I, ZARDASHIT KAREM SALH

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description ZABKA, 16, EIGN GATE, HEREFORD, HEREFORDSHIRE.			
Post town	HEREFORD	Postcode	HR4 0AB

Telephone number at premises (if any)	N/A
Non-domestic rateable value of premises	£32250

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)


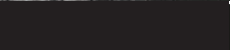


* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname SALH			First names ZARDASHIT KAREM		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)	N/A				

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname N/A			First names N/A		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address		N/A			
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name N/A
Address N/A
Registered number (where applicable) N/A
Description of applicant (for example, partnership, company, unincorporated association etc.) N/A
Telephone number (if any) N/A
E-mail address (optional) N/A

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	9	10 2014

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
 THESE THREE STOREY TERRACED, LOCK UP PREMISES, ARE SITUATED IN A BUSY RETAIL AREA. THE APPLICANT, WHO IS AN EXPERIENCED RETAILER, WISHES TO ATTRACT CUSTOM FROM BOTH LOCAL AND PASSING TRADE, BOTH OF WHICH COMPRISE OF MANY FOREIGN NATIONALITIES. IT IS ALSO HIS INTENTION, TO COMPLIMENT FOREIGN CUSTOMERS FOOD CHOICES, WITH ALCOHOL FROM THE SAME COUNTRIES. THERE IS SHOPPERS CAR PARKING NEARBY.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

- | Provision of regulated entertainment | Please tick any that apply |
|---|----------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur								
Fri								
Sat						Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun								

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	08.00	22.00						
Tue	08.00	22.00						
Wed	08.00	22.00						
Thur	08.00	22.00				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	08.00	22.00						
Sat	08.00	22.00						
Sun	08.00	22.00						

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name ZARDASHIT KAREM SALH [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	08.00	22.00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Tue	08.00	22.00	
Wed	08.00	22.00	
Thur	08.00	22.00	
Fri	08.00	22.00	
Sat	08.00	22.00	
Sun	08.00	22.00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

NOTHING BEYOND EXISTING HEALTH & SAFETY / FIRE SAFETY ETC REQUIREMENTS.

b) The prevention of crime and disorder

SEE ABOVE, THESE LOCK UP - PREMISES WILL HAVE CORRECT POLICE SPECIFICATION, INTERNAL CCTV, IMAGES OF WHICH WILL BE RETAINED FOR THIRTY ONE DAYS. CCTV WILL ALSO BE RECORDING AT ALL TIMES, AND TIMES AND DATES TO BE VISIBLE AND ACCURATE. PREMISES WILL ALSO BE FULLY ALARMED. THE DESIGNATED PREMISES SUPERVISOR WILL ENSURE THAT ANY STAFF INVOLVED IN THE SALE OF ALCOHOL WILL HAVE FULLY RECORDED AND DOCUMENTED TRAINING, INCLUDING REFRESHER COURSES, IN RESPECT OF THEIR RESPONSIBILITIES UNDER THE LICENSING ACT 2003, INCLUDING ANY CHANGES OF LEGISLATION AND ALSO SIMILAR TRAINING IN THE USAGE AND CHRONICLED STORAGE OF CCTV. ALL TRAINING RECORDS WILL BE RETAINED AND AVAILABLE ON SITE FOR INSPECTION AT ANY TIME.

c) Public safety

**SEE ABOVE,
ALSO, INTERNAL CCTV ETC.
PREMISES WILL HAVE A FIRE ALARM AND FIRE FIGHTING EQUIPMENT WILL BE COVERED BY A MAINTENANCE CONTRACT. BOTH EMERGENCY LIGHTING AND SMOKE DETECTORS ARE ALREADY INSTALLED.**

d) The prevention of public nuisance

**SEE ABOVE, INTERNAL AND PARTICULARLY EXTERNAL CCTV, ARE A PROVEN DETERRENT IN TERMS OF ANY ANTI - SOCIAL ACTIVITIES WITHIN THE PREMISES IMMEDIATE FRONTAGE AND VICINITY.
THE APPLICANT, WHO IS ALSO THE DESIGNATED PREMISES SUPERVISOR AND HIS STAFF, WILL CONTINUE AT ALL TIMES TO BE VIGILANT IN RELATION TO ANY LITTER ISSUES.**

e) The protection of children from harm

(SEE ABOVE), INTERNAL CCTV ETC.

