

**Minutes of the meeting of Licensing sub-committee held at
Online Meeting on Friday 5 November 2021 at 2.30 pm**

Present: Councillor Sebastian Bowen (Chairperson)

Councillors: Polly Andrews and John Hardwick

Officers: Principal Licensing Officer, Senior Solicitor – Major Projects, Democratic Services Officer

In Attendance: PC Chris Lea, West Mercia Police

154. ELECTION OF CHAIRPERSON

Councillor Bowen was elected as Chairperson.

155. APOLOGIES FOR ABSENCE

No apologies for absence were received.

156. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the meeting.

157. DECLARATIONS OF INTEREST

There were no declarations of interest made.

**158. REVIEW OF A PREMISES LICENCE FOLLOWING AN EXPEDITED/SUMMARY LICENCE
REVIEW IN RESPECT OF: RAZBARI, 156 EIGN STREET, HEREFORD, HR4 0AP**

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.

Prior to making their decision the Council's Licensing Officer presented the report which outlined the options available to the sub-committee. Members then heard representations from PC Chris Lea, the Police Licensing Officer, representing West Mercia Police.

The Premises Licence Holder, MD Masud Ruhel Mintu was not in attendance. The Licensing Officer advised the Committee that as the Council did not hold an email or a contact telephone number for Mr Mintu, papers had been served to him at his postal address. The Licensing Officer further confirmed that on discovery of a generic email for the restaurant found on the submission by the Hereford and Worcester Fire and Rescue Service, the agenda papers and a Zoom link to join the meeting had been sent out electronically but there had still been no response from Mr Mintu.

PC Chris Lea, representing West Mercia Police, outlined their reasoning for requesting the review and revocation of the premises licence for Razbari which included concerns about

serious crime at the premises, namely exploitation and the employment of workers who had no legal right to work in the United Kingdom.

The sub-committee carefully considered all the representations, reports and evidence before them at the hearing. They have had regard to their duties under the provisions of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006), the Guidance issued under Section 182 and Herefordshire Council's statement of licensing policy 2020 – 2025

DECISION

The sub-committee's decision was to revoke the licence.

REASONS

The sub-committee heard the evidence of the Licensing Authority, and West Mercia Police as the applicant for the licence review. Further, the Members took into account the written representations from Immigration Enforcement and the Hereford and Worcester Fire and Rescue Service. The Committee considered that the evidence showed that a serious offence had been committed at the premises and noted the lack of engagement from the Premises Licence Holder.

The licensing sub-committee had considered whether any lesser or alternative steps would be appropriate but felt that such steps would not address their concerns.

Therefore the decision of the sub-committee was to revoke the licence. This would take effect immediately. The sub-committee considered that this action was both appropriate and proportionate to promote the licensing objectives and in particular to prevent the undermining of the prevention of crime and disorder licensing objective.

APPEAL INFORMATION

Under Schedule 5 Paragraph 8A of the Licensing Act 2003, the premises licence holder, an individual who made relevant representations or the chief officer of police, may appeal against the decision. Such an appeal must be made to the Magistrates Court within a period of 21 days from the date that the applicant is notified in writing of the decision

Should you wish to appeal this decision then it is recommended that you obtain your own legal advice or contact the Magistrates Court at Bath Street, Hereford.

The meeting ended at 3.25pm

Chairperson