

## **Minutes of the meeting of Licensing sub-committee held at online meeting on Wednesday 16 November 2022 at 10.30 am**

**Present:** Councillor Paul Andrews (chairperson)

**Councillors:** Polly Andrews and John Hardwick

**Officers:** Licensing technical officer, Senior Solicitor, Litigation and Senior Lawyer, Major Projects and Governance

### **5. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

### **6. NAMED SUBSTITUTES (IF ANY)**

There were no substitutes present at the meeting.

### **7. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

### **8. REVIEW OF A PREMISES LICENCE IN RESPECT OF: IRI LTD T/A EUROPE, 24 EIGN GATE, HEREFORD. HR4 0AB CALLED BY WEST MERCIA POLICE - 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.

Prior to making their decision the Council's Licensing Officer presented the report which outlined the options available to the sub-committee, the history of the premises and previous suspension of the license.

The sub-committee heard from the representative of West Mercia Police that:

- Known shoplifters had been seen entering the store, police officers later found items which were confirmed as having been stolen from other nearby premises;
- During a search of the premises, a large quantity of prescription medication was found under the counter, the premises was not a licensed pharmacy and a warning letter had been issued by the Medicines & Healthcare products Regulatory Agency;
- The designate premises supervisor had been interviewed under caution and was due to attend court;
- Police officers had found further stolen goods at the premises during investigation of the original incident;
- Given the previous incidents, the risk to the public of the medication found on the premises, and the repeated undermining of the licensing objective to prevent crime and disorder the police considered that revocation of the license was an appropriate step.

The sub-committee then heard from the designated premises supervisor who stated that:

- She was not present on the day the police had attended the shop;
  - She was not clear which items were seized;
  - The medicines taken were able to be purchased online, including from supermarket websites;
  - The goods alleged to be stolen were not sold, they were stored in the shop and the owner was intending to return for them;
  - She had not accepted the caution.
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- Following questions from the sub committee, the following was confirmed:
  - A list of the medicines seized had been sent to the regulatory agency and they had decided to send a warning letter, the DPS stated she had not received the warning letter;
  - The company operating the premises and license had changed following closure of a premises in Cardiff run by the DPS, the DPS was an employee of the current company.

The sub committee carefully considered all the representations, reports and evidence before them today. They have had regard to their duties under S4 of the Licensing Act and considered guidance issued under s182 of the Licensing Act 2003 and Herefordshire Council's Statement of Licensing Policy 2020 - 2025.

## DECISION

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

## REASONS

The sub-committee had taken into account the written representations from trading standards; the written and in person representation from the police and the in person representation from the Designated Premises Supervisor. The sub-committee is concerned that there have been repeated failures to uphold the licensing objective of prevention of crime and disorder. The sub-committee has also had regard for statutory guidance under s182 and specifically paragraphs 11.27 and 11.28 of the guidance and given the seriousness of the matter feel that the only appropriate measure is to revoke the licence.

The meeting ended at 11.13 am

**Chairperson**