

LICENSING SUB-COMMITTEE
13th November, 2007

PRESENT – Councillors Hartley, Hughes and Lawton..

(3)

LS10. ELECTION OF CHAIR – RESOLVED – That Councillor Hartley be appointed Chair for this meeting only.

LS11. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

LS12. EXCLUSION OF PUBLIC AND PRESS - RESOLVED - That, pursuant to Sections 100A(4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the ensuing item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraphs 1 and 7 of Part I of Schedule 12A to the Act.

LS.13. APPLICATION FOR PERSONAL LICENCE - The Director of Development and Environment submitted a report (previously circulated) to consider a contested application for a personal licence from Mr. Philip Allan Burns.

As a result of this application representation had been received from Durham Constabulary and Sgt. Tim Kelly from Durham Constabulary addressed the Committee and responded to Members questions. Mr. Burns also addressed the meeting and responded to Members' questions.

The Sub-Committee considered the application for a personal licence in accordance with the Schedule 4 to the Licensing Act 2003 in relation to Personal Licence Relevant Offences, Guidance issued Under Section 182 of the Licensing Act 2003 (Hearings) Regulations 2005.

Members referred to the Secretary of State's Guidance, issued under Section 182 of the Licensing Act 2003 in relation to Personal Licences, which made it clear that the application should be refused unless there were exceptional and compelling circumstances to justify granting the application. Members determined that as no evidence of such circumstances had been provided to them the application should be refused. Members advised that they were aware of Mr. Burns disappointment at the outcome and advised that he may wish to consider a further application in 2011 when his offence would be spent.

RESOLVED – That the application be refused.