

# Agenda

## Licensing sub-committee

Date: **Wednesday 22 February 2023**

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Time: **10.15 am**

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Place: **Online Meeting**

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

For any further information please contact:

**Sarah Buffrey**

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Email: [sarah.buffrey@herefordshire.gov.uk](mailto:sarah.buffrey@herefordshire.gov.uk)

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If you would like help to understand this document, or would like it in another format, please call Sarah Buffrey on 01432260176 or e-mail [sarah.buffrey@herefordshire.gov.uk](mailto:sarah.buffrey@herefordshire.gov.uk) in advance of the meeting.



## Agenda

	Pages
<b>PUBLIC INFORMATION</b>	
<b>THE NOLAN PRINCIPLES</b>	
<b>1. APOLOGIES FOR ABSENCE</b>	
To receive apologies for absence.	
<b>2. NAMED SUBSTITUTES (IF ANY)</b>	
To receive any details of Members nominated to attend the meeting in place of a Member of the committee.	
<b>3. DECLARATIONS OF INTEREST</b>	
To receive declarations of interests in respect of Schedule 1, Schedule 2 or Other Interests from members of the committee in respect of items on the agenda.	
<b>4. APPLICATION FOR A GRANT OF A PREMISES LICENCE IN RESPECT OF 'BEBROSA, 24 EIGN GATE, HEREFORD. HR4 0AB - LICENSING ACT 2003</b>	11 - 44
To consider an application for a grant of a premises licence in respect of Bebrosa Ltd, 24 Eign Gate, Hereford. HR4 0AB under the Licensing Act 2003.	





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- 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.
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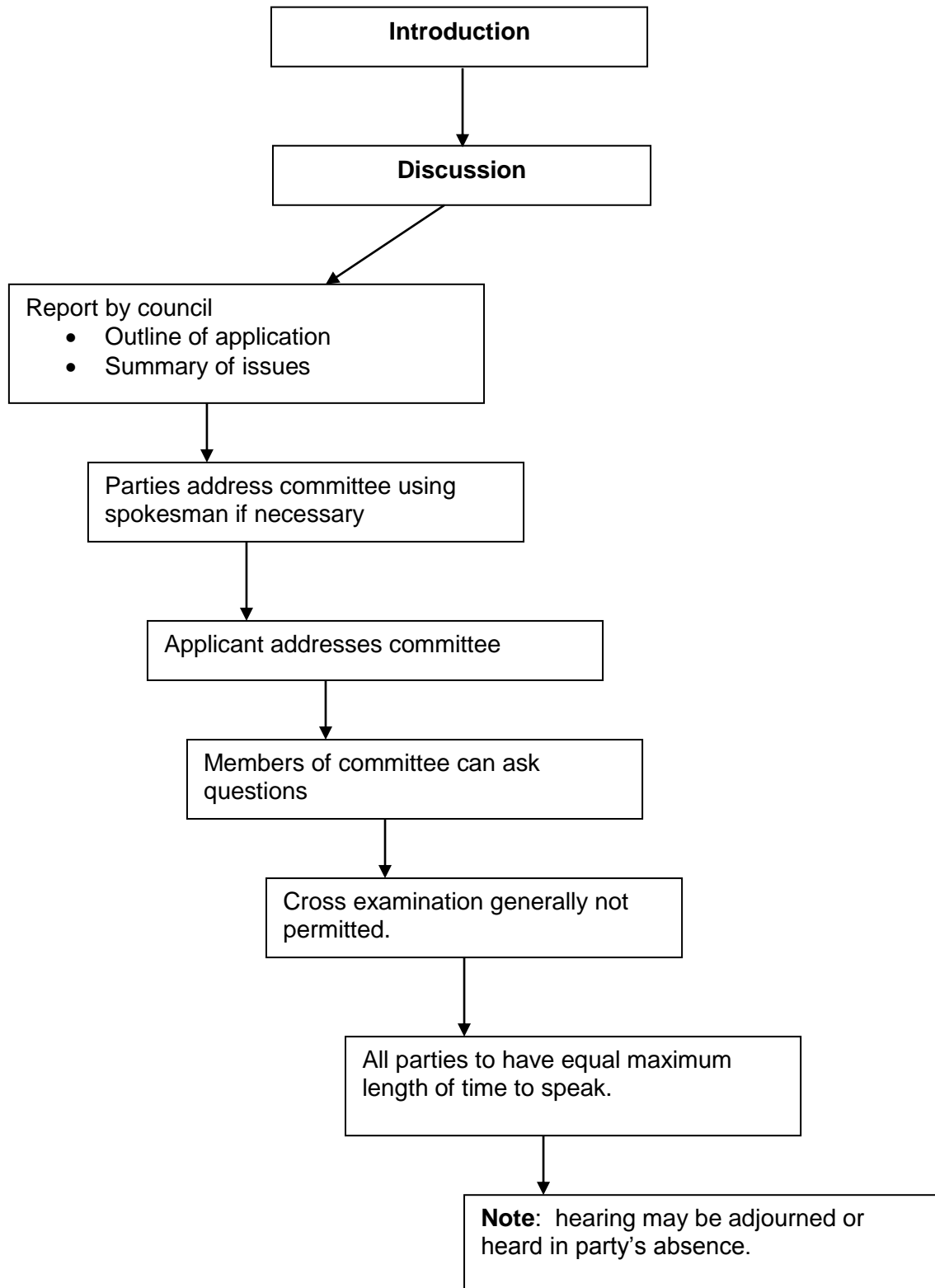
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## Licensing Hearing Flowchart





