

6 October 2014
Meeting Commenced: 11.05am
Meeting Adjourned: 11.50am
Meeting Reconvened: 12.00 noon
Meeting Adjourned 12.10pm
Meeting Reconvened 2.10pm
Meeting Adjourned: 2.17pm

GENERAL LICENSING SUB-COMMITTEE

6 October 2014

Present: Councillors Hezelgrave, Jackson and Poulter

06/14 Appointment of Chair

Resolved to appoint Councillor Jackson as Chair of the General Licensing Sub Committee.

07/14 Apologies

There were no apologies.

08/14 Late Items to be Introduced by the Chair

There were no late items.

09/14 Declarations of Interest

There were no declarations of interest.

10/14 Application for the Review of a Premises Licence at Baltikum, 8A Becket Street, Derby DE1 1HT

The Sub Committee met to consider an application for a review of the Premises Licence at Baltikum, 8A Becket Street, Derby DE1 1HT. Mr Norgaila attended the meeting but indicated that he spoke very little English and would not be able to take part in the meeting without an interpreter. Mr Norgaila had not requested an interpreter prior to attending the meeting. At very short notice a Lithuanian interpreter was sourced. The meeting started and very quickly Mr Norgaila decided that he wanted to be represented by a solicitor and that he wanted an interpreter that did not live in Derby. This was because there was a very small Lithuanian community in Derby and he did not want people in the community to know his business.

The meeting adjourned to allow Mr Norgaila to contact his solicitor and for a different interpreter to be sourced. During this time the current interpreter along with a licensing officer went through the papers with Mr Norgaila to explain the contents of the report being considered by the Sub Committee.

The meeting reconvened. The Sub Committee was concerned that Mr Norgaila be given every opportunity to be heard and represented. Attempts had been made to source an alternative interpreter but this had been unsuccessful. With that in mind

and the need for Mr Norgaila to seek legal advice from a lawyer, the Sub Committee decided to apply Regulation 11 of the Hearing Regulations 2005 by deciding that it was in the public interest to adjourn a decision beyond the date specified in the Licensing Act. The adjourned date was specified as Friday 17 October 2014 at 10am at the Council House. On that day the Council would arrange an interpreter for the hearing, between today and that date the Sub Committee wanted to stress that Mr Norgaila must seek legal advice and/or representation. He should be aware that if he needed an interpreter while seeking legal advice it would be for him to meet that cost and the cost of the legal advice himself, it would not be for the council to pick up that cost.

During the adjournment Mr Norgaila had expressed a preference to use Flints Solicitors to represent him. Mr Idowu, had spoken to Flints Solicitors without giving any details and they had suggested that if Mr Norgaila contacted them today or tomorrow, they were satisfied that they could advise him and if necessary represent him on 17 October 2014. For the record the Council had not advised Mr Norgaila to go to Flints Solicitors, he had indicated that this was who he wanted to be represented by. Therefore the matter was adjourned until 17 October 2014 having triggered Regulation 11 of the Hearing Regulation 2005.

It was noted that on 17 October 2014 the matter would be determined whether Mr Norgaila was present at the meeting or not.

Resolved to adjourn the matter until 17 October 2014 at 10am having triggered Regulation 11 of the Hearing Regulations 2005.

MINUTES END