

Minutes of the Licensing Sub-Committee

17 November 2022

-: Present :-

Councillors Ellery, Barbara Lewis and Chris Lewis

40. Election of Chairman/woman

Councillor Ellery was elected as Chairman for the meeting.

41. Apologies

It was reported that the membership of the Sub-Committee had been amended for this meeting by including Councillor Chris Lewis instead of Councillor Atiya-Alla.

42. Minutes

The Minutes of the meeting of the Sub-Committee held on 29 September 2022 were confirmed as a correct record and signed by the Chairman.

43. Licensing Act 2003 - Determination of an application for a new Personal Licence

Members considered a report on an application for a Personal Licence.

Written Representations received from:

Name	Details	Date of Representation
Police	Representation objecting to the application for a Personal Licence on the ground of 'The Prevention of Crime and Disorder'.	14 October 2022

Oral Representations received from:

Name	Details
Applicant	The Applicant outlined their application for a Personal Licence and responded to Members questions.
The Police	The Police outlined their representation and responded to Members questions.

Decision:

That Miss Joanne Louise Hayden's application for a Personal Licence be refused.

Reasons for Decision:

Having carefully considered all the written and oral Representations, Members resolved unanimously to refuse the application, noting that Miss Hayden's conviction was not yet spent, and in the absence of a persuasive argument or justification that would give them just cause to depart from the legislation regarding relevant convictions, when considering the suitability and responsibility of a Personal Licence Holder.

Members further noted that Miss Hayden was sentenced by the Crown Court which indicated, in their opinion, the seriousness of the offence and the likely scale of the production of a controlled drug, despite Miss Hayden's assertion that she was not aware of or the scale of the production on her premises and that she could not smell the controlled drug. Members concluded that the pungent nature of the controlled drug in question, would have been overwhelming and found cause to doubt Miss Hayden's account in this regard.

In conclusion, Members could not be satisfied on the written and oral evidence before them, that Miss Hayden was an appropriate person to hold a Personal Licence at this stage and in granting this application, would in their opinion, risk the 'Prevention of Crime and Disorder' Licensing Objective being undermined.

Chairman/woman
