

MINUTES
OF A MEETING OF THE
LICENSING SUB-COMMITTEE A

held on 16 September 2021

Present:

Cllr K Howard (Chairman)
Cllr M A Bridgeman (Vice-Chair)
Cllr G W Elson

Apologies for Absence: Councillor J Brown (Councillor G Elson attending as substitute)

1. ELECTION OF CHAIRMAN

Councillor K Howard was elected Chairman of the Sub-Committee for the remainder of the Municipal Year.

2. APPOINTMENT OF VICE-CHAIRMAN

Councillor M Bridgeman was appointed Vice-Chairman of the Sub-Committee for the remainder of the Municipal Year.

3. MINUTES

RESOLVED

That the minutes of the Sub-Committee held on 23 April 2019 be approved and signed as a true and correct record.

4. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

5. URGENT BUSINESS

There were no items of Urgent Business.

6. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting during consideration of minutes 7 and 8 in view of the nature of the proceedings that, if members of the press and public were present during this item, there would be disclosure to them of exempt information as defined in paragraph 4 of Part 1 of Schedule 12A, to the Local Government Act 1972.

7. ADJOURNMENT

The Chairman adjourned the meeting at 2.35pm due to the Sub-Committee waiting for parties participating in the hearing to arrive, and reconvened the meeting at 3.15pm.

8. REVIEW OF A PERSONAL LICENCE

The Sub-Committee had before it a report regarding an application for a new Personal Licence, for which an objection had been received from Surrey Police. The applicant attended the meeting, along with Lesley Sumner and Sergeant Sarah Wentworth (who was attending in an observing capacity) representing Surrey Police.

All parties present had a copy of the Licensing Committee's agreed procedure to be followed at Licensing Sub-Committee hearings. The Chairman introduced Members of the Sub-Committee and outlined the order of speaking which would be followed at the hearing.

The Licensing Authority's representative, Mr Laing, summarised the report that was before the Sub-Committee, stating that the applicant had submitted an application for a Personal Licence to the Licensing Authority on 12 August 2021, to which an objection had been received from Surrey Police on the grounds of the crime and disorder prevention licensing objective. The matter was therefore before the Sub-Committee for determination. None of the parties present had any questions for Mr Laing.

The Chairman gave the Applicant the chance to address the Sub-Committee, who stated that they had been working in hospitality since 2017 and had applied for the licence to progress their career, increase levels of accountability and serve the local community. Following questions from Members of the Sub-Committee, the Applicant set out the employers worked for during that time along with the current role as a General Manager for a hospitality business; advised a letter had been received from the current employer complementing the work undertaken; and had completed the course to hold a Personal Licence in 2019 prior to the pandemic.

The Chairman gave Lesley Sumner the opportunity to present the case from Surrey Police. The Sub-Committee was advised that the Applicant had been convicted of relevant offences which were not spent under the Rehabilitation of Offenders Act. Therefore Surrey Police had requested that the application be declined under the crime prevention licensing objective. Lesley Sumner set out the nature of the offences which had been very serious along with the concluding remarks of the Judge presiding the case. Following a question from Members of the Sub-Committee, it was stated that the offences were still relevant as they were within the unspent period of four years.

The Chairman asked the parties present for any Closing Statements. The Licensing Authority and Surrey Police had no further comments to make. The Applicant stated that they had made efforts to rehabilitate since the convictions and did not hold any CCJs, Child Protection Orders or Restraining Orders. The Applicant added that they would like to hold a Personal Licence when it was felt that the rehabilitation was complete.

The Chairman adjourned the meeting at 3.45pm. The Sub-Committee deliberated in private, requesting that the Council's Solicitor join them for the provision of legal advice, and re-assembled at 4.05pm.

The Chairman advised those present that the Sub-Committee had taken into account the written representations before it, the oral statements made at the meeting, the Council's Licensing Policy and national guidance. He stated that the decision of the Sub-Committee

was to refuse the application for a Personal Licence at this time, having regard to the licensing objective for the prevention of crime and disorder, noting that the criminal convictions remained unspent. There was the right of appeal to the Magistrate's Court within 21 days.

RESOLVED

That the application for a Personal Licence be declined.

The meeting commenced at 2.45 pm
and ended at 4.05 pm

Chairman: _____

Date: _____