LAYOUT OF SHOP GIVES CONSIDERATION TO THE PREVENTION OF CHILDREN'S ACCESS TO ALCOHOL AND ANY ALCOHOL DISPLAYED WILL NOT BE OBSTRUCTED FROM THE VIEW OF THE SALES ASSISTANTS. PREMISES WILL OPERATE A PROOF OF AGE SCHEME VIA ACCEPTABLE FORMS OF IDENTIFICATION AND INCORPORATING 'THE CHALLENGE 25' POLICY. A SALES REFUSAL AND INCIDENT BOOK WILL BE FULLY MAINTAINED AND AVAILABLE FOR INSPECTION AT ANY TIME.

NON – ALCOHOLIC / SOFT DRINKS, CRISPS AND CONFECTIONERY WILL BE SITUATED AWAY FROM THE ALCOHOL DISPLAY AREA.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	29 TH SEPTEMBER 2014
Capacity	AGENT FOR THE APPLICANT

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	N/A
Capacity	N/A

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
N/A			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Consent of individual to being specified as premises supervisor

ZARDASHIT KAREM SALH

I
[full name of prospective premises supervisor]

of


.....
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

A PREMISES LICENCE

.....
[type of application]

by
MYSELF - ZARDASHIT KAREM SALH

.....
[name of applicant]

relating to a premises licence 
[number of existing licence, if any]

for
ZABKA,
16, EIGN GATE,
HEREFORD,
HEREFORDSHIRE,
HR4 0AB.

.....
[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

MYSELF - ZARDASHIT KAREM SALH

[name of applicant]

concerning the supply of alcohol at

ZABKA,
16, EIGN GATE,
HEREFORD,
HEREFORDSHIRE,
HR4 0AB.

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number



[insert personal licence number, if any]

