

MINUTES of the meeting of Regulatory Sub Committee held at Committee Room1, The Shire Hall, St Peter's Square, Hereford, HR1 2HX on Monday 20 June 2016 at 2.00 pm

Present:

Councillors: PA Andrews, CR Butler and AR Round

In attendance:

Officers: Mike Jones and Fred Spriggs

22. ELECTION OF CHAIRMAN

Councillor PA Andrews was elected as Chairman for the Regulatory Sub-Committee hearing.

23. DECLARATIONS OF INTEREST

There were no declarations of interest made.

24. APPLICATION FOR A NEW PREMISES LICENCE IN RESPECT OF 'KUBUS POLSKI SKLEP, 22 EIGN GATE, HEREFORD, HR4 0AB' - LICENSING ACT 2003

The sub-committee considered a new premises license in respect of Kubus Polski Sklep, 22 Eign Gate, Hereford HR4 0AB.

This application came before the committee on the 1 June 2016 and was adjourned until today the 20 June 2016 to allow the applicant to secure suitable representation.

The chairman read out the guidance notes and asked all present to introduce themselves.

The chairman offered the opportunity to all present to raise any points regarding the agenda papers.

The licensing officer presented the report as per the agenda papers and confirmed that the trading standards conditions had been accepted by the applicant.

It was also confirmed that conditions offered by west mercia police had also been accepted.

The applicant's legal adviser explained that his client when purchasing the business believed that she was purchasing a convenience store with a licence to sell alcohol. It has transpired that the previous owner had surrendered rather than transferred the premises license to the council on the sale of the business as understood by the applicant.

The applicant apologised, believing that everything was in order and was acting on advice given to her by the previous owner. The applicant will in future seek advice on all licensing matters from the licensing team.

The sub-committee retired to make its decision. On its return the legal advisor read out the decision.

Decision

This is the decision of the Regulatory Sub-Committee in respect of a new premises licence concerning Kubus Polski Sklep, 22 Eign Gate Hereford.

It is the committee's decision that the application should be granted subject to conditions one to five inclusive as are found on pages 33 and 34 of the committee's bundle.

In addition conditions two and four shall be amended so it is made clear that both incident log and refusals register shall be in the medium of English.

The conditions attached to the licence therefore shall be:

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition.
Cameras shall encompass all ingress and egress to the premises, fire exits, outside areas, and all areas where the sale/ supply of alcohol occurs.
Equipment MUST be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand.
The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in recordable media format, an authorised Herefordshire Trading Standards Officer or the Local Authority on demand.
The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.
In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Police on contact number '101' immediately.
2. An incident log must be kept at the premises which shall be written in English. Incident log records will be retained for a period of 12 months from the date it occurred. It will be made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), an authorised Herefordshire Trading Standards Officer or the Police, which must record the following:
 - (a) all crimes (relevant to the licensing objectives) reported to the venue
 - (b) any complaints (relevant to the licensing objectives) received
 - (c) any faults in the CCTV system or searching equipment or scanning equipment
 - (d) any refusal of the sale of alcohol
 - (e) any visit by a relevant authority or emergency service

3. All staff engaged in the sale of alcohol to be trained in responsible alcohol retailing to the minimum standard of BIIAB level 1 or any equivalent training course within 1 month of commencing employment at the premises. Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence. Refresher training will be conducted at 6 monthly intervals. Training records shall be kept on the premises and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.
4. A written or electronic register of refusals will be kept including a description of the people who have been unable to provide required identification to prove their age. Such record shall be written in English. The records shall be kept for a period of 12 months. It will be collected and reviewed on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.
5. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), an authorised Herefordshire Trading Standards Officer or the police. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any serving counter advertising the scheme operated.

The meeting ended at Time Not Specified

CHAIRMAN