

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

PREMISES	Razbari Indian Restaurant, 156 Eign Street, Hereford, HR4 0AP
PREMISES LICENCE HOLDER	CT INDIAN RESTAURANT LIMITED
APPLICANT'S NAME	PC Dean Wall – 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 Polly Andrews (Chairperson) Councillor Bruce Baker Councillor Dave Davies
DATE OF MEETING	22 November 2023

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 supplement published on 22 November 2023.

Prior to making their decision the Licensing Technical Officer presented the report which outlined the options available to the Sub-Committee and members heard representations from PC Dean Wall, the Police Licensing Officer and the representative of the Premises Licence Holder, Mr MD Siddikur Rahman Suhag.

PC Dean Wall, 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.

Mr MD Siddikur Rahman Suhag referred to the supplement that had been circulated in advance of the meeting. In summary, he explained to the Sub-Committee that the business carried out checks on new employees and ensured that contracts of employment took account of any restrictions associated with residence permits.

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 from the Licensing Technical Officer, West Mercia Police, as the applicant for the expedited review, and Mr MD Siddikur Rahman Suhag who confirmed he was authorised to speak on behalf of the Premises Licence Holder.

The members of the Sub-Committee noted that West Mercia Police, together with other agencies, had conducted a co-ordinated operation in relation to potential immigration offences and further noted the information contained within the application for an expedited review made by West Mercia Police. They also noted the request of West Mercia Police was to suspend the licence.

The members of the Sub-Committee also carefully considered and noted the evidence submitted on behalf of the Premises Licence Holder and the representations made by Mr MD Siddikur Rahman Suhag.

The members of the Sub-Committee felt that, at this stage, West Mercia Police's representations were both compelling and credible.

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 14 December 2023 at 10:00 a.m.

ADDITIONAL INFORMATION

- 1 The Sub-Committee is required to review the premises licence in full within 28 days of the application for an Expedited Licence Review made on 22 November 2023.
- 2 The review has been set for 14 December 2023 at 10:00 a.m.
- 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.

INTERIM STEPS PENDING REVIEW

If the holder of the premises licence makes, and does not withdraw, representations against any interim steps taken by the relevant licensing authority, the authority must, within 48 hours of the time of its receipt of the representations, hold a hearing to consider those representations.