

Minutes of the meeting of Licensing Sub-Committee held at Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Tuesday 3 February 2026 at 10.00 am

Present: Councillor Polly Andrews (chairperson)
Councillors: Dave Davies and Peter Hamblin

Officers: Licensing technical officer and Senior Lawyer - Civil Litigation

32. APOLOGIES FOR ABSENCE

No apologies for absence were received.

33. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the meeting.

34. DECLARATIONS OF INTEREST

There were no declarations of interest made.

35. REVIEW OF A PREMISES LICENCE IN RESPECT OF: MAGAZIN TIMISOARA, 22 COMMERCIAL ROAD, HEREFORD, HR1 2BD CALLED BY THE LICENSING AUTHORITY AS A RESPONSIBLE AUTHORITY- 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 reports published on 27 January 2026 and the supplements published on 2 and 3 February 2026. A further supplement from the Fire and Rescue Service was published during the meeting with the agreement of all parties present.

The hearing was attended by the Premises Licence Holder ('PLH') Mr Hemen Nigeen Hassan and licensing agent Ms Vicki Cartmell. Also in attendance providing evidence were Ms Emma Bowell Senior Licensing Technical Officer, Mr Harry Spriggs of the Licensing Authority, PC G Gibbs, PC R O'Keeffe and Sgt Reynolds of West Mercia Police.

Prior to making its decision, the Licensing Sub-Committee heard from the Senior Licensing Technical Officer who presented the report which outlined the options available to the Sub-Committee.

Mr Spriggs, representing the Licensing Authority, provided details of the application to review and history of visits to the premises. Following an initial visit in September 2025 letters were sent to the premises licence holder to warn they were not in compliance with a number of conditions on the premises licence. In a later visit in September 2025 it was found that the PLH had addressed non-compliance with some of these conditions and

they were now being adhered to. However, problems remained with the display of high ABV alcoholic drinks and signage in the window restricting views into the shop. The licensing authority sought a 2 month suspension of the premises licence and application of two amended conditions relating to the display of high ABV alcoholic drinks and an unobstructed view into the premises. The 2 month suspension would give the PLH the opportunity to incorporate the new conditions into his operations.

In response to questions from the committee

- It was confirmed that the PLH had been given three opportunities to comply with conditions.

West Mercia Police addressed the hearing and made the following principal points:

- The location of the store was in a hot spot for anti social behaviour.
- Previous issues had been raised in relation to the store but had not been taken further due to evidential problems.
- The application to review was supported.
- The store had failed to comply with a number of conditions and the two month suspension and additional conditions were supported.

Following questions it was confirmed:

- There had been no prosecutions in relation to issues raised with the store due to evidential problems.

The agent for the PLH spoke on his behalf, the following principal points were raised:

- The PLH is a new licence holder and breaches were already there when he took over as PLH.
- When breaches had been identified the PLH had corrected problems in relation to the incident log, staff training register and refusal register.
- The store had 2 members of staff and the shop manager had a good grasp of English which would help communication with responsible authorities and the promotion of the licensing objectives.
- The later visit in September had demonstrated compliance with the conditions except the window display and the display of high ABV alcoholic drinks.
- It was acknowledged that the conditions were confusing and the changes proposed by the licensing authority were agreed.
- It had been explained to the PLH that it was important to work with the licensing authority and new systems had been put in place to simplify the application of the conditions and the ease of adhering to their requirements.
- Fire safety issues had been addressed but the paperwork and documents had not been sent to the Fire and Rescue Service.
- The window display was an issue when the current PLH took over and it was noted that there were no issues in the latter half of 2025. The current PLH is intent on resolving the issues identified.
- The current review was a positive step and offered the PLH the opportunity to resolve problems identified.
- The shelving in the window could be changed to remove visual obstructions and clarification was sought regarding the amount of shelving that should be removed.
- The proposed amended conditions were supported and would be implemented.
- Suspension of a licence could be a deterrent but the Licensing Act did not seek to be punitive and it was felt that a warning letter would be more suitable in this case.

- The Licensing Act explains that up to three month suspension could impact upon financial circumstances of a premises and a suspension over a weekend or of a period of a week would be proportionate to the issues identified.

Following questions it was confirmed:

- There were no objections to the proposed change to conditions but clarity was requested regarding the shelving in the window and what should be removed to ensure compliance with conditions.
- It was confirmed that the middle 50% of the shelving should be removed.

This concluded the evidence to be heard at the hearing.

Having carefully considered those matters brought before them and in reaching their decision, the Members had full regard to both 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.

DECISION

The Sub-Committee's decision following a review of premises licence is as follows:

The premises licence shall be suspended for a period of 6 weeks in order to allow the Premises Licence Holder to implement the proposed changes and fully comply with the licence conditions.

The Sub-Committee also considered that the additional conditions proposed at Appendix 10 shall be placed on the premises licence.

REASONS

The Sub-Committee has taken into account all the documentary evidence provided with the Application for Review brought by the Licensing Authority.

The evidence was presented in a report by Senior Licensing Officer, Emma Bowell and Licensing Officer Harry Spriggs, together with written representations from West Mercia Police and Hereford and Worcester Fire and Rescue Service. The Sub-Committee also heard submissions from those Responsible Authorities attending the hearing.

The Sub-Committee has further considered the submissions and evidence provided by the representative for the the PLH, Mr Hemen Nigeen Hassan.