Personal licence issuing authority



[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

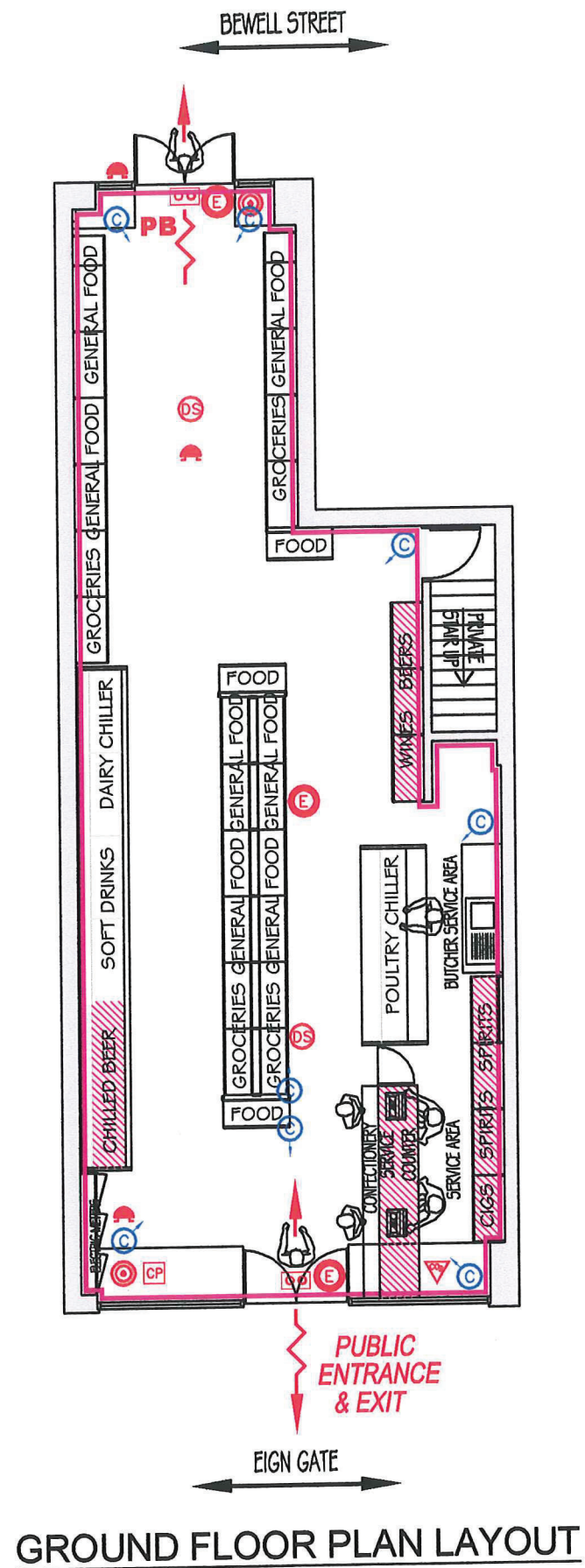


Name (please print)

ZARDASHIT KAREM SALH

Date

29TH SEPTEMBER 2014



- FIRE REGULATION SYMBOLS**
- ◻◻ Exit Boxes
 - ⓔ Escape Lighting Points
 - ▽ Fire Exting. Carbon Dioxide
 - ▽ Fire Exting. Wet Chemical Type
 - Ⓧ Auto Fire Smoke detector
 - PB** Push bar emergency exit
 - ⊙ Fire Alarm Call Points
 - 🔔 Audible Warning Device
 - ⓐ Control Panel
 - ⓐ CCTV Camera
 - Extent of licensed area

GROUND FLOOR PLAN LAYOUT



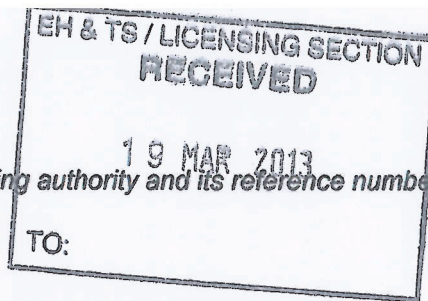
An electrically operated fire alarm system should comply with BS5839, Part 1:2002. The electrical installation should comply with approved Document P (electrical safety). It is essential that the fire detection and fire alarm systems are properly designed, installed and maintained. Where a fire alarm system is installed, an installation and commissioning certificate should be provided.

The smoke and heat alarm system is to be mains-operated and conform to BS5446, 1:2000 or BS5446, respectively: fire detection and fire alarm devices for dwellings, Part 1 specification for smoke alarms; or Part 2 specification for heat alarms

The emergency lighting installation is to comply with BS5266, Part 1, 2002 and the attention of the design/installing engineer drawn to paragraph 3.1 (construction and records) of BS5266, Part 1, 1988, which requires consultation with the Fire Authority. Firefighting equipment is to conform with BS EN3.

Fire Safety related signs and notices are to conform to BS5499, Part 1, 1990 (incorporating 'running man' symbol on fire exits) and other pictograms as required. Illuminated 'EXIT' signs are to conform to BS2560.

LICENSED Trade Legal Services Ltd			
<small>L.T.L.S. LTD. REGENT HOUSE, BATH AVENUE, WOLVERHAMPTON, WEST MIDLANDS. WV1 4EG Tel: 01902 810048 Fax: 01902 810047 Mobile: 07793 315898 email: ltl@westmids@hotmail.com</small>			
Application		Location	
APPLICATION FOR A PREMISES LICENCE		To be known as :- ZABKA 16 Eign Gate Hereford Herefordshire HR4 0AB	
By J.S. Uppal	Sig.	Date 25.09.14	Rev. -
Metric Scale	1:100 @ A3	Drwg No.	ZABKA-02



[Insert name and address of relevant licensing authority and its reference number (optional).]

Application for a premises licence to be granted 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.

