

## LICENSING APPLICATIONS SUB-COMMITTEE 2 MINUTES - 30 JUNE 2016

Present: Councillors Woodward (Chair) and Livingston.

### 1. MINUTES

The Minutes of the meeting of Licensing Applications Sub-Committee 2 held on 19 May 2016 were confirmed as a correct record and signed by the Chair.

### 2. EXCLUSION OF THE PRESS AND PUBLIC

**Resolved -** That, in accordance with Regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005, members of the press and public be excluded during consideration of the following item of business on the grounds that the public interest in doing so outweighed the public interest in the hearing taking place in public.

### 3. APPLICATION FOR THE GRANT OF A PERSONAL LICENCE

The Head of Planning, Development and Regulatory Services submitted a report on an application for the grant of a personal licence.

The report set out a summary of the application and relevant documents were appended to the report.

The report stated that in determining the application, if the chief officer of police was satisfied that granting the licence would undermine the crime prevention objective, he must, within the period of 14 days beginning with the day he had received the notice under Section 120 (4) of the Licensing Act 2003, gave the authority a notice stating the reasons why he was so satisfied (an "objection notice"). Where no objection notice was given within that period (or the notice was withdrawn), the authority must grant the application. Having regard to the objection notice, the Licensing Authority must hold a hearing to consider the objection notice unless the applicant, the Chief of Police and the Authority agree that this was unnecessary; and having regard to the notice the Authority must reject the application if it considers it necessary for the promotion of the crime prevention objective to do so; and grant the application in any other case.

On 29 April 2016 the Licensing Section had received a notice of objection from Thames Valley Police in respect of the application, which was attached to the report at Appendix III.

The report also stated that the Council's Licensing Policy Statement set out that under the Act, Licensing Authorities would automatically grant applications for personal licences so long as the applicant was 18 years or over, had possession of the qualification determined by the Secretary of State, had not had a personal licence forfeited within five years of the date of application and had not been convicted of any relevant offence or any relevant foreign offence. Such applications would be dealt with by way of a purely administrative process within the Licensing Section. Thames Valley Police might make representations where the applicant had been convicted of a relevant offence or relevant foreign offence. In such cases the Licensing Sub-Committee would consider the matter and the application would be refused if the Sub-Committee decided that refusal was in the interest of the promotion of the prevention of crime objective. In all other cases the application would be granted.

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The applicant MC was not present at the meeting however his representations were taken into account. Mike King, Thames Valley Police, was present and addressed the Sub-Committee.

### Resolved -

That having reviewed the application for a personal licence in respect of MC and having had regard to the Licensing Objective for the prevention of crime and disorder and the oral and written representations made, the Secretary of State's guidance and the Council's Statement of Licensing Policy, the Sub-Committee concluded that it is appropriate and proportionate to refuse the grant of a personal licence for the following reasons:

- (a) the severity and seriousness of the offence;
- (b) not enough time has elapsed since the conviction;
- (c) the nature of the offence leads the Sub-Committee to conclude that the applicant does not have a responsible attitude towards the use of alcohol; and
- (d) the Sub-Committee considers that there is a serious propensity for further offences and has no confidence that the applicant would uphold the Licensing Objectives if granted a Licence.

### 4 APPLICATION FOR GRANT OF A PREMISES LICENCE - THE BOTANIST, KING STREET, READING

The Head of Planning, Development and Regulatory Services submitted a report on an application for the grant of a premises licence in respect of the Botanist, Unit 1, 1-5 King Street, Reading, RG1 2HB.

The Sub-Committee was informed that following agreement by the applicant to the proposed conditions, all representations made in respect of the application had been withdrawn and a hearing was therefore not required.

(The meeting started at 9.42am and finished at 10.10am)