

CENTRAL BEDFORDSHIRE COUNCIL

Record of Licensing Sub-Committee hearing convened under The Licensing Act 2003 (Hearings) Regulations 2005 on Monday, 10 February 2014

Licensing Sub-Committee Composition

Cllrs: Mrs A Barker (Chairman)
R D Berry
I Shingler

Members' Interests

There were no declarations of interest.

Name of Applicant

The Applicant's name is exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

Premises Address

None.

Name of Parties (including the applicant, observers and persons who have made any relevant representations together with any persons representing each party)

Cllr A Barker (Central Bedfordshire Council)
Cllr R D Berry (Central Bedfordshire Council)
Cllr I Shingler (Central Bedfordshire Council)

Cllr M A G Versallion (Central Bedfordshire Council) (Observer)

Mrs J Borthwick – Service Manager Public Protection (Central Bedfordshire Council)
Mr L Manning – Committee Services Officer (Central Bedfordshire Council)
Miss L McShane – Managing Solicitor (Central Bedfordshire Council)

Ms S McIntyre – Senior Solicitor (Central Bedfordshire Council) (Observer)

PC E Read – Licensing Officer (Bedfordshire Police)

Names of Parties submitting representations and indications of their representations

Bedfordshire Police objected to the application on the basis that the Applicant's five year rehabilitation period under the Rehabilitation of Offenders Act 1974 had not yet been spent.

Procedure for the Hearing of Applications under the Licensing Act 2003

The procedure for the hearing of applications made under the under the Licensing Act 2003 was noted.

The Four Licensing Objectives

The four Licensing Objectives were noted.

Personal Licences

An extract from chapter 4 of the amended guidance issued under Section 182 of the Licensing Act 2003 which provided advice relating to Personal Licences was noted.

Exclusion of Press and Public

It was resolved that in accordance with Section 100A of the Local Government Act 1972 the Press and Public be excluded from the meeting when considering the application for a Personal Licence on the grounds that consideration of the item was likely to involve the disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Act.

Application for a Personal Licence

The Sub-Committee considered a report from the Community Services Director which asked Members to determine an application for a Personal Licence, made under the Licensing Act 2003, to which an objection had been received from Bedfordshire Police.

The Service Manager Public Protection advised the Sub-Committee that the Applicant was unable to attend the Hearing for personal reasons. The Applicant was aware that the Hearing would proceed in his absence.

All parties present introduced themselves.

The Chairman outlined the procedure to be followed.

The Service Manager Public Protection introduced the Community Services Director's report. Copies of the Applicant's application form for a Personal Licence and the Bedfordshire Police document of objection in the form of an internal memorandum were attached to the report at Appendices A and B respectively.

The Chairman then invited Members to ask questions of the Service Manager Public Protection. The Service Manager Public Protection responded to Members' queries.

The Service Manager Public Protection had no points requiring clarification.

The Police Licensing Officer referred the Sub-Committee to the Bedfordshire Police internal memorandum which set out the Police objection. The Police Licensing Officer advised the meeting of additional background information.

The Police Licensing Officer and Service Manager Public Protection responded to queries from the Sub-Committee.

No summing up was offered by any party present.

The Sub-Committee adjourned in private to make its decision. The Managing Solicitor remained with Members in the meeting room to advise as necessary. The Hearing reconvened when the Sub-Committee had finished its deliberations and could announce its decision.

Decision

Following the consideration of the information before it the Sub-Committee decided that the application for a Personal Licence should be refused.

In coming to its decision the Sub-Committee took into account the following:

- The Licensing Act 2003
- The Secretary of State's Amended Guidance issued under Section 182 of the Licensing Act 2003 in June 2013
- Central Bedfordshire Council's Statement of Licensing Policy
- The merits of the application and the representations received including the objection made by Bedfordshire Police.

The Managing Solicitor informed the Hearing that if the Applicant was dissatisfied with this decision or the imposition of any condition or restriction he had the right of appeal to the Magistrates Court within 21 days of the date on which he was notified of the decision.

(Note: The meeting commenced at 10.00 a.m. and concluded at 10.24 a.m.)