

London Borough of Brent

Decision of the Alcohol and Entertainment Licensing Sub-Committee following a hearing
on 8th August 2018 at Brent Civic Centre, Engineers Way, Wembley HA9 0FJ

NOTICE OF DECISION

PREMISES

The Field
249 Neasden Lane
NW10 1QG

1. Members of the Sub-Committee

Councillors Ahmed (Chair), Chohan and Long.

2. The Application

The application is for a review of the premises licence held by Sharon Elizabeth Mullarkey and Aleta Dollin under section 51 of the Licensing Act 2003.

The application was brought by PC Michael Sullivan on behalf of the chief officer of police for the Metropolitan Police on the grounds of prevention of crime and disorder and public safety.

The Licensing Authority supports the review application.

3. Representation

The applicant was represented by PC Michael Sullivan.

The Licensing Authority was represented by Esther Chan.

Ms Dollin attended unrepresented.

4. The Hearing

At the start of the hearing Ms Dollin asked for an adjournment. An email had been sent on the 3rd August by her solicitor saying that Ms Dollin wanted a 2-week adjournment to give her time to properly prepare. The further statement from PC Sullivan had only been received on the 2nd August and Ms Dollin wanted to get the police report for one of the

incidents referred to as she disagreed with the way it was said to have happened in the statement. In addition, her solicitor was not available to attend the hearing. The police had been consulted and said they wanted the hearing to go ahead.

Ms Dollin explained to the sub-committee that, on the 2nd August, further paperwork was received from PC Sullivan. She did not agree with the way the allegation of the 7th July was portrayed in that statement and wanted to get the police report for that. She said a week's postponement would be sufficient.

In addition, Ms Dollin said her solicitor was going to send a stand-in to represent her today but had then decided he wanted to do himself. He is not available today.

In response to questions, Ms Dollin said she was not present on the 7th July and so could not effectively challenge what PC Sullivan said about that incident. Although she has not yet managed to download it, she has viewed the CCTV footage of that incident and could describe what it showed but she does not want to speak on her own. She said she needs a solicitor to speak on her behalf.

PC Sullivan objected to the adjournment application. The review application was submitted on the 18th June. He had met Ms Dollin beforehand and told her that was his intention. He was also not present on the 7th July and has taken the description in his statement from the crime report. Ms Dollin or her solicitor would therefore be able to challenge that evidence. He said he has still not seen the CCTV, although in fairness Ms Dollin had given him a CCTV stick last week but it does not capture the incident. He acknowledged it was regrettable that Ms Dollin's solicitor had not attended.

The sub-committee considered the application for an adjournment. They decided that it would not be right to continue today when Ms Dollin did not have a solicitor to represent her. Given the nature of the concerns set out in the review application, the sub-committee took the view that the application should be heard as soon as possible. They therefore adjourned the hearing for one week to the 15th August 2018 at 9am. They expect the hearing to be effective on that day.

Dated 9th August 2018