**The Seven Principles of Public Life  
(Nolan Principles)**

**1. Selflessness**

Holders of public office should act solely in terms of the public interest.

**2. Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

**3. Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

**4. Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

**5. Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

**6. Honesty**

Holders of public office should be truthful.

**7. Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.





# Application for a grant of a premises licence in respect of 'Bebrosa, 24 Eign Gate, Hereford. HR4 0AB – Licensing Act 2003

**Meeting: Licensing sub-committee**

**Meeting date: Wednesday 22 February 2023**

**Report by: Senior Technical Licensing Officer**

## **Classification**

Open

## **Decision type**

This is not an executive decision

## **Wards affected**

Hereford - Central

## **Purpose**

To consider an application for a grant of a premises licence in respect of Bebroসা Ltd, 24 Eign Gate, Hereford. HR4 0AB under the Licensing Act 2003.

## **Recommendation(s)**

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:

- a) The steps that are appropriate to promote the licensing objectives,
- b) The representations (including supporting information) presented by all parties,
- c) The guidance issued to local authorities under Section 182 of the Licensing Act 2003, and
- d) The Herefordshire Council Statement of Licensing Policy 2020 – 2025.

## **Reasons for Recommendations**

Ensures compliance with the Licensing Act 2003

## Alternative 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,
  - b) Grant the licence subject to modified conditions to that of the operating schedule where the sub-committee considers it appropriate for the promotion of the licensing objectives and add mandatory conditions set out in the Licensing Act 2003,
  - c) To exclude from the scope of the licence any of the licensable activities to which the application relates
  - d) To refuse to specify a person in the licence as the premise supervisor, or
  - e) To refuse the application

## Key considerations

### Licence Application

2. The application for the grant of a premises licence has received relevant representations and is therefore brought before the sub-committee for determination.
3. Herefordshire Council Statement of Licensing Policy 2020 to 2025 states “All representation must be ‘relevant’, for example they must be about the likely effect of the grant of the application”. This followed paragraph 8.57 in the s182 Guidance which uses the same wording.
4. The details of the application are:

Applicant	Bebrosa Ltd	
Agent	Not Applicable	
Type of application: Grant	Date received: 4 January 2023  28 day consultation started: 5 January 2023	28 Days consultation ended:  1 February 2023



### **Summary of Application**

5. The application (appendix 1) requests the grant of a premises licence to allow the following licensable activities, during the hours shown, as follows:

Sale/Supply of Alcohol (consumption off the premises)

Monday – Sunday 09:00 – 21:00

### **Summary of Representations**

6. Two (2) objections have been received from responsible authorities – Trading Standards (Appendix 2) and West Mercia Police (Appendix 3).
7. One (1) further representation has been received from a responsible authority, Trading Standards (appendix 4) requesting conditions to be put on the licence if granted. These conditions have not been agreed by the applicants and the applicant has failed to engage with Trading Standards over these.

### **Community impact**

8. Any decision may have an impact on the local community.

### **Environmental Impact**

9. This report is in relation to a premises license under the Licensing Act 2003 and as such there are minimal environmental impacts for the council as Licensing Authority.