I/We I, ARI RASHED RAZYI

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description TO BE KNOWN AS: ZABKA, 16, EIGN GATE, HEREFORD, HEREFORDSHIRE.			
Post town	HEREFORD	Postcode	HR4 0AB
Telephone number at premises (if any)	N/A		
Non-domestic rateable value of premises	£32250		

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname RAZYI			First names ARI RASHED		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		[REDACTED]			
Post town	[REDACTED]		Postcode	[REDACTED]	
Daytime contact telephone number			[REDACTED]		
E-mail address (optional)	N/A				

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
17	04	2013

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
THESE THREE STOREY TERRACED, LOCK UP PREMISES, ARE SITUATED IN A BUSY RETAIL AREA. THE APPLICANT, WHO IS AN EXPERIENCED RETAILER, WISHES TO ATTRACT CUSTOM FROM BOTH LOCAL AND PASSING TRADE, BOTH OF WHICH COMPRISE OF MANY FOREIGN NATIONALITIES. IT IS ALSO HIS INTENTION, TO COMPLIMENT FOREIGN CUSTOMERS FOOD CHOICES, WITH ALCOHOL FROM THE SAME COUNTRIES. THERE IS SHOPPERS CAR PARKING NEARBY.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – <u>please tick</u> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	08.00	22.00			
Tue	08.00	22.00			
Wed	08.00	22.00			
Thur	08.00	22.00			
Fri	08.00	22.00			
Sat	08.00	22.00			
Sun	08.00	22.00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name ARI RASHED RAZYI.	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).
N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	08.00	22.00	
Tue	08.00	22.00	
Wed	08.00	22.00	
Thur	08.00	22.00	
Fri	08.00	22.00	
Sat	08.00	22.00	
Sun	08.00	22.00	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

NOTHING BEYOND EXISTING HEALTH & SAFETY / FIRE SAFETY ETC REQUIREMENTS.

b) The prevention of crime and disorder

SEE ABOVE, THESE LOCK UP - PREMISES WILL HAVE CORRECT POLICE SPECIFICATION, INTERNAL CCTV, IMAGES OF WHICH WILL BE RETAINED FOR THIRTY ONE DAYS. CCTV WILL ALSO BE RECORDING AT ALL TIMES, AND TIMES AND DATES TO BE VISIBLE AND ACCURATE. PREMISES WILL ALSO BE FULLY ALARMED. THE DESIGNATED PREMISES SUPERVISOR WILL ENSURE THAT ANY STAFF INVOLVED IN THE SALE OF ALCOHOL WILL HAVE FULLY RECORDED AND DOCUMENTED TRAINING, INCLUDING REFRESHER COURSES, IN RESPECT OF THEIR RESPONSIBILITIES UNDER THE LICENSING ACT 2003, INCLUDING ANY CHANGES OF LEGISLATION AND ALSO SIMILAR TRAINING IN THE USAGE AND CHRONICLED STORAGE OF CCTV. ALL TRAINING RECORDS WILL BE RETAINED AND AVAILABLE ON SITE FOR INSPECTION AT ANY TIME.

c) Public safety

**SEE ABOVE,
ALSO, INTERNAL CCTV ETC.
PREMISES WILL HAVE A FIRE ALARM AND FIRE FIGHTING EQUIPMENT WILL BE COVERED BY A MAINTENANCE CONTRACT. BOTH EMERGENCY LIGHTING AND SMOKE DETECTORS ARE ALREADY INSTALLED.**

d) The prevention of public nuisance

**SEE ABOVE, THE APPLICANT IS INVESTING IN INTERNAL CCTV AS HE REALISES IT IS A PROVEN DETERRENT TO ANTI SOCIAL BEHAVIOUR AND CRIME AND ALSO A REASSURANCE TO HIS STAFF.
THE APPLICANT, WHO IS ALSO THE DESIGNATED PREMISES SUPERVISOR AND HIS STAFF, WILL AT ALL TIMES BE VIGILANT IN RELATION TO ANY LITTER ISSUES.**

e) The protection of children from harm

(SEE ABOVE), INTERNAL CCTV ETC.

LAYOUT OF SHOP GIVES CONSIDERATION TO THE PREVENTION OF CHILDREN'S ACCESS TO ALCOHOL AND ANY ALCOHOL DISPLAYED WILL NOT BE OBSTRUCTED FROM THE VIEW OF THE SALES ASSISTANTS. PREMISES WILL OPERATE A PROOF OF AGE SCHEME VIA ACCEPTABLE FORMS OF IDENTIFICATION AND INCORPORATING 'THE CHALLENGE 25' POLICY. A SALES REFUSAL AND INCIDENT BOOK WILL BE FULLY MAINTAINED AND AVAILABLE FOR INSPECTION AT ANY TIME.

