

LICENSING ACT 2003 SUB COMMITTEE

Wednesday, 26 July 2023

PRESENT – Councillors Mrs Culley, Kane and K Nicholson

OFFICERS IN ATTENDANCE – Colin Dobson (Licensing Manager), Amy Wennington (Principal Lawyer (Litigation)), Brian Murray (Assistant Licensing Manager), PC Alan Newcombe (Durham Constabulary) and Hannah Miller (Democratic Officer)

LS1 ELECTION OF CHAIR

RESOLVED – That Councillor K Nicholson be elected as Chair for the purposes of this Sub-Committee.

LS2 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

LS3 EXCLUSION OF THE 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 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 1 of Schedule 12A to the Act.

LS4 REVIEW OF A PERSONAL LICENCE HOLDERS LICENCE

The Group Director of Services submitted a report (previously circulated) to consider a review of a personal licence holders licence in light of a conviction of a relevant offence.

Present at the meeting were Colin Dobson, Licensing Manager; Brian Murray, Assistant Licensing Manager; Amy Wennington, Lawyer; PC Alan Newcombe, Durham Constabulary; and Hannah Miller, Democratic Officer.

The Assistant Licensing Manager introduced the application to review the personal licence and Members were provided with additional information from Durham Constabulary in relation to further offences.

Members listened carefully to the representations made by the personal licence holder.

The Sub-Committee considered the views in accordance with guidance issued under Section 132A of the Licensing Act 2003, the Council's Licensing Policy in relation to the Licensing Act 2003; and guidance issued under Section 182 of the Licensing Act 2003.

In arriving at their decision, Members considered all of the information provided and concluded that in light of the further offences and as the licence holder had been dishonest by failing to inform the court of their personal licence and by failing to inform the Assistant Licensing Manager of a further offence, that the personal licence be revoked.

RESOLVED – That the personal licence be revoked in accordance with section 132A of the Licensing Act 2003.