

LICENSING PANEL (361)**28TH DECEMBER 2016 at 10.00 am****PRESENT: COUNCILLORS: HUSSAIN, KEENS AND WORLDING****OFFICERS:** Amy Bacon, Licensing Manager's Representative
Eunice Lewis - Democracy & Scrutiny Officer
Clive Tobin – Solicitor and Clerk to the Panel
Ian Bartram – Trading Standards, Luton Borough Council**104. ELECTION OF CHAIR (REF: 1)****Resolved:** That Cllr. Hussain be elected Chair of Licensing Panel No. 361.**105. APPLICATION FOR REVIEW OF PREMISES LICENCE – INTERNATIONAL SUPERMARKET – 9 WELLINGTON STREET, LUTON. (REF: 5)****PRESENT****APPLICANT:** Ian Bartram – Trading Standards, Luton Council**APPLICANT'S****REPRESENTATIVES:** None present**PERSON MAKING****REPRESENTATIONS:** Alarengin Ltd & Mr. Mehmet Dogan (not present)

All parties present introduced themselves.

The Panel noted that the premises owners (current owner and the previous owner) were both absent from the hearing.

The Licensing Officer was requested to contact both the previous and current licence holders to enquire why there had been no representation. Following a brief phone call to Mr. Mehmet, the Officer reported shortly after 10.00am that Mr. Mehmet had advised that he had submitted a letter to the council offices on Friday 23rd December 2016. However due to the holiday period, the letter had not been received by the Licensing Office. The Officer explained that the content of the letter as advised by Mr. Mehmet was to inform officers that he wanted legal representation but had not been able to do so due to time constraints.

The Panel noted that the ownership of the premises had been transferred since the application for a review of the premises licence was made. Also Mr. Mehmet had mentioned in the telephone conversation with the Licensing Officer that he was unsure whose responsibility it was to attend the hearing.

The Clerk advising the Panel explained that the Panel had the right to adjourn the hearing to a fixed date. He advised Members to consider whether the council had

complied with the licensing hearings regulation and whether the invitation to attend had been sent within the time required under the Licensing Act.

In accordance with the Licensing Act 2003 (Hearings) Regulations 2005, Members considered whether the public interest in retiring to make their decision in private outweighed the public interest in holding their deliberations in public.

Following brief discussion by Members, the Panel determined that the public interest of retiring to make their decision in private outweighed the public interest in holding their deliberations in public. The representative from responsible authority and the Licensing Manager's representative left the room.

106. LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (REF: 6)

Resolved: That in accordance with regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005, the public and press be excluded from the meeting during consideration of the decision in relation to the report of the Acting Service Director , Environmental and Consumer Services (Ref: 5) as referred to in Minute No. 105/16.

107. LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (REF: 6)

Resolved: That the public and press be no longer excluded from the meeting.

108. APPLICATION FOR REVIEW OF PREMISES LICENCE – INTERNATIONAL SUPERMARKET – 9 WELLINGTON STREET, LUTON. (REF: 5)

The Licensing Officer confirmed that a letter was sent to the licence holder on 7th December 2016 advising of the details of the hearing.

Resolved: The Panel determined that in the current circumstances, it was appropriate to adjourn the hearing until Monday 16 January 2017 at 10.00 am to ensure attendance from the current licence holder, whose responsibility it was to either attend or send representation or witnesses to the hearing.

(Note: The meeting ended at 10.30 am)