### **Equality duty**

10. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

11. There are no equality issues in relation to the content of this report.
12. This report has human rights implications for both the premises licence holder and the residents from the local neighbourhood. Any of the steps outlined in section 1 of this report may have financial implications for a licensee's business and livelihood and/or may have impact upon the day to day lives of residents living in close proximity to the premises.
13. Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private and family life and his/her home (which includes business premises). This right may be interfered with by the council on a number of grounds including the protection of rights and freedoms of others. The First Protocol – Article 1 – also provides that every person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest and conditions provided for by law. Members must accordingly make a decision which is proportionate to the hearing and endeavour to find a balance between the rights of the applicant, residents and the community as a whole.

### **Resource implications**

14. This report is in relation to a premises license under the Licensing Act 2003 and as such there are minimal resource implications for the council as Licensing Authority.

### **Financial implications**

15. There are unlikely to be any financial implications for the council as Licensing Authority at this time.

### **Legal implications**

16. As relevant representations have been received, the sub-committee must determine the application under Section 3.5.7 (c) of the Herefordshire Council constitution. The representations must relate to the licensing objectives and the sub-committee must determine the likely effect of the grant of the premises licences on the promotion of the licensing objectives.
17. The Licensing Authority must have regard to the promotion of 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 in exercising its functions under the Licensing Act 2003. Further regard should be had to the statutory guidance under Section 182 of the Act and the Council's own statement of licensing policy. The options available to the Licensing Authority are set out in section 1 of this report.
18. The sub-committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the Licensing Authority.
19. 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: -
20. 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.

21. 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.
22. This judgment 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'*.
23. In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

## Right of Appeal

24. Schedule 5 Part 1 of the Licensing Act 2003 gives a right of appeal which states:  
  
Rejection of application relating to premises licences  
1. Where a licencing authority-  
  
    (a) Rejects an application for a premises licence under section 18  
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).
25. Appeals should be made to the Magistrates Court and must be made within 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against

## Risk management

26. There is little risk associated with the decision at this time as the legislation allows a right of appeal to the Magistrates Court within a period of 21 days of being notified of the decision in writing.

## **Consultees**

27. All responsible authorities and members of the public living within Herefordshire.

## **Appendices**

Appendix 1 - Application Form

Appendix 2 – Trading Standards Objection

Appendix 3 – West Mercia Police Objection

Appendix 4 – Trading Standards Representation

## **Background papers**

None Identified

# 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 BEBROSA LTD 14503570 company nb.  
 (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			
24 Eign Gate			
Post town	Hereford	Postcode	HR4 0AB

Telephone number at premises (if any)	07463767221
Non-domestic rateable value of premises	£ 190-

## Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate Please tick as

a)	an individual or individuals *		please complete section (A)
b)	a person other than an individual *		
	i	as a limited company/limited liability partnership	<input checked="" type="checkbox"/> please complete section (B)
	ii	as a partnership (other than limited liability)	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 (by ticking yes to one box below):

- 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	Mrs	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over		Please tick yes	
<b>Nationality</b>					
Current residential address if different from premises address					
Post town		Postcode			
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)					

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**Second individual applicant (if applicable)**

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

**(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	BEBROSA Ltd	14503540
Address	219 Belmont Road Hereford HR2 7HE	



Registered number (where applicable)	
Description of applicant (for example, partnership, company, unincorporated association etc.) <i>Ltd Company, Number: 14503570</i>	
Telephone number (if any)	<i>07463767221</i>
E-mail address (optional)	<i>bebrosa.ltd@gmail.com</i>

**Part 3 Operating Schedule**

When do you want the premises licence to start?

*asap*

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)

*Food shop selling Lithuanian food.*

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

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

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

Provision of regulated entertainment (please read guidance note 2)		Please tick all 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)	

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	
<u>Supply of alcohol</u> (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 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					



**B**

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon	-----	-----		<b>Please give further details here</b> (please read guidance note 4)	Both
Tue	-----	-----			
Wed	-----	-----	<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Thur	-----	-----			
Fri	-----	-----	<b>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</b> (please read guidance note 6)		
Sat	-----	-----			
Sun	-----	-----			



C

Indoor sporting events Standard days and timings (please read guidance note 7)			<b>Please give further details</b> (please read guidance note 4)
Day	Start	Finish	
Mon	-----		
Tue	-----		
Wed	-----		
Thur	-----		
Fri	-----		
Sat	-----		
Sun	-----		

