

## LICENSING SUB COMMITTEE

25 MARCH 2014

Present: Councillor K Crout (Chair)  
Councillors I Brown and M Mills

Also present: Sergeant Mark Bilsdon (Hertfordshire Constabulary),  
Augustin Arul  
Satish Kumal  
Stewart Gibson

Officers: Licensing Manager  
Assistant Licensing Officer  
Solicitor  
Committee and Scrutiny Support Officer (RW)

### 34 COMMITTEE MEMBERSHIP/ ELECTION OF A CHAIR

The Committee and Scrutiny Support Officer confirmed that the Sub-Committee would comprise Councillors I Brown, K Crout and M Mills.

The Sub-Committee was asked to elect a Chair for the Hearing.

RESOLVED –

that Councillor Crout be elected Chair for this Hearing.

### 35 DISCLOSURE OF INTERESTS (IF ANY)

There were no disclosures of interest.

### 36 APPLICATION FOR VARIATION TO A PREMISES LICENCE: D & S FOOD AND WINE, 2 MARKET STREET, WATFORD WD18 0PD (14/00178/LAPRE)

The Sub-Committee received a report of the Head of Community and Customer Services setting out details of an application to vary the premises licence at the above premises and also of the representations received.

The Licensing Officer outlined the two variations which the Applicant had requested. He explained that representations had been made solely with regard to the sale of single cans or bottles of beer, lager or cider and quarter or miniature bottles of spirits. He reminded Members that the variation could be granted in part if they considered that the licensing objectives would be upheld.

The Chair asked attendees at the meeting whether they had any questions to ask of the Licensing Officer.

Mr Gibson, the Licensee's agent, noted that no reference had been made to the submission of late evidence for this application. He asked whether this late evidence should be considered at the hearing.

The Licensing Officer explained that the evidence, supplied by the Police Authority, related to an incident which had occurred on the previous Friday (21 March 2014). This had been passed to the agent and the Licensing Officers on the previous day (24 March 2014).

The Council's Solicitor advised that the evidence could be allowed if it related to information in the report.

Sgt Bilsdon gave details of the information received and said that he considered that this evidence was relevant to concerns and objections raised.

Mr Gibson reiterated that he did not wish this evidence to be taken into account and added that he had had no chance to verify the information with the Applicants.

The Licensing Manager explained that the Applicant could object to late documentary evidence but that verbal evidence could be heard. He advised that the hearing could adjourn in order that Mr Gibson and the Applicants could discuss the matter.

The Council's Solicitor confirmed that evidence which elaborated on previous information could be introduced. She agreed that the meeting could be adjourned in order that Mr Gibson could take instruction from the Applicants.

The Sub Committee retired.

On the Sub Committee's return the Chair advised that the Sub Committee would be prepared to accept the evidence. He offered Mr Gibson the opportunity to adjourn in order to consult with the Applicants.

On Mr Gibson's and the Applicants' return, Mr Gibson advised that, following discussion with Sgt Bilsdon and the Applicants, it had been decided to withdraw the application in its entirety.

Chair

The Meeting started at 10.30 am  
and finished at 11.25 am