NON - ALCOHOLIC / SOFT DRINKS, CRISPS AND CONFECTIONERY WILL BE SITUATED AWAY FROM THE ALCOHOL DISPLAY AREA.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 4 – Signatures (please read guidance note 10)

**Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	17 TH MARCH 2013
Capacity	AGENT FOR THE APPLICANT

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	N/A
Capacity	N/A

ENVIRONMENTAL LICENSING SECTION
 RECEIVED
 25 JAN 2014
 PR01620

Application for a premises licence to be granted 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.

I/We **PATRYCJA BLEZIEN**

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description ZABKA 16 EIGN GATE			
Post town	HEREFORD	Postcode	HR4 0AB

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£32250

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or
 a function discharged by virtue of Her Majesty's prerogative



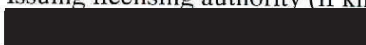
(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input checked="" type="checkbox"/>	Other Title (for example, Rev)	
Surname BLEZIEN			First names PATRYCJA		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
Daytime contact telephone number					
E-mail address (optional)					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	08.00	20.00			
Tue	08.00	20.00			
Wed	08.00	20.00			
Thur	08.00	20.00			
Fri	08.00	20.00			
Sat	08.00	20.00			
Sun	08.00	20.00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name PATRYCJA BLEZIEN	
Address 	
Postcode	
Personal licence number (if known) TBA	
Issuing licensing authority (if known) 	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	08.00	20.00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Tue	08.00	20.00	
Wed	08.00	20.00	
Thur	08.00	20.00	
Fri	08.00	20.00	
Sat	08.00	20.00	
Sun	08.00	20.00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

The DPS fully understands her roles and responsibilities concerning the four licensing objectives obtained within the 2003 Licensing Act, a comprehensive breakdown of these objectives and how to ensure they are met are detailed below. The DPS attended the level 2 training programme and her personal licence will be issued by Herefordshire Council. The DPS will take full responsibility of ensuring all staff are trained and have full knowledge of all licensing issues concerning them under the 2003 Licensing Act including the Challenge 25 rule.

b) The prevention of crime and disorder

The applicant will have installed to the premises a CCTV recording system with a minimum 28 day recording capability to ensure the prevention of crime & disorder. The CCTV will be in accordance with Police recommendations. The CCTV system will cover all key internal and external areas. All members of staff shall be trained to deal with suspicious customers efficiently. All CCTV recordings shall be available to local Police or relevant authorities upon request.

c) Public safety

The installed and approved CCTV recording system of the premises with a minimum 28 days recording capability will monitor all public safety issues. The DPS will be responsible for conducting a Fire Risk Assessment and also a Health & Safety Risk Assessment for the licensed premises. All notices in relation to public health & safety will be displayed at the premises. The DPS will also ensure the premises will be operated in line with the Health & Safety Act and any environmental health issues will be the responsibility of both the licence holder for the premises and the DPS.

d) The prevention of public nuisance

The DPS/Premises licence holder fully understands that it is their duty to prevent their business causing any nuisance to any local residents or businesses. They will monitor the external premises area in relation to any anti-social behaviour or public nuisance. The premises will only accept trade deliveries or rubbish collections during normal working hours. The premises shall ensure that any deliveries or collections are dealt with in a timely and prompt manner to reduce any risk of causing any nuisance.

