

LICENSING SUB-COMMITTEE
9th June, 2008

PRESENT – Councillors Dunstone, Hartley and Vasey. (3)

LS12. ELECTION OF CHAIR – RESOLVED – That Councillor Hartley be appointed Chair for this meeting only.

LS13. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

LS14. EXCLUSION OF THE PUBLIC – 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 items on the grounds that they involve the likely disclosure of exempt information as defined in exclusion paragraphs 1 and 7, of Part I of Schedule 12A to the Act.

LS15. APPLICATION FOR PERSONAL LICENCE (EXCLUSION PARAGRAPH NOS. 1 AND 7) – The Director of Corporate Services submitted a report (previously circulated) to give consideration to a contested application for a Personal Licence.

The Sub-Committee were advised that the applicant was unable to attend the hearing due to illness and had requested an adjournment, however they did confirm with Officers that she had nothing further to add to her application. Members agreed to hear the application in the absence of the applicant.

As a result of this application representation had been received from Durham Constabulary, and Police Inspector C. Dawson and Ms. C. Angus, Licensing Officer with Durham Constabulary addressed the Committee and responded to Members Questions. They also addressed the points for clarification.

The Sub-Committee considered the application in accordance with Guidance issued Under Section 182 of the Licensing Act 2003 (Hearings) Regulations 2005 and in accordance with the “Licensing Sub-Committees – Full Hearing Procedure for Applications for Personal Licences where Representations have been received”.

Members referred to the Secretary of State’s Guidance Paragraph 4.9 made under Section 182 relating to Personal Licence Applications where the Police have issued an objection, 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.

RESOLVED – That the application be refused.