

LICENSING SUB COMMITTEE

9 September 2021

Present: Councillor A Grimston (Chair)
Councillors M Devonish and B Stanton

Also present: Ms Manuela Batista, Applicant
Ms Rita Barbosa, Applicant's Representative
Sergeant Luke Mitchell, Hertfordshire Constabulary
Ms Jo Tomkins, Hertfordshire Constabulary

Officers: Senior Solicitor
Democratic Services Officer
Democratic Services Officer (LM)

7 Committee membership/ election of a Chair

The Democratic Services Officer (IS) confirmed that the sub-committee would comprise Councillors Devonish, Grimston and Stanton.

The sub-committee was asked to elect a Chair for the hearing.

8 Disclosure of interests (if any)

There were no disclosures of interest.

9 Application for new Premises Licence - Abaco's Bar 2, 83B Whippendell Road, Watford

The Chair welcomed all parties to the hearing, made introductions and explained the procedure to be followed.

The Senior Licensing Officer confirmed that all parties expected were present. There were two preliminary matters for members' attention:

- Request received shortly before the hearing, from an Interested Party, Irfan Ahmed, for a written submission to be considered by the Sub-Committee. The Senior Licensing Officer advised that as the request had been received before the hearing commenced, the matter should be considered in lieu of Mr Ahmed's attendance at the hearing. He suggested a short adjournment so all parties could read the submission.

The Chair adjourned the meeting at 10.45 for all parties to read the document.

The meeting was reconvened at 10.50.

Introduction to the application

The sub-committee received a report of the Head of Community Protection outlining an application for a new premises licence for Abaco's Bar 2, 83B Whippendell Road, Watford.

The Senior Licensing Officer introduced the report and explained that representations had been received from Police and a local resident.

He expanded on two points pertaining to the outside pavement area.

- Following contact about the outside pavement area, the issue was investigated and from the Land Registry it appeared that the land was private property, so therefore there was no requirement for a pavement licence.
- The application was only submitted covering sale of alcohol on the premises. Since the premises plan did not include the outside pavement area, sale of alcohol would not be permitted in this area. This in turn would limit the licensable activities in this area and he advised the members that this might influence the weight they might give to the Interested Party's comments.

The Chair thanked the Senior Licensing Officer and invited questions from the sub-committee members.

There was one question from the committee, asking where the evidence came that the outside land was private. The Senior Licensing Officer informed the sub-committee that this was from the Land Registry.

There were no questions from the Senior Solicitor, the applicant or the Police.

Exclusion of press and public

RESOLVED -

that, under Section 100A (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during consideration of the item there would be disclosure to them of exempt information as defined in Section 100(1) of the Act for the reasons stated in the terms of Schedule 12A, paragraphs 1 and 7.

Address by Responsible Authority – Police

Sergeant Luke Mitchell of the Hertfordshire Constabulary was invited to address the Sub-Committee. Following this he responded to questions from the sub-committee and Senior Solicitor.

Address by the applicant

The applicant's representative, Ms Barbosa, was invited to address the sub-committee.

Ms Barbosa responded to questions from the sub-committee, the Senior Licensing Officer and Sergeant Mitchell.

Summary

All parties summarised their comments and the sub-committee retired to consider their decision.

Decision

On the sub-committee's return, the Chair announced the decision.

The sub-committee has decided to reject the application for the Premises License for Abaco's Bar-2, 83B Whippendell Road, Watford.

RESOLVED –

To refuse the application, in order to promote the Licensing Act objectives.

In reaching its decision the sub-committee had due regard for all that members have read, seen and heard, along with consideration for the licensing objectives, the Licensing Act 2003 s182 Guidance, and the Council's statement of licensing policy.

Chair

The Meeting started at Time Not Specified
and finished at Time Not Specified