The Sub-Committee notes the grounds for review were the prevention of crime and disorder, in particular, persistent breaches of premise licence conditions. The Sub-Committee noted that on four separate occasions since October 2021, with three of those occasions being in the last three months between September 2025 and November 2025, the premises has failed to comply with the conditions attached to their premises licence despite receiving three written warning letters from the Licensing Authority and visits by the Responsible Authorities.

The Sub-Committee noted that in September 2025 several of the premises licence conditions were not being complied with. Four conditions not being complied with related to the Prevention of Crime & Disorder and two related to the Protection of Children from Harm. The Sub-Committee noted that the Licensing Authority discussed the breaches verbally with the premises licence holder and his assistant. The visit was followed with a breach of conditions letter which was posted and emailed to the premises licence holder on 8 September 2025.

The Sub-Committee further noted that on 23 September 2025, Police Alcohol Licensing Officers from West Mercia Police visited the premises following receipt of the Licensing Authority's letter dated 8 September 2025. It is reported that some of the non-compliance issues had been addressed but there were still issues of non-compliance. As a result of the visit by West Mercia Police, the Licensing Authority wrote a breach of conditions letter addressed to the premises licence holder on 24 September 2025.

On 20 November 2025, Police Alcohol Licensing Officers from West Mercia Police again visited the premises following receipt of the letters dated 8 and 24 September 2025. Whilst at the premises it was noted that although additional attempts to comply with the licence conditions had been made, there were still areas of non-compliance. As a result of the premises licence holder's continued non-compliance with the licence conditions despite the previous warnings, a review was launched.

The Sub-Committee considered the submissions made on behalf of the PLH and carefully took into account the length of time that the premises licence had been held, since 14 August 2025.

The Sub-Committee was concerned that there was clear evidence of a failure to comply with licensing conditions, despite warnings provided by Responsible Authorities and visits to the premises.

The Sub-Committee accepted the submissions on behalf of the PLH, that efforts had been made to remedy the breaches of the licence conditions and that further work had been undertaken to streamline the premises record keeping and training of staff.

Taking into account the statutory guidance, the Sub-Committee was aware that where reviews arise and the Licensing Authority determines that the prevention of crime and disorder objective is being undermined, the case should be considered seriously.

The PLH's agent, helpfully drew the Sub-Committee's attention to relevant sections of the Statutory Guidance, in particular paragraphs 11.20, 11.21 and 11.23. In particular, the Sub-Committee noted that suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives.

The Sub-Committee carefully reviewed the evidence and balanced the submissions from all parties. The Sub-Committee's starting position is that breaches of licence conditions are serious, particularly when breaches continue after the PLH has been informed in writing of such breaches and been given an opportunity to ensure compliance with the Licence.

The Sub-Committee were satisfied with the submissions made on behalf of the PLH and the work that had recently been undertaken to address the breaches. The Sub-Committee concluded that the Review had been brought appropriately and had motivated the PLH to start to take the corrective action required, however, the Sub-Committee were conscious further action was still required.

On this occasion, the Sub-Committee were willing to accept that the PLH will now monitor all his licence conditions and adhere to them strictly in the future.

Therefore, the Sub-Committee's decision is to suspend the Premises Licence for a period of 6 weeks and to strengthen the conditions on the licence. The period of suspension will allow time for the PLH to ensure that all corrective measures are completed.

The Sub-Committee considers this is a reasonable and proportionate decision to promote the licensing objectives.

The Sub-Committee wish to make it clear that should this Premises Licence and/or PLH come back before the Sub-Committee for similar issues in the future, revocation of the licence will be seriously considered.

36. EXCLUSION OF PUBLIC AND PRESS

RESOLVED: that under Regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005, the public be excluded from the meeting, for the following two hearings, as it is considered that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in public.

37. REVIEW OF A PREMISES LICENCE IN RESPECT OF: TASTE OF RAJ, 67 ST OWEN STREET, HEREFORD HR1 2JQ CALLED BY THE LICENSING AUTHORITY AS A RESPONSIBLE AUTHORITY- 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 reports and supplement published on 26 January 2026.

Prior to making its decision, the Licensing Technical Officer presented the report which outlined the options available to the Sub-Committee.

Mr James, representing the licensing authority, provided details of the operations conducted by the multi-agency task and enforcement operation on 11 December 2025.

West Mercia Police spoke on the application.

The Immigration Service spoke on the application.

It was explained that the premises licence holder was not present at the hearing and was content that the hearing continue in his absence. It was noted that the premises licence holder had submitted evidence for consideration by the Sub-Committee.

Having carefully considered those matters brought before them and in reaching their decision, the Members had full regard to both 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.

DECISION

The Sub-Committee's decision following a review of premises licence is as follows:

The premises licence shall be revoked.

38. REVIEW OF A PREMISES LICENCE IN RESPECT OF: JALSAGOR, 60 ST OWEN STREET, HEREFORD HR1 2JQ CALLED BY THE LICENSING AUTHORITY AS A RESPONSIBLE AUTHORITY - LICENSING ACT 2003

The Sub-Committee discussed the volume of evidence relating to the application to review the premises licence for Jalsagor. In order to provide sufficient time to compile and circulate evidence in respect of the hearing it was felt that an adjournment of the hearing under 18 February 2026 was required.

RESOLVED: that the review of a premises licence in respect of Jalsagor be adjourned until 18 February 2026.

The meeting ended at 12.45 pm

Chairperson