

LICENSING SUB-COMMITTEE (A)

HELD: 7 MARCH 2008

Start: 10.00 a.m.

Finish: 10.55 a.m.

PRESENT:

Councillors: Forshaw
M. Pendleton
Swiffen

Officers: Assistant Solicitor (JB)
Senior Licensing Officer (MM)
Member Services Officer (JAJ)

Retirement of Mr. J. Birchall, Assistant Solicitor

At the commencement of the meeting the Chairman announced the forthcoming retirement of Mr. Birchall on 31 March 2008. Led by the Chairman, the Members thanked him for his service to the Committee and wished him well in retirement.

34. APOLOGIES

There were no apologies for absence received.

35. MEMBERSHIP OF THE COMMITTEE

There were no changes to the membership of the Committee.

36. URGENT BUSINESS, IF ANY, INTRODUCED BY THE CHAIRMAN

There were no urgent items of business.

37. DECLARATIONS OF INTEREST

There were no declarations of interest.

38. DECLARATION OF PARTY WHIP

There were no declarations of Party Whip.

39. MINUTES OF MEETING OF LICENSING SUB-COMMITTEE (A) HELD ON FRIDAY 25 JANUARY 2008.

RESOLVED: That the minutes of the meeting held on the 25 January 2008 be received as a correct record and signed by the Chairman.

40. LICENSING COMMITTEE 2003 - HEARING PROCEDURE

The Chairman referred to the above procedure.

41. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph(s) 3 and 5 of Part 1 of Schedule 12A of that Act and as, in all the circumstances of the case the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

42. APPLICATION FOR A PERSONAL LICENCE

Consideration was given to a report of the Executive Manager Community Services (as contained on pages 295 to 316 of the Book of Reports) in relation to the above application in respect of which an objection notice had been given by the Police.

The Licensing Sub-Committee had regard to its Licensing Policy and to the Guidance issued under S.182 of the Act. It considered that the relevant objective under the Licensing Act on this occasion was the prevention of crime and disorder.

The Sub-Committee considered very carefully the representations from the Applicant and from the Police. They also referred, firstly to the relevant Section of the Licensing Act with regard to criminal records; and, secondly, to the guidance regarding exceptional circumstances. On this occasion the Sub-Committee were not satisfied that the Applicant had put forward exceptional and compelling circumstances to support his application.

Despite the discussion regarding the Applicant's spent convictions, the Sub-Committee made it clear that they had been disregarded in arriving at their decision. However, the declared conviction was a relevant offence for the purposes of the schedule to the Act to which the Sub-Committee are bound.

RESOLVED: That the application for a personal licence be refused due to the nature of the relevant offence committed by the Applicant which the Sub-Committee considered to be both serious and current.

- CHAIRMAN -