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# LICENSING SUB COMMITTEE

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**Monday, 20th November, 2023**

**Present:** Councillor Terry Hurn (in the Chair), Councillors Heather Anderson and Joyce Plummer

## Apologies

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### 211 Apologies for absence, Substitutions, Declarations of Interest and Dispensations

There were no apologies for absence, substitutions, declarations of interest or dispensations submitted at the meeting.

### 212 Minutes of the Last Meeting held on 20th July 2023

The Minutes of the Last Meeting of the Licensing Sub-Committee, held on 20<sup>th</sup> July 2023, were submitted for approval as a correct record.

**Resolved** - **That the Minutes be received and approved as a correct record.**

### 213 Exclusion of the Public

**Resolved** - **That, in accordance with Section 100A(4) Local Government Act 1972, the public were excluded from the meeting during the following item, when it was likely, in view of the nature of the business to be transacted, or the nature of the proceedings, that there would otherwise be disclosure of exempt information within the Paragraphs at Schedule 12A of the Act, specified at the item.**

### 214 Licensing Act 2003 Determination Hearing - Personal Licence Holder

*(Exempt information under the Local Government Act 1972, Schedule 12A, Paragraph 3 – Information relating to the financial or business affairs of any particular person)*

The Licensing Manager submitted a report to advise the Licensing Sub-Committee of information submitted by Merseyside Constabulary about a personal licence holder's relevant convictions for the purposes of Schedule 4 of the Licensing Act 2003. Members were requested to consider the information submitted and determine appropriate action.

The Licensing Sub-Committee considered the representations made by Merseyside Police and were informed that the Licensing Authority had attempted to contact the licence holder at two addresses but there had been no response to their letters and therefore, no representations submitted.

**Resolved** **(1) That, the Licensing Sub-Committee considered the facts before them and after careful consideration determined that the licence holder was not a fit and proper person and the personal licence**

should be revoked.

- (2) The Licensing Sub-Committee determined that the personal licence should be revoked due to the following reasons:
- the licence holder had a duty under Section 132(1)(a) of the Licensing Act 2003 to notify the Licensing Authority of a conviction for a relevant offence and had failed to do so.
  - the licence holder had repeatedly failed to engage with the Licence Authority.
  - the licence holder was in a Designated Supervisor position, which was a position of trust and, therefore, should set an example to staff. It was considered that a person who had committed these types of offences would not be suitable to be in control of licensed premises and there would be potential for all four of the licensing objectives to be undermined.
  - the Licensing Sub-Committee considered that it was important to show that they would not accept this type of behaviour and that a precedence should be set.

Signed:.....

Date: .....

Chair of the meeting  
At which the minutes were confirmed