**State any seasonal variations for indoor sporting events**  
(please read guidance note 5)

**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** (please read guidance note 6)



**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					



**E**

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take <u>place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finis h		Outdoors	
Mon				<b>Please give further details here</b> (please read guidance note 4)	Both
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					



**F**

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take <u>place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finis h		Outdoors	
				Both	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					



**G**

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Please give further details here (please read guidance note 4)	
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					



H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<b>Please give further details here</b> (please read guidance note 4)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
Fri					
Sat			<b>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</b> (please read guidance note 6)		
Sun					

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises <input type="checkbox"/>
				Off the premises <input checked="" type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)	
Mon	9.00	21.00		
Tue	9.00	21.00		
Wed	9.00	21.00		
Thur	9.00	21.00		
Fri	9.00	21.00		
Sat	9.00	21.00		
Sun	9.00	21.00		
			<b>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</b> (please read guidance note 6)	

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	MANTAS BAGDONAS		
Date of birth	[REDACTED]		
Address	[REDACTED]		
Postcode	[REDACTED]		
Personal licence number (if known)	[REDACTED]		
Issuing licensing authority (if known)	Herefordshire Council		



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 9).

*(This section contains a large, faint, curved line, likely a stray mark or a very light pencil stroke.)*

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	9.00	21.00	
Tue	9.00	21.00	
Wed	9.00	21.00	
Thur	9.00	21.00	
Fri	9.00	21.00	
Sat	9.00	21.00	
Sun	9.00	21.00	

**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 6)

*(This section contains a large, faint, curved line, likely a stray mark or a very light pencil stroke.)*

## 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 10)

Ensure that all the times when the premises are for licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. All the staff undertake training in their responsibilities in relation of the sale of alcohol, particularly with regard drunkenness and underage persons. Records will be kept all the time.

b) The prevention of crime and disorder

Any incidents of a criminal nature that may occur on the premises will be reported to the police. CCTV coverage at the premises and it's operated and maintained at the premises. Police will have access to CCTV at any reasonable time.

c) Public safety

Appropriate fire safety procedures are in place: fire extinguishers, fire exit signs, smoke detectors.

d) The prevention of public nuisance

all the customers will be asked to leave quietly.

e) The protection of children from harm



Staff will ask persons who appear to be under 25 age of 25 for photographic ID such as proof of age cards; photographic driving licence or passport, photograph and date of birth a clear.  
 A register of actual sales shall be kept and maintained on the premises.

**Checklist:**

Please tick to indicate agreement

<input type="checkbox"/>	I have made or enclosed payment of the fee.	✓
<input type="checkbox"/>	I have enclosed the plan of the premises.	✓
<input type="checkbox"/>	I have sent copies of this application and the plan to responsible authorities and others where applicable.	✓
<input type="checkbox"/>	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	✓
<input type="checkbox"/>	I understand that I must now advertise my application.	✓
<input type="checkbox"/>	I understand that if I do not comply with the above requirements my application will be rejected. [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	✓


It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in</li> </ul>
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	<p>the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	
Date	24.11.2022
Capacity	MANTAS BAGDONAS

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

**Notes for Guidance**



**Consent of individual to being specified as premises supervisor**

I \_\_\_\_\_ MANTAS BAGDONAS  
[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

\_\_\_\_\_ [type of application]

by

BEBROSA Ltd  
[name of applicant]

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

for

24 Eign Gate, Herford, 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

BEBROSA Ltd

[name of applicant]

concerning the supply of alcohol at

BEBROSA Ltd, 24 Eign Gwr, Hereford, HR4 0AB

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal [redacted]

[redacted]

[insert personal licence number, if any]

Personal licence issuing authority

Herefordshire Council

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

Signed

[redacted signature]

Name (please print)

