

Places and Communities Directorate

Director: Geoff Hughes

Mr David Ronald Wicks
The Flat
3 Church Street
Leominster
Herefordshire
HR6 8NE

Your Ref:

Our Ref: PR00499

Please ask for: Licensing Assistant

Direct Line / Extension: 01432 260 105

Fax: 01432 383412

E-mail: licensing@herefordshire.gov.uk

1st April 2016

Dear Sir,

SPARKYS, 18 WEST STREET, LEOMINSTER

I refer to the premises licence issued in respect of the above premises.

Our records show that you are the premises licence holder and designated premises supervisor, therefore the running of the premises is purely your responsibility.

I am in receipt of information from the police to the effect that at 2245 hours on 13th March 2016 they attended your premises where they found a 17 year old female, who had been admitted by your door staff to the premises. Furthermore after this female was removed from the premises, I understand that, she was subsequently found in the rear garden of the premises and had to be removed by them.

This causes the authority some considerable concerns in respect of your ability to promote the licensing objective particularly that of the protection of children from harm. In the first instance your door-staff should not have admitted her to the premises but what is even more concerning if having been removed from the premises, she gained further access.

I am also informed by the police that they attended your premises again a short time later at 0022 hours, where they had to deal with a male who was in the rear beer garden and was quite clearly drunk.

I note that your licence contains a condition which states 'The rear beer garden should not be used after 2300 on any day'. This means exactly what it says and that after 2300 hours the rear beer garden should be closed and not used for any purpose.

Your premises licence is your authorisation to carry on licensable activities including the sale of alcohol. Where a condition attached to a licence is not complied with, then the premises licence ceases to have effect and in effect all licensable activities become unauthorised and unlawfully.

Section 136 of the Licensing Act 2003 makes it is an offence to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation (premises licence). This offence on summary conviction is punishable with a maximum of six months' imprisonment and/or an unlimited fine.



Putting People First **Providing** for our Communities **Preserving** our Heritage **Promoting** the County **Protecting** our Future
County of Herefordshire District Council, County of Herefordshire District Council, Licensing Unit, County Offices,
Bath Street, Hereford, HR1 2ZF

Main Switchboard (01432) 260000 - www.herefordshire.gov.uk

Under the Act is also an offence to allow disorderly conduct on licensed premises and to sell to someone who is drunk, both offences which carry a fine.

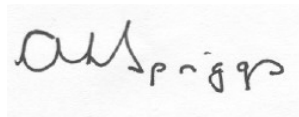
You will be aware that the authority has had a number of issues at licensed premises in recent months, within the Leominster area, which have resulted in sanctions against those premises and even revocation of the licence.

To make it absolutely clear to you, this authority will continue to monitor your premises and would expect to see a considerable improvement in the way that you run and manage the premises.

Further incidents may result in more substantial action being taken against the premises which could include a review of the licence, with a view for revocation.

Should you require further guidance or advice then please do not hesitate to contact either us or the police.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Fred Spriggs', is enclosed in a light grey rectangular box.

**FRED SPRIGGS
LICENSING OFFICER
ENVIRONMENTAL HEALTH & TRADING STANDARDS
HEREFORDSHIRE COUNCIL**