

LICENSING SUB COMMITTEE A

A meeting of the Licensing Sub Committee A was held on Monday 20 September 2021.

PRESENT: Councillors R Arundale (Chair), S Dean and T Higgins

ALSO IN ATTENDANCE: On Behalf of the Applicant
C Holland – Legal Representative (Counsel)
T Hodgkinson – Licensing Department
M Kearns – Environmental Health

On Behalf of the Premises Licence Holder
U Khan – Legal Representative (Counsel)
M Hussain – Premises Licence Holder
A Hussain – Premises Licence Holder's Son

OFFICERS: J Dixon, A Perriman and S Morris.

21/3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received at this point in the meeting.

21/4 **LICENSING ACT 2003 - APPLICATION FOR REVIEW OF PREMISES LICENCE: WATERLOO NEWS, 110-114 WATERLOO ROAD, MIDDLESBROUGH, TS1 3HZ. REF: OL/21/03**

A report of the Director of Public Health and Public Protection was circulated outlining an application for the Review of a Premises Licence in respect of Waterloo New, 110-114 Waterloo Road, Middlesbrough, TS1 3HZ, Ref No: OL/21/03.

The Chair introduced those present and explained the procedure to be followed at the meeting. It was confirmed that all parties had received a copy of the Regulation 6 Notice and copy of the report and accompanying documents, in accordance with the Licensing (Hearings) Regulations 2005.

At this point in the meeting, the Premises Licence Holder's legal representative made an application to adjourn the meeting. The legal representative outlined the reasons for the application, namely that the Premises Licence Holder had been notified, approximately one hour before the start of the meeting, of a family funeral scheduled to take place at 1.30pm. In addition, the Premises Licence Holder's brother was currently in hospital and he had been notified, shortly before the start of the meeting, that his brother's condition had worsened overnight and that he was seriously ill. Therefore, an adjournment was requested.

The applicant's legal representative responded to the request by stating that they were neutral on the matter and had sympathy for the family issues being experienced by the Premises Licence Holder. The legal representative added that whilst a further adjournment would incur further expense for the Responsible Authorities, the premises was currently not trading with a premises licence, therefore, in terms of the licensing objectives, there was no particular urgency on the part of the Responsible Authorities in terms of ongoing risk as alcohol was not currently being sold.

The Council's legal representative made reference to Regulation 20 of the Licensing Act 2003 (Hearings) Regulations 2005 in that it made provision for a matter to proceed in the absence of a party and it was queried whether there were any submissions in relation to this.

The Premises Licence Holder's legal representative responded that the Premises Licence Holder was present as a party to the Hearing and that the request for the adjournment had been outlined, however, should the Committee decide to deny the request for an adjournment, the Premises Licence Holder would remain.

It was confirmed that there were no further submissions or questions and the Committee retired to consider the request for hearing to be adjourned. All parties other than the

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Committee and officers from the Council's Legal and Democratic Services withdrew from the meeting whilst the Committee considered the request.

Subsequently all interested parties returned and the Chair announced the Committee's decision.

DECISION

ORDERED that the application submitted on behalf of the Premises Licence Holder for the meeting to be adjourned, due to the circumstances outlined above, be granted and that the meeting be adjourned to Tuesday, 5 October 2022 at 10.00am. The Chair highlighted that, should the Premises Licence Holder and/or his representative fail to attend, the meeting would proceed in their absence.