

LICENSING, ENVIRONMENT & SAFETY SUB-COMMITTEE B

Meeting: 9 January 2025

At: 6.00 pm

PRESENT

Councillor Helen Foster-Grime (Chair) in the chair; Councillors Asa Caton and Pete West.

1. MINUTES

The minutes (copies of which had been circulated) of the meeting held on 4 December 2023 were approved as a correct record and signed by the chair.

2. DECLARATIONS OF INTEREST

Councillors and officers were invited to declare any interests which they had in any of the items on the agenda for the meeting.

No declarations of interest were made.

3. PUBLIC QUESTION TIME

Members of the public were invited to put questions to the Chair on any matters in the powers or duties of the Sub-Committee, subject to the exclusions set out within the Code of Practice.

No public questions were submitted.

4. EXCLUSION OF THE PUBLIC AND PUBLIC INTEREST TEST

RESOLVED - That the press and public be excluded from the meeting for consideration of agenda item 5 'Licensing Act 2003: to consider a personal licence' as containing information 'not for publication' in accordance paragraphs 1 and 2, Schedule 12a of the Local Government Act 1972 (containing information relating to an individual or likely to reveal the identity of an individual).

5. TO CONSIDER A PERSONAL LICENCE

A representative of the Director of Place Management submitted a report (copies of which had been circulated) requesting that the Sub Committee consider the suspension or revocation of a personal licence following the licence holder's conviction for a relevant offence.

In accordance with Section 132A of the Licensing Act 2003, the Licensing Authority was notified that the personal licence-holder had been convicted of a relevant offence as defined in Schedule 4 of the Act. It was noted that the Licensing Authority had served 28 days' notice on the personal licence-holder that it was considering the suspension or revocation of the personal licence and provided them with several opportunities to make relevant representations.

However, no such representations had been made in advance of the hearing. The personal licence-holder was also informed several times of the opportunity to attend the hearing and make any such representations in person. The licence-holder had both failed to notify the Licensing Authority of their intention to attend the hearing, or subsequently attend the hearing to make such representations.

In accordance with the provisions of Section 20(2) of the Licensing Act 2003 (Hearing) Regulations 2005, the Sub Committee agreed to continue to hold the hearing in the absence of the licence-holder.

A representative from the Licensing Authority attended the meeting and answered questions in relation to the application, and also made the Sub Committee aware that two identical personal licences were issued to the personal licence-holder due to an administrative error, and as such any action taken by the Sub Committee should apply to both licences.

The Sub Committee, having heard all of the evidence, proceeded to consider the prevention of crime and disorder and public safety licensing objectives in respect of the application, together with the relevant parts of Stockport Council's Licensing Policy and the Licensing Act 2003. The decision was reached on consideration of all the available evidence given in relation to this specific application, including a statement from Merseyside Police.

It was then

RESOLVED – That, having heard all the evidence presented, and having considered the licence-holder's relevant and recent conviction for a serious relevant offence, the Sub Committee determined that both of the licence-holder's personal licences should be revoked on the grounds that to continue to allow the licence-holder to hold either of the personal licences would undermine and not promote the prevention of crime and disorder, public safety and protection of children from harm licensing objectives; and the nature of the offence was so serious that suspension was not a reasonable alternative sanction. The Sub-Committee was of the view that as the licence holder had not submitted a representation in advance of the hearing and had failed to attend, they could not be assured that the licence holder had any mitigating evidence to suggest that the licensing objectives would be upheld and promoted in the future.

The meeting closed at 6.46 pm