

LICENSING SUB-COMMITTEE
9th December, 2008

PRESENT – Councillors Dunstone, Hartley and Nutt.

(3)

LS37. ELECTION OF CHAIR – RESOLVED – That Councillor Nutt be appointed Chair for this meeting only.

LS38. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

LS39. 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.

LS40. 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 in light of representations from a Responsible Authority (Durham Constabulary).

As a result of this application representation had been received from Durham Constabulary, and Sergeant Tim Kelly from Durham Constabulary addressed the Committee and responded to Members Questions. They also addressed the points for clarification. The applicant and a representative addressed the Committee and responded to questions.

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 no evidence of such circumstances had been provided to them and that the Police had demonstrated that to grant the licence would undermine the crime and disorder objective; therefore, the application should be refused.

RESOLVED – That the application be refused.