

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON MONDAY 11 NOVEMBER
2019, AT 2.00 PM

PRESENT: Councillor D Andrews (Chairman)
Councillors R Bolton and C Wilson

OFFICERS IN ATTENDANCE:

Rebecca Dobson	- Democratic Services Manager
Brad Wheeler	- Senior Licensing and Enforcement Officer
Victoria Wilders	- Legal Services Manager

32 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor R Bolton and seconded by Councillor C Wilson that Councillor D Andrews be appointed Chairman for the meeting. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED – that Councillor D Andrews be appointed Chairman for the meeting.

33 EXCLUSION OF PRESS AND PUBLIC

Councillor D Andrews proposed, and Councillor C Wilson seconded, a motion to exclude the press and

public under the relevant legislation. After being put to the Sub-committee and a vote taken, the motion was declared CARRIED.

RESOLVED – that pursuant to Section 100 (A) (4) of the Local Government Act 1972 as amended, the press and public be excluded during consideration of the business referred to in Minute 34 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the said Act.

34 APPLICATION FOR A PERSONAL LICENCE - APPLICANT WITH RELEVANT CONVICTIONS

In response to a question by the Chairman, the applicant confirmed she had been sent a full copy of the report, but as she had not brought the papers with her, she was provided with a copy. The Chairman outlined the procedure to be followed. All those present were introduced.

The Senior Licensing and Enforcement Officer summarised the application which had been submitted, which was for a personal licence to sell or authorise the sale of alcohol from premises in respect for which there was a premises licence. The details contained in the Basic Disclosure submitted showed that the applicant had been convicted of a number of offences. The offences were relevant offences as defined by schedule 4 of the Licensing Act 2003.

The Senior Licensing and Enforcement Officer drew

Members' attention to the fact that where an applicant for a personal licence had a conviction for a relevant offence or a conviction for a foreign offence, the Licensing Authority was required to notify the Police, as a Responsible Authority. A valid objection from the Police had been received, which had necessitated the hearing being convened. The Senior Licensing and Enforcement Officer advised the Sub-Committee that they should consider whether the applicant had provided evidence which could be taken into account in determining whether the crime prevention objective would be undermined by granting the licence.

The Chairman invited the applicant to ask questions. She confirmed she did not wish to ask questions. The Chairman invited her to make representations.

The applicant said she appreciated the serious nature of her offences, and gave a summary of her current circumstances. She said in conclusion, that she wished to move on with her life, and asked that Members grant her the personal licence.

In response to Members' questions, the applicant summarised her current circumstances regarding supervision, but confirmed that her supervising officer had not submitted any representations in support of this application.

In response to further questions, the applicant said she would not re-offend, and described her current employment at licensed premises. She confirmed she wished to progress to a higher role with her employer. She answered a number of questions regarding the

responsibilities of a licence holder.

The Police representative confirmed she had no questions, and gave a statement explaining the Police objection to the application.

In response to Members' questions, the Police representative explained that they as a Responsible Authority were not satisfied the applicant would be able to uphold the licensing objectives, and considered she was not a suitable person to hold a licence in view of her convictions. In conclusion, the objection was as stated in the written representation the Police had submitted.

The Legal Services Manager confirmed that it was appropriate for the Sub-Committee to consider the application.

At the invitation of the Chairman, the applicant confirmed she had no questions for the Police and did not wish to challenge any aspect of what had been said. She said she simply wished to progress her career to the extent that she could earn a little more money, and did not wish to become a Designated Premises Supervisor. She enjoyed her job, and hoped to be granted the personal licence.

At the conclusion of the closing submissions, the Sub-Committee, the Legal Services Manager and the Democratic Services Manager withdrew to allow Members to consider the evidence.

Upon returning, the Chairman announced that

Members had listened with care to the evidence of all parties and could not detect that the applicant had a firm understanding as to the responsibilities of a licence holder. The Chairman said that it was clear that serious offences remained on the record, and that gave Members concern that granting this licence would undermine the licensing objective of protection of children from harm. The application was therefore refused.

RESOLVED – that the application be refused.

Reasons:

1. Members were not satisfied that the applicant had a firm understanding as to the responsibilities of a licence holder.
2. Serious offences remained on the record, which gave Members concern that granting the licence would undermine the licensing objective of the prevention of crime and disorder.

The meeting closed at 2.50 pm

Chairman

Date