

**Minutes of the meeting of Licensing sub-committee held at
Committee Room 1, The Shire Hall, St Peter's Square, Hereford,
HR1 2HX on Friday 15 March 2019 at 10.00 am**

Present: Councillor PGH Cutter (Chairperson)
Councillors: CR Butler and J Hardwick

7. APOLOGIES FOR ABSENCE

No apologies for absence were received.

8. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the meeting.

9. DECLARATIONS OF INTEREST

There were no declarations of interest made.

10. APPLICATION TO TRANSFER A PREMISES LICENCE IN RESPECT OF: 'MILA, 102-104 BELMONT ROAD, HEREFORD, HR2 7JS' - LICENSING ACT 2003

Members of the licensing sub committee from the council's planning and regulatory committee considered the above application, full details of which appeared before the Members in their agenda and the background papers.

The applicant's agent had been contacted during a brief adjournment of the sub-committee meeting and had indicated that they would not be attending. The sub-committee decided to hear the request to transfer the premises licence in their absence.

Prior to making their decision the members heard from Emma Bowell, technical licensing officer and DS Duncan Reynolds, West Mercia Police.

The police outline their representation to the transfer request:

- Mila is a small Polish convenience store situated on Belmont Road.
- The premises had a history of criminal activity and breaching the conditions of the premises licence which had resulted in previous reviews of the licence.
- On 12 December 2018 at 1245 hours an intelligence led search of the premises was undertaken by HMRC.
- As a result of this search, 32 bottles of non duty paid bottles of vodka were on display in the shop and were seized. This was subject to a separate HMRC investigation.
- Mr Hersh Mohammad was not the premises licence holder at the time of the search but the police have been informed that he was the manager of the premises. As such Mr Hersh Mohammad should have or would have knowledge of the alcohol on the premises.
- It was noted that Mr Hersh Mohammad purchased the premises on 23 November 2018.

DECISION

The sub-committee's decision is to refuse the request to transfer the premises licence to Hersh Mohammed.

REASONS

The sub-committee had taken into account the representations and that it was necessary for a sub-committee meeting to be convened. The sub-committee had considered that the police's information was credible and detailed and as such it would undermine the licensing objectives, in particular the crime and disorder objective, to allow the transfer to take place.

11. APPLICATION TO BE THE DESIGNATED PREMISES SUPERVISOR ON THE PREMISES LICENCE IN RESPECT OF: 'MILA, 102-104 BELMONT ROAD, HERFORD, HR2 7JS' - LICENSING ACT 2003

As the application to transfer the premises licence had been refused, this item was withdrawn from the committee's agenda.

12. APPLICATION FOR A VARIATION OF A PREMISES LICENCE IN RESPECT OF: RUBIX, 32 UNION STREET, HERFORD. HR1 2BT- LICENSING ACT 2003

This item was withdrawn from the committee's agenda prior to the meeting.

13. APPLICATION FOR A VARIATION OF A PREMISES LICENCE IN RESPECT OF: 'MRH LEDBURY, THE HOMEND, LEDBURY. HR8 1BS'- LICENSING ACT 2003

Members of the licensing sub committee of the council's planning and regulatory committee considered the above application, full details of which appeared before the Members in their agenda and the background papers.

Prior to making their decision the members heard from Emma Bowell, technical licensing officer; Leah Wilson, trading standards officer, DS Duncan Reynold, West Mercia Police and Robert Botkai, the applicant's agent.

Trading standards, the police and the applicant's agent reported that during conversations which were held outside of the meeting room, agreement had been reached as to the modified conditions for the premises licence meaning that both trading standards and the police were, in effect, willing to withdraw their representations.

DECISION

The sub committee's decision is to grant the variation to the licence with the modified conditions as agreed.

REASONS

The committee had taken into account the representations and that it was necessary for a committee meeting to be convened. The sub-committee noted that it was unfortunate that these conditions had not been agreed prior to the commencement of the sub-committee as this had necessitated in a meeting being convened.