

Appendix 3: Copy of Objection Notice served by Devon and Cornwall Police on 14 October 2022

From: SMART Julie 50403 <Julie.SMART@devonandcornwall.pnn.police.uk>
Sent: 14 October 2022 16:20
To: Licensing <Licensing@torbay.gov.uk>
Subject: JOANNE HAYDEN - APPLICATION FOR A PERSONAL LICENCE

Good afternoon

I refer to an application for a Personal Licence submitted by Joanne Hayden, your reference SRU/272165 refers.

Please accept this email as an objection notice under Section 120 of the Licensing Act 2003, on the following grounds:

On 1 March 2019 police officers executed a warrant under the Misuse of Drugs Act 1971 at Ms Hayden's home address of [REDACTED] where they found a cannabis grow (CR/18569/19 refers). Ms Hayden was subsequently interviewed and charged with a drugs offence. On 23 September 2020 Ms Hayden appeared at the South and West Devon Magistrates Court where she was convicted of an offence of Permit Production/Attempted Production on premises, of a controlled drug Class B Cannabis, under Section 8(a) of the Misuse of Drugs Act 1971. Ms Hayden subsequently appeared at Exeter Crown Court on 26 November 2020 where she was sentenced to a conditional discharge of 3 years, and costs of £750.

Permitting activities to take place on premises under Section 8 of the Misuse of Drugs Act 1971 is a relevant offence under Schedule 4, Section 113(7)(d) of the Licensing Act 2003.

The Rehabilitation of Offenders Act 1974 states that the period for a conditional discharge to become spent is the length of the order, from the date of conviction. This means that this conviction will become spent on 22 September 2023.

As Ms Hayden has a current, relevant conviction for a drug related offence, which will not become spent for another 11 months, I do not consider her to be an appropriate person to hold a Personal Licence. Drug use and supply is prevalent within licensed premises, therefore I expect all Personal Licence holders to take positive action in respect of drug related issues and Ms Hayden's conviction for permitting her premises to be used for the production of drugs demonstrates that she does not have a responsible attitude in respect of controlled drugs.

I am satisfied that the granting of a Personal Licence to Ms Hayden would undermine the crime prevention objective.

Should you require any further information, please do not hesitate to contact me.

Kind regards



Julie Smart

Alcohol Licensing Officer - Torbay

Tel: 07921 933974

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Prevention Department

Devon and Cornwall Police, Police Station, South Street, Torquay, TQ2 5EF

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