

**LICENSING-SUB COMMITTEE DECISION NOTICE
(THE LICENSING ACT 2003)**

PREMISES	Razbari Indian Restaurant, 156 Eign Street, Hereford. HR4 0AP
PREMISES LICENCE HOLDER	MD Masud Ruhel Mintu
APPLICANT'S NAME	PC 2368 Chris Lea – Police Licensing Officer on behalf of the Chief Officer of Police for the West Mercia Police Area
APPLICATION TYPE	Expedited licence review
PANEL MEMBERS	Councillor Sebastian Bowen (Chairperson) Councillor Polly Andrews Councillor John Hardwick
DATE OF MEETING	22 October 2021

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 background papers.

Prior to making their decision the licensing technical officer presented the report which outlined the options available to the sub-committee. Members then heard representations from PC Chris Lea, the Police Licensing Officer.

The Premises Licence Holder, MD Masud Ruhel Mintu was not in attendance. The Licensing Technical Advisor advised the Committee that as the Council did not have an email or a contact telephone number for Mr Mintu, papers had been served to him at the postal address and there had been confirmation that these papers had been received.

PC Chris Lea, representing West Mercia Police, outlined their reasoning for requesting the expedited review and suspension of the premises licence for Razbari which included concerns about serious crime at the premises, namely exploitation and the employment of workers who had no legal right to work in the United Kingdom.

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 was to suspend the licence with immediate effect as an interim step until the full review was held.

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(THE LICENSING ACT 2003)****REASONS**

The licensing sub-committee had heard the representations and evidence from the licensing technical officer and West Mercia Police, as the applicant for the expedited review. The Members considered that the evidence showed that a serious offence had been committed at the premises and noted the concerns felt by Environmental Health and the Fire Service.

The licensing sub-committee had considered whether any lesser or alternative steps would be appropriate but felt that such steps would not address their concerns.

Therefore the decision of the sub-committee was to suspend the licence as an interim step until the full review was held. This would take effect immediately. The sub-committee considered that this action was both appropriate and proportionate to promote the licensing objectives and in particular to prevent the undermining of the prevention of crime and disorder licensing objective.

The matter would be further considered at a review hearing on 5 November 2021 at 2:30pm

ADDITIONAL INFORMATION

- 1 The Committee is required to review the premises licence in full within 28 days of the application for an Expedited licence review made on 22 October 2021.
- 2 The review has been set for 5 November 2021 at 2:30 pm.
- 3 There is no right of appeal to a magistrates' court against the licensing authority's decision at this stage.
- 4 The act allows the premises licence holder to make representation against the interim steps by sending written notification to the Licensing Authority.
- 5 In such case the authority must hold a hearing within 48 hours to consider whether to maintain, remove or modify the interim steps.

APPEAL INFORMATION

Under Schedule 5 Paragraph 8A of the Licensing Act 2003, the premises licence holder, an individual who made relevant representations or the chief officer of police, may appeal against the decision in relation to the review following review notice. In addition, under Schedule 5 Paragraph 8B of the Licensing Act 2003 the premises licence holder or the chief officer of police decision under Section 53D may appeal in relation to the interim steps.