

# LICENSING PANEL HEARING

A record of a Licensing Panel hearing held on Tuesday 3 September 2013, at the Town Hall, Royal Leamington Spa at 2.00 pm.

**PANEL MEMBERS:** Councillors Gill, Guest and Mrs Knight

**ALSO PRESENT:** Lesley Dury (Committee Services Officer), Emma Dudgeon (Licensing Enforcement Officer), and Caroline Gutteridge (Council's Solicitor).

1. **APPOINTMENT OF CHAIR**

**RESOLVED** that Councillor Mrs Knight be appointed as Chair for the hearing.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

3. **APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003 FOR ALTORIA, 45 WARWICK STREET, ROYAL LEAMINGTON SPA**

A report from Health and Community Protection was submitted which sought a decision on an application for a new premises licence from Warneford Bars Limited for Altoria, 45 Warwick Street, Royal Leamington Spa.

The Chair introduced herself, other members of the Panel and officers, and asked the other parties to introduce themselves.

Mr Potts, solicitor for the applicant, asked for an adjournment of the hearing for one hour to allow him to examine papers with his client that had been handed to him by Sergeant Calver about 30 minutes previously. Mr Potts explained that when he had received the papers with the agenda, the Police representation within those papers did not give much detail. More information was delivered with a letter dated 27 August, which arrived through the post on the previous Friday. He'd then met with his client on the Sunday to discuss the papers; and as a result he had requested further information from the Police. This is what had been handed to him just before the hearing started. He and his client had been examining these papers but had only got as far as point 4 and already it was evident that some of the evidence provided by the Police was inconsistent. Mr Potts cited one incident they had already spotted which related to an incident when the premises had been closed for refurbishment.

The Chair asked if an adjournment of one hour would be acceptable to Sergeant Calver, who was in attendance on behalf of the Police. Sergeant Calver informed the Panel that he had an issue with an adjournment because the agenda had been issued on 23 August 2013. He also stated that he had an issue with the number of people Mr Potts had brought along

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with him who were presently sat in another room because he had not received any notification that they would be coming. Sergeant Calver asked for the meeting to start again on another day.

The Council's Solicitor reiterated the sequence of events over the release of the various reports which coincided with Mr Potts's statement on the sequence of events.

Councillor Gill proposed that the hearing be deferred to another day as soon as could be arranged by Committee Services. This was duly seconded.

Therefore, the Panel

**RESOLVED** to defer the hearing.

The Licensing Enforcement Officer informed Panel Members that a notification period of ten working days would be required.

Mr Potts informed the Panel that at the next meeting, he would only bring the Designated Premises Supervisor, the Director of Warneford Bars Limited and the Licensing Consultant with him.

(The meeting finished at 2.15 pm)