MANTAS BAGDONAS

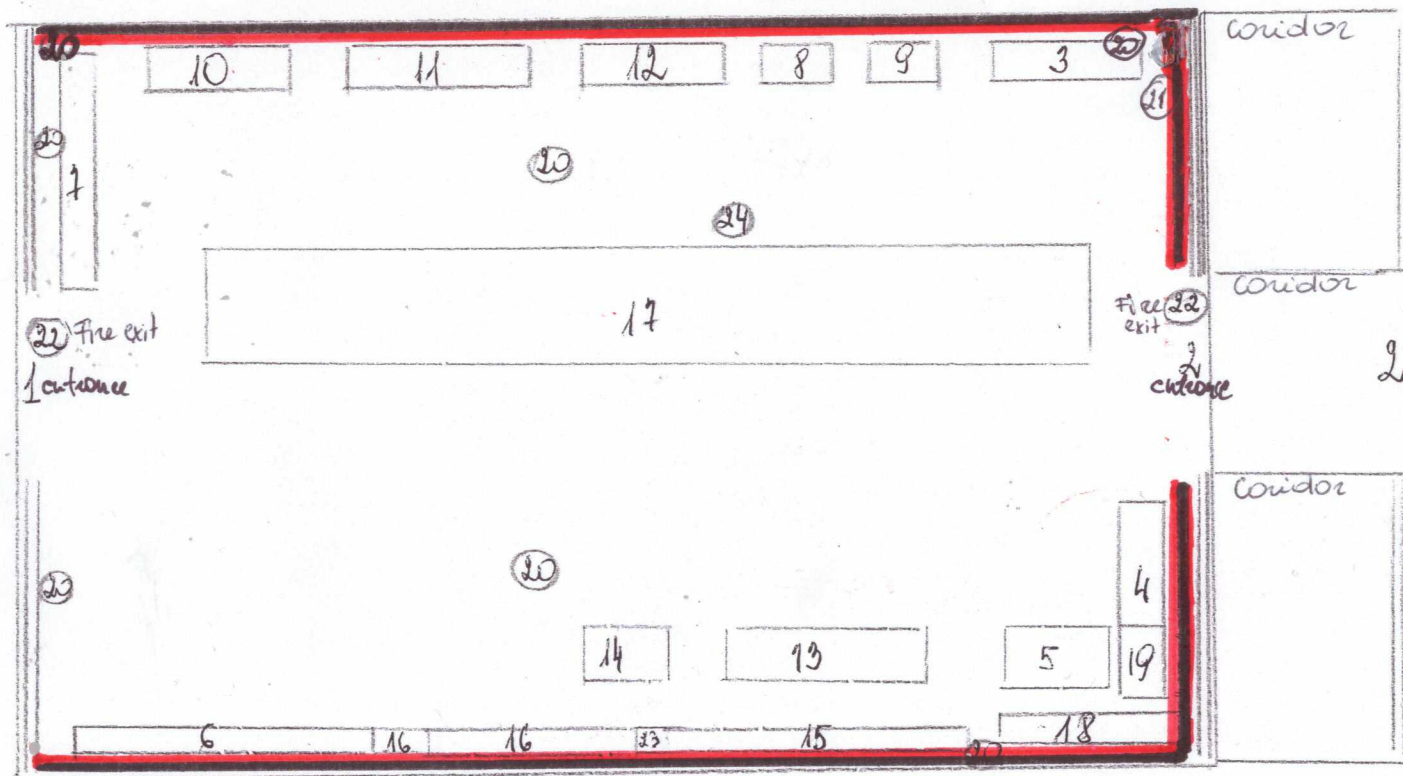
Date

19.12.2022

# LINCENSING AREA

ALL SHOP APART FROM  
WINDOWS

BEBROSA Ltd Company Number  
14503570



1,2- ENTRANCE

3,4,5,6- SHELVING

7,8,9,10- FREEZERS

11- DAIRY FRIDGE

12- MEAT FRIDGE

18- STORE ROOM

20- CCTV

22- FIRE EXITS

13- COUNTER

14- FRIDGE

15- SPIRITS SHELVING

16- BEER SHELVING

17- GONDOLA SHELVING

19- TOILET

21- FIRE EXTINGUISHERS CO2; FOAM; HYDREX

23- WORK TABLE + SINK

24- SMOKE DETECTOR

DONE BY MANTAS BAGDONAS

24.11.2022

SCALE 1:100

**LINCENSING AREA**

### **Trading Standards Objection – 31.01.2023**

I am an officer authorised under the Licensing Act 2003.

I refer to the application made to Grant a premises licence in respect of Bebrosa, 24 Eign Gate, Hereford.

I would like to object to the recent premises licence application made by Mantas Bagdonas of Berbrosa Limited (14503570) for 24 Eign Gate, Hereford, HR4 0AB.

On the 18th November 2022, the premises licence was revoked for IRI Ltd t/a Europe, 24 Eign Gate, Hereford, following a review launched by West Mercia Police. Prior to this, in the summer of 2020, the licence for the same premises was suspended for three months following a review launched by Trading Standards - The director of this company was Ina Turuleine during both suspension and revocation.

