

Minutes of the meeting of Licensing sub-committee held as Online Meeting on Wednesday 15 February 2023 at 1.45 pm

Present: Councillor Paul Andrews (chairperson)
Councillors: Polly Andrews and John Hardwick

Officers: Licensing technical officer, Senior Solicitor, Litigation and Principal licensing officer

23. APOLOGIES FOR ABSENCE

No apologies for absence were received.

24. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the meeting.

25. DECLARATIONS OF INTEREST

There were no declarations of interest made.

26. EXCLUSION OF PUBLIC AND PRESS

Sub committee members were advised that due to the nature of the information to be presented it was recommended that the next item on the agenda be heard in private.

It was resolved that that under Regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005, the public be excluded from the meeting as it is considered that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in public.

27. REVIEW OF A PREMISES LICENCE IN RESPECT OF THE DUCKER, 11 SOUTH STREET, LEOMINSTER. HR6 8JA CALLED BY WEST MERCIA POLICE - LICENSING ACT 2003

Members of the licensing sub-committee from the Council's Planning and Regulatory Committee were advised that an application for review of the premises licence in respect of The Ducker, 11 South Street, Leominster HR6 8JA had been received from West Mercia Police.

The representative of West Mercia Police addressed the sub-committee and requested that the hearing be adjourned to allow additional information to be disclosed. Representations had been made shortly after the review had been launched questioning the legality of the review. Legal advice received supported the review but as the police wished to submit evidence relating to a live court case, clearance from the Crown Prosecution Service was required. Approval to release this evidence had not yet been received. An adjournment was requested to allow time for this evidence to be disclosed and for all parties to have time to consider it fully.

The agent for the licence holder pointed to the lack of any evidence from the police to support the review and invited the sub-committee to dismiss the review as there was no case to answer.

Decision

The sub committee's decision is to allow the adjournment until 1 March - this is the earliest date allowing for publishing of papers.

Reason

Having heard the Police application for an adjournment and the representations made by the agent for the licence holder, it is felt to adjourn is upholding the licensing objective of prevention of crime and disorder.

The meeting ended at 2.10 pm

Chairperson