

LICENSING SUB-COMMITTEE
11th March, 2021

Present:- Councillor Ellis (in the Chair); Councillors Beaumont and Jones.

17. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That under Section 100(A) 4 of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006 (information relating to an individual).

18. CONSIDERATION OF A REVIEW OF A PERSONAL LICENCE IN ACCORDANCE WITH SECTION 138 OF THE POLICING AND CRIME ACT 2017 WHICH AMENDED THE LICENSING ACT 2003

Consideration was given to a review of a personal licence in accordance with Section 138 of the Policing and Crime Act 2017 which amended the Licensing Act 2003.

The Authority had been made aware that the Personal Licence Holder had been convicted of 2 offences for which he had received a prison sentence. He had also accepted a Police Caution following a further incident.

Section 128 of the Licensing Act 2003 required Personal Licence Holders to notify the Court that they were the holder of a Personal Licence. The appellant had not done so nor had he disclosed the offence to Rotherham's Licensing Service, the Authority where the Personal Licence had been granted, as required by Section 132 of the Licensing Act 2003.

A letter had been received from Avon and Somerset Police advising the Licensing Service of the offences as listed under Schedule 4 of the Licensing Act 2003 which would undermine the prevention of crime and disorder.

Although the appellant was no longer the Designated Premise Supervisor where he was employed, he still retained his role as a Personal Licence Holder for the premises.

The Rehabilitation of Offenders Act 1974 provided that the appellant's rehabilitation period was current and did not expire until 21st May, 2021.

The Personal Licence Holder, with the assistance of an interpreter, presented an explanation for the offences.

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The Sub-Committee gave due consideration to the review of the Personal Licence and the written submission from Avon and Somerset Police.

Resolved:- That the Personal Licence be revoked.