The company Berbrosa Limited was incorporated by company director Mantas Bagdonas on the 24th November 2022, less than a week after the licence for 24 Eign Gate (the premises the company has now applied for) was revoked. Berbrosa Limited itself is registered to 219 Belmont Road, Hereford.

Mr Bagdonas has previously been director of a company called MISUN LIMITED (12064775) from June 2019 until March 2020. There is also a record on Companies House showing Mr Bagdonas as being director and owner of the same company from 13th March 2020 until 21st August 2020, with the registered address throughout this whole period being 24 Eign Gate, Hereford, HR4 0AB – The same address as Europe and the current premises he is applying for a premises licence under his new company Berbrosa Limited.

Prior to Mr Bagdonas being sole director of MISUN LIMITED, Ina Turuliene (as mentioned above) was director of MISUN LIMITED from 24th June 2019 until 28th October 2019 and another record shows as being appointed and resigning as director on the same day on the 13th March 2020.

Mantas Bagdonas and Ina Turuliene were therefore directors of the same company, at the same time, for a number of months, which was registered to 24 Eign Gate, Hereford HR4 0AB - The same premises where the alcohol licence was revoked back in November 2022.

Whilst, on the face of it, the new company Berbrosa Limited may seem completely separate from IRI Ltd t/a Europe, it is clear from Companies House records that there has been a long-standing business connection between Ina Turuliene and Mantas Bagdonas. This information therefore, in my opinion, calls into question the legitimacy of the new premises licence application by Berbrosa Limited for 24 Eign Gate, Hereford. The history of the premises has come under scrutiny a number of times and committee felt it appropriate to suspend and eventually revoke the licence.

I would suggest there is a strong possibility that the new application is an attempt to circumvent the Licensing sub-committee decision and obtain a new premises licence under false pretences. The application is for a premises which has previously been linked to both the new applicant (Mantas Bagdonas) and previous licence holder (Ina Turuliene).

Principal Trading Standards Officer  
Herefordshire Trading Standards Service  
8 St Owen's Street, Hereford, HR1 2PJ



**West Mercia Police Objection – 31.01.2023**

I am an officer authorised under the Licensing Act 2003.

I refer to the application made to Grant a premises licence in respect of Bebroza, 24 Eign Gate, Hereford.

On behalf of West Mercia Police, I object to the application made by Mantas Bagdonas of Berbroza Limited (14503570) for 24 Eign Gate, Hereford, HR4 0AB.

The premises has a history of selling illegal tobacco, the handling of stolen goods and selling medication without the correct licence.

Having read the comprehensive report from Paul Di Lucia from Trading Standards, I am satisfied that the connection between the previous licensee and the current applicant is such, that I do not believe that the licensing objectives would be upheld.

Should the licensing sub-committee decide to grant the premises licence, West Mercia Police would seek relevant and enforceable conditions from Herefordshire Council's Licensing Policy 2020 – 2025 Model Pool of Conditions

MATES/Licensing Officer  
Harm Hub Hereford Police Station  
West Mercia Police



**From:** Trading Standards  
**Sent:** 20 January 2023 14:31  
**To:** Licensing  
**Subject:** FW: Bebrosa Ltd Application

Good afternoon,

Regarding the attached application, I would propose the standard conditions as listed below in relation to the Prevention of Crime and Disorder and Protection of Children from Harm.

PLEASE NOTE THAT WE WILL BE SUBMITTING A SEPARATE DOCUMENT REGARDING OUR CONCERNS AROUND THE APPLICATION IN GENERAL AND THE CONNECTION BETWEEN THE DIRECTOR OF THIS NEW LIMITED COMPANY AND THE PREVIOUS ALCOHOL LICENCE HOLDER AT THE SHOP.

### **Prevention of Crime and Disorder**

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. No person shall be authorised to sell or supply alcohol until this training is completed. 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.

### **Protection of Children from Harm**

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) or the police or an authorised Trading Standards Officer of Herefordshire Council. 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 bar advertising the scheme operated.

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 records shall be kept for a period of 12 months and will be collected 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.

No adult entertainment or services or activities must take place at the premises (Adult Entertainment includes, but is not restricted to, such entertainment or services which would generally include topless bar staff, striptease, lap-table, or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language).

Trading Standards Practitioner  
Herefordshire Trading Standards Service  
8 St Owen's Street, Hereford

