

Meeting:	REGULATORY SUB-COMMITTEE
Meeting date:	1st March 2016
Title of report:	EXPEDITED/SUMMARY LICENCE REVIEW OF THE PREMISES LICENCE: ZABKA, 16 EIGN GATE, HEREFORD, HR4 0AB - LICENSING ACT 2003
Report by:	HEAD OF TRADING STANDARDS AND LICENSING

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Central Ward

Purpose

To consider an application for an '*expedited licence review*' of the premises licence relating to 'Zabka, 16 Eign Gate, Hereford, Herefordshire, HR4 0AB' called by Inspector Nick Semper of the West Mercia Constabulary.

Recommendation

That:

Sub-Committee determine the interim steps necessary to prevent serious crime or serious disorder (or both) at the premises and to promote the licensing objectives in the overall interests of the local community. They should give appropriate weight to:

- The steps that are necessary to assist with the prevention of serious crime disorder or both
- The representations (including supporting information) presented by all parties,
- The Guidance issued to local authorities under Section 53A of the Licensing Act 2003 by the Violent Crime Reduction Act 2006, and
- The Herefordshire Council Licensing Policy.

Options

1. The interim steps that the licensing authority can consider taking are:

Take no action or

Take any of the following steps: -

- (a) to modify the conditions of the licence;
- (b) the exclusion of the sale of alcohol by retail (or other licensable activities) from the scope of the licence;
- (c) to remove the designated premises supervisor;
- (d) to suspend the licence;

Where the authority takes a step mentioned in subsection (a) or (b), it may provide that the modification or exclusion is to have effect until the full review hearing.

Reasons for Recommendations

2. Ensures compliance with the Licensing Act 2003 and the Crime & Disorder Act 2006.

Key Considerations

3. The powers to call for an expedited review are contained in Section 53A of the 2003 Act by virtue of the Violent Crime Reduction Act 2006. The powers allow:
 - The police to trigger a fast track process to review a premises licence where the police consider that the premises are associated with serious crime or serious disorder (or both); and
 - The licensing authority to respond by taking interim steps quickly, where appropriate, pending a full review.

Applicant	Inspector Nick Semper of in the West Mercia Constabulary	
Premise Licence Holder	Zardashit Karem Salh 6 Wycliffe Grove, Walsall, West Midlands, WS2 9BF	
Solicitor	Not known	
Type of application: Expedited Review	Date received: 29.02.2016	Interim Steps Hearing 48 hours 01.03.2016

4. **Current Licence**

The current licence authorises the following licensable activities during the hours shown: -

Sale by retail of alcohol Monday - Sunday 08:00-22:00

Non standard timings: None

5. **The Grounds for the Review**

The grounds for the review and the Superintendent's authority are contained in Appendix 1 and 2 of the background papers.

6. The committee have to decide what action should be taken, if any, to prevent further outbreaks of serious crime at the premises and how this will further promote the four licensing objectives.

Community Impact

7. Any decision is unlikely to have any significant effect of the local community.

Equality duty

8. There are no equality or human rights issues in relation to the content of this report.

Financial implications

9. There are unlikely to be any financial implications for the authority at this time.

Legal Implications

10. The premise licence holder may make representations against the interim steps taken by the licensing authority. There is not a time limit for the premises licence holder to make representation on the interim steps, although this would be within the normal review period of 28 days. On receipt of representations and if they are not withdrawn, a hearing must be arranged within 48 hours of receipt.

Risk Management

11. There is little risk associated with the decision at this time as the legislation allows representation to be made against the interim steps.

Consultees

12. Copies of the application and certificate have been sent to the responsible authorities.

Appendices

13. Superintendent's Certificate and application for expedited review
14. Summary Review Guidance issued by the Home Office

Background Papers

None.