The DPS will monitor the exterior of the premises to ensure litter is kept to a minimum. In the event of any anti-social behaviour both inside and outside of the premises, the DPS will make any CCTV recordings available to the local Police.

e) The protection of children from harm

The DPS will be responsible for ensuring all staff working within the premises will be fully trained and aware of the Challenge 25 Rule and their responsibilities with regards to the sale of alcohol under the Licensing Act 2003. Any staff training will be recorded in a training register which will be retained at the premises and available on request to any authorised party. The premises will only accept valid forms of identification such as photo driving licence, passport and home office approved ID cards displaying the national proof of age standard scheme (PASS hologram). All customers who look under the age of 25 shall be challenged to prove their identity when purchasing alcohol. The premises will also have a refusals register, which will be kept at the premises at all times and all refusals by any member of staff shall be recorded. The refusals register will be made available to Responsible Authorities on request.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature		
Date	24/01/2014	
Capacity	Licensing Consultants on Behalf of Client	

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

From: Mooney,James
Sent: 06 October 2014 14:14
To: Licensing
Subject: Zabka, 16 Eign Gate, Hereford - new premises licence application

NOT PROTECTIVELY MARKED

West Mercia Police are in receipt of an application for a new premises licence for a location known as **Zabka, 16 Eign Gate, Hereford**. The application is the supply/sale of alcohol.

The application seeks to specify the designated premises supervisor (DPS) as Zardashit Karem SALH.

West Mercia Police OBJECT to this application. The venue has a recent history of being used for criminal activity with regards to the sale of illegal tobacco and the non payment of tax revenue. The police have been provided with information that indicates that the applicant (who is also to be the proposed DPS) has connections with the current operators of the premises and with others who are involved in the sale and supply of illegal tobacco.

It is the view of West Mercia Police that if this application was granted it would undermine the licensing objectives.

If this matters progresses to a licensing hearing West Mercia Police will provide further information to support their objection.

Regards

Jim Mooney (on behalf of Insp 0795 Semper)
Licensing and Harm Reduction Coordinator
Policing Unit - Herefordshire
West Mercia Police
Switchboard '101' x 4702
[In Herefordshire we protect people from harm](#)

From: Hough, David
Sent: 23 October 2014 12:30
To: *****
Cc: Licensing;
Subject: Application for a premise licence fro Zabka 16 Eign Street Hereford

Attachments: Zabka evidence october 14.doc
For the Attention of Danny Hardy.

OBJECTION TO APPLICATION

Herefordshire Council Trading Standards are in receipt of an application for a new premises licence under the Licensing Act 2003 regarding Zabka, 16 Eign Gate, Hereford for the supply/sale of alcohol.

The application states that the Licence holder and the designated premises supervisor (DPS) will be Zardashit Karem SALH although he does not currently have a personal licence.

Herefordshire Council Trading Standards OBJECT to this application. The venue has a history of being used for criminal activity with offences under the Trade Marks Act, Consumer Protection Act with regards to the sale of illicit tobacco. This Service has information that the applicant has connections with the current and previous operators of the premises and others who are involved in the sale and supply of illegal tobacco. See attached document.

It is the view of Trading Standards that if this application was granted it would seriously undermine the licensing objectives.

Regards

David Hough

David Hough
Service Manager
Trading Standards, Animal Health and Community Protection
Economy, Communities & Corporate Directorate
Herefordshire Council
Blueschool House
PO Box 233
Hereford
HR1 2ZB

Herefordshire Council
Regulatory Sub-Committee Decision Notice
(Licensing Act 2003)

Premises	Zabka, 16 Eign Gate, Hereford . Herefordshire
Applicant's Name	Mr Zadashit Karem Salh
Application Type	Grant of Premises Licence
Panel Members	Councillor A Seldon (Chairman) Councillor Brig P Jones CBE Councillor P Sinclair-Knipe
Date of Meeting	8 December 2014

Members of the Licensing Panel of the Council's Regulatory Sub-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 Fred Spriggs, representing the Licensing Authority, Tim Thorne Herefordshire Council Trading Standards, Jim Mooney West Mercia Police and Neil Coulson solicitor for the applicant

Having carefully considered those matters brought before them, the Sub-Committee determined the application as follows, with a view to promoting the four licensing objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm, as set out in the guidance issued under Section 182 of the Licensing Act 2003, and the Council's Licensing Policy:

The Licensing Panel of the Council's Regulatory Sub-Committee are mindful to approve the application subject to the following:

All conditions to be reserved until a copy of the lease for the premises' has been seen and approved by the Licencing Authority.

After a period of six weeks from the date of the completion of the lease the Sub-Committee will deliberate on conditions

