

**Application for the review of a premises licence or club premises certificate 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 Police Sergeant 3456 Duncan REYNOLDS**

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>  55 Broad Street	
<b>Post town</b> Hereford	<b>Post code (if known)</b> HR4 9AB
<b>Name of premises licence holder or club holding club premises certificate (if applicable)</b>  Mohammed Asher RASHID	
<b>Number of premises licence or club premises certificate (if known)</b>  PRO1612	

**Part 2 - Applicant details**

I am

1) an interested party (please complete (A) or (B) below)

- Please tick yes
- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises
- d) a body representing persons involved in business in the vicinity of the premises

- 2) a responsible authority (please complete (C) below)  X
- 3) a member of the club to which this application relates (please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick

Mr  Mrs  Miss  Ms  Other title (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

**(B) DETAILS OF OTHER APPLICANT**

Name and address
Telephone number (if any)
E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address West Mercia Police Hereford Police Station Harm Reduction Dept., Bath Street, Hereford. HR1 2HT
Telephone number (if any) 01432 347102
E-mail address (optional)

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

X

**Please state the ground(s) for review** (please read guidance note 1)

Hereford Police are currently tackling alcohol related anti social behaviour in the general area of Broad Street and Eign Gate, Hereford.

As part of this process the Police have and are engaging with licensed retail premises in the area to get their co operation with regards to serving those involved in the issues being addressed.

This process includes verbally engaging with the owner and staff at S&S News (licensed in the name of 55 Broad Street, Hereford) and sending letters asking for their support.

However despite these visits and interventions, it is the view of West Mercia Police that that this premises continues to sell alcohol to individuals who are involved in alcohol related anti social behaviour.

This premises is therefore undermining the licensing objective of the prevention of crime and disorder.

**Please provide as much information as possible to support the application**  
(please read guidance note 2)

S&S News also known as A&M News is located in the city centre of Hereford, very close to the pedestrian areas of High Town and Eign Gate and within sight of the iconic Hereford Cathedral.

It is a small – but busy – licensed convenience store, licensed to sell alcohol for long periods of the day.

For a number of months, the general area of Eign Gate and its surrounding streets have been subject to an on-going policing operation to tackle alcohol related anti social behaviour. The vast majority of those involved are known individuals who have drug, alcohol and mental health issues. Many are homeless. It has become common practise for the group to gather at the area directly outside All Saints Church at Eign Gate – at a raised seating area commonly known as 'the plinth'. They gather most days from about 1000hrs up to 1800hrs, are known to drink alcohol purchased from local shops and as the day goes on, become involved in disorderly behaviour, which has resulted in arrests, use of Police dispersal powers and other interventions.

As part of a process of tackling the supply of alcohol the Police have engaged with local licensed shops to get their co operation NOT to serve these individuals due to the resulting problems. This has involved personal visits to the shops, talking to staff and putting in writing to the premises licence holder the issues of concerns and asking for their support to tackle the problems.

Visits and letters were delivered to the shop on **30 August 2018** and a further reminder on **30 October 2018**.

The reminder was sent due to the on going problems in the area that could be tracked back to the shop.

At no time was the then premises licence holder was spoken to as he was never found at the premises and no contact numbers could be provided by staff working.

No contact was made by the premises licence holder regarding the contents of the letters.

Further visits to the premises were undertaken on the following dates:

**01/11/2018** – visit to speak to the premises licence holder. The staff provided a name of a male who they said owned the business. This was not the named premises licence holder. Requests were made to view the refusals register and to see staff training records. The staff member admitted he had never been trained and the documents did not exist.

As a consequence of this visit it was suspected that the named premises licence holder was no longer involved in the business. As this was person was also the designated premises supervisor (DPS), it would mean no DPS was in place and therefore alcohol sales could not be made. This information was shared with the Licensing Authority who undertook to write to the premises licence holder.

No action was taken regarding the lack of a DPS, so on **04 December 2018** a S19 notice was served on the premises directing them not to sell alcohol until the matter was addressed.

The issue of no DPS was addressed on the same day and the premises licence was transferred into the name of the current premises licence holder Mohammed RASHID.

The Police further visited the premises on **05 December 2018** and spoke to Mr RASHID who voiced his support to co operate with the Police to tackle the issues occurring near to his premises. He was made fully aware of the issues and the fact that the alcohol being consumed by the troublemakers could be tracked back to his premises. He gave his assurance that his staff would no longer sell to these individuals – who are quite distinctive in appearance with visible disabilities such as missing limbs.

The issues in the area persisted with the Police attending the location on a regular basis to address alcohol related anti social behaviour. Statements were taken from numerous businesses in the area who identified S&S News as the main premises selling alcohol to this group and also how their behaviour was have a direct negative impact on their business and causing alarm, distress and harassment to staff and members of the public who used the location.

Whilst there is some success in tackling the issues that are occurring, the main concern was the supply of alcohol that could be linked to S&S News.

On the **20 December 2018**, a Police Officer visited the premises to obtain CCTV with regards to a crime that occurred at the shop. Staff on duty were unable to operate the system – this is a breach of the premises licence. A telephone conversation took place with Mr RASHID who 'talked the officer' to use the system. It was found that the time and date were out of sync to the system. Evidence was found and the owner undertook to download the data and forward it to the officer. This never happened.

The breach of the CCTV licence condition has been shared with the Licensing Authority.

Whilst watching the CCTV, the officer did see a known individual involved in the anti social behaviour enter and make a purchase of alcohol. This occurred on at least 3 separate occasions on the same day. When asked why the shop assistant had not challenged this person, the response was simply 'I don't know him'.

On **15 January 2019** a visit was made to the premises to speak to Mr RASHID. Whilst waiting to speak to the member of staff working a male made a purchase of a single can of alcohol. This customer left the shop, crossed the road and handed it to known troublemaker. This exchange happened within clear vision line of the shop.

The staff member was challenged but could not come with a reasonable excuse why he did not ask relevant questions based on the concerns that had been raised by the Police over the last 4 months. The member of staff said that he was always refusing sales. The refusals register was requested and produced. The only recorded matters were in November 2018 – nothing before or afterwards – and did not support his position.

Clearly this a problem premises through them supplying alcohol to known troublemakers who are causing issues with their sight. The premises is breaching the premises licence and despite reassurances by Mr RASHID is not co operating and supporting the Police in tackling the problems that are a great concern to the local community.

This shop openly sells single cans of what is known as 'super strength' alcohol – that is over 6.5av. Additionally the shop sells large 3litre bottles of cider, beer and cider. These are drinks of choice for some individuals with alcohol related issues.

The view is that Mr RASHID is failing to promote the licensing objective of the prevention of crime and disorder and failing to uphold the conditions contained in the premises licence.

**The view of West Mercia Police is that due to the seriousness of this matter the premises licence for S&S News should be revoked.**

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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**If you have made representations before relating to this premises please state what they were and when you made them**

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant's solicitor or other duly authorised agent**  
(See guidance note 4). **If signing on behalf of the applicant please state in what capacity**

Date 7 January 2019

Capacity Applicant

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.