

CITY OF DONCASTER COUNCIL

LICENSING SUB-COMMITTEE

FRIDAY, 13TH OCTOBER, 2023

A MEETING of the LICENSING SUB-COMMITTEE was held at the COUNCIL CHAMBER, CIVIC OFFICE, WATERDALE, DONCASTER DN1 3BU on FRIDAY, 13TH OCTOBER, 2023, at 10.00 am.

PRESENT:

Chair - Councillor Dave Shaw

Councillors Nick Allen, Bev Chapman and Martin Greenhalgh

27 TO CONSIDER THE EXTENT , IF ANY, TO WHICH THE PUBLIC AND PRESS ARE TO BE EXCLUDED FROM THE MEETING.

RESOLVED that the public and press be excluded from the remaining proceeding of the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972, as amended, on the grounds that exempt information, as detailed in Paragraph 1 (information relating to any individual) of Part 1 of Schedule 12A to the Act, was likely to be disclosed.

28 DECLARATIONS OF INTEREST, IF ANY.

There were no declarations reported at the meeting.

29 MINUTES OF THE MEETINGS HELD ON 15TH SEPTEMBER AND 20TH SEPTEMBER, 2023.

RESOLVED that the minutes of the meetings held on 15th and 20th September, 2023 be approved as a correct record and signed by the Chair.

30 LICENSING ACT 2003 - APPLICATION FOR A PERSONAL LICENCE. (EXCLUSION PARAGRAPH 1, INFORMATION RELATING TO AN INDIVIDUAL).

The Sub-Committee considered an application for Personal Licence. At the commencement of the hearing, the Chair welcomed all parties to the meeting, and outlined the procedure to be followed.

The Sub-Committee Members, the Applicant, and the persons making representations had received a copy of the agenda prior to the meeting. The Senior Licensing Practitioner introduced the report and outlined the key points in relation to the application.

The Applicant and those objecting to the application attended the meeting made representations and answered questions. All parties were then asked to leave the meeting, whilst the Sub-Committee deliberated on the application and reached a decision.

All parties were invited back into the meeting and informed of the Sub-Committee's decision.

RESOLVED having considered the application for a Personal Licence and have taken into account the representations made and the evidence presented today, the steps that are appropriate to promote the Licensing Objectives, the Home Office Guidance and Statement of Licensing Policy and decided to reject the application for the purpose of promoting the licensing objective of preventing crime and disorder.

The Committee noted the background details around the conviction. The Applicant provided details of his previous employment and outlined what he had received the conviction for. The Applicant said that he was very remorseful, but he was in a 'bad place' mentally. He stated that this was his first conviction and it had helped him as he had been able to access support for his mental health.

The Objectors solicitor asked the Applicant if this had been his first conviction, the Applicant confirmed that he did have a conviction, but it was spent. The objector's solicitor pointed out that they only asked this of the Applicant because he had indicated this was his first conviction.

The Applicant was also asked whether he had read the declaration at page 21 of the agenda which stated that it was an offence to make a false statement, the Applicant confirmed that he had, but he