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| <b>Meeting:</b>         | <b>REGULATORY SUB-COMMITTEE</b>  |
| <b>Meeting date:</b>    | <b>29<sup>th</sup> November 2016</b>   |
| <b>Title of report:</b> | <b>EXPEDITED/SUMMARY LICENCE REVIEW OF THE PREMISES LICENCE: SUPERSAM, 141-143 EIGN STREET, HEREFORD, HR4 0AJ - LICENSING ACT 2003</b> |
| <b>Report by:</b>       | <b>FRED SPRIGGS – LICENSING OFFICER</b>  |

## **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 'Supersam, 141-143 Eign Street, Hereford, HR4 0AJ' called by Sergeant 3456 Duncan Reynolds of the West Mercia Police.

## **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 or 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.

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|---|--|---|
| Applicant                                       | <b>Sergeant 3456 Duncan Reynolds of the West Mercia Constabulary</b> |   |
| Premise Licence Holder                          | <b>Heman Jamal<br/>Supersam, 141-143 Eign Street, Hereford,</b>      |   |
| Solicitor                                       | <b>Not known</b>   |   |
| Type of application:<br><b>Expedited Review</b> | Date received:<br><b>25.11.2016</b>                                  | Interim Steps Hearing 48 hours<br><b>29.11.2016</b> |

## 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 or disorder or both at the premises and how this will further promote the licensing objective of the prevention of crime.

## **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**

1. Application for expedited review & Superintendent's certificate
2. Summary Review Guidance issued by the Home Office

## **Background Papers**

None.