

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN
THE COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON FRIDAY 10 JUNE 2016, AT
2.00 PM

PRESENT: Councillor Jeff Jones (Chairman).
Councillors G Cutting and R Standley.

ALSO PRESENT:

Councillors R Brunton, Mrs R Cheswright,
G McAndrew, P Moore and P Ruffles.

OFFICERS IN ATTENDANCE:

Peter Agbley	- Licensing Officer
Robin Clark	- Licensing Enforcement and Community Safety Manager
Peter Mannings	- Democratic Services Officer
Oliver Rawlings	- Senior Specialist Licensing Officer
Mike Rowan	- Head of Legal and Democratic Services

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APPOINTMENT OF CHAIRMAN

It was proposed by Councillor G Cutting and seconded by Councillor R Standley that Councillor J Jones be appointed Chairman of the Licensing Sub-Committee for the meeting.

RESOLVED – that Councillor J Jones be appointed Chairman of the Licensing Sub-Committee for the meeting.

8 MINUTES – 2 JUNE 2016

RESOLVED – that the Minutes of the meeting held on 2 June 2016 be confirmed as a correct record and signed by the Chairman.

9 APPLICATION FOR A PERSONAL LICENCE 0874 –
APPLICANT WITH A RELEVANT CONVICTION

The Chairman outlined the procedure to be followed. All those present were introduced. The Senior Specialist Licensing Officer advised that the application was for a personal licence where there was a relevant conviction as detailed in paragraph 2.3 of the report submitted.

Members were advised that due to the applicant's imprisonment her conviction would not be spent until March 2017. The Senior Specialist Licensing Officer advised that the application would have been automatically granted after March 2017 as the conviction would have been spent and therefore no longer relevant to the application.

The Sub-Committee was advised that the police objection related to the prevention of crime and disorder and it was for the police to provide evidence that this licensing objective would be undermined if Members approved the application.

The Senior Specialist Licensing Officer advised that refusing the application would mean that the applicant could still work in licensed premises but could not be named as the Designated Premises Supervisor (DPS).

Officers from Hertfordshire Constabulary detailed the full nature of the applicant's offence and subsequent conviction. They referred to a section of the crime report that had been circulated to all parties. Members were advised that there was a well-established link between drug use and licensed premises and such links could quickly escalate and cause further drug use.

The police stated that the applicant had denied any wrong doing and this demonstrated the applicant's lack of responsibility. She had been convicted at court and her involvement should be considered as fact. The Sub-Committee should consider whether the applicant's apparent lack of willingness to take responsibility for her actions would cause Members to question her honesty and integrity.

The police concluded that the applicant appeared to be blind to the risks posed by the presence of controlled drugs. Members were advised that the Metropolitan Police operation in Hertfordshire had resulted in the seizure of 2.54 kg of cocaine with a street value of £114,000.

The applicant referred to her statements in support of her application. She acknowledged her involvement in the events that had resulted in her conviction. She stated that she was employed by Yardley Inns Limited and had 3 children between the ages of 19 and 26. She referred to the unfortunate incident that led to her involvement and subsequent conviction.

The applicant advised that in order to further her career she was seeking promotion beyond her current general management role. She stated that the premises were a quiet village inn in a country lane and she was now more aware of what to look out for as regards suspicious activity.

Councillor G Cutting questioned the applicant as to how her circumstances had changed in terms of how well equipped she was to deal with anyone she suspected of illegal activity. The applicant stated that she was now more wary, aware and vigilant and she would ask anyone she suspected of acting illegally to leave the pub. She had also warned her children.

In response to a further query from Councillor G Cutting,

the applicant explained that Yardley Inn signage was on display stating the type of behaviour that would not be tolerated. She stated that she had been found guilty by association with people who had also been convicted and she had not been involved in their activities.

Councillor R Standley asked the applicant whether she would ring the police if she suspected suspicious activity on the premises. The applicant confirmed that she would and made a final statement in support of her application. The Head of Legal and Democratic Services reminded Members that the applicant's involvement in illegal activity had been proved beyond reasonable doubt and could be considered as fact.

At the conclusion of the representations, the Sub-Committee withdrew with the Head of Legal and Democratic Services and the Democratic Services Officer to consider the application. Following this, they returned and the Chairman announced that the Sub-Committee had listened to the comments of the applicant, the Officers and the police as the responsible authority and had decided to refuse the application for a personal licence in order to promote the prevention of crime and disorder.

After listening to the evidence and the outstanding relevant conviction, Members felt that this undermined one of the licensing objectives. The Sub-Committee was not convinced that the applicant would promote the licensing objective of preventing crime and disorder.

The applicant had also not convinced the Sub-Committee that she had the necessary skills to prevent crime and particularly deal with any drug use taking place on the premises. Members hoped that the applicant continued to build her career with Yardley Inn's.

Finally, the applicant was advised that she should consider reapplying once her conviction was spent in March 2017 and she had the right of appeal to the

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magistrate's court within 21 days.

RESOLVED – that the application for a personal licence be refused for the reasons now detailed.

The meeting closed at 2.50 pm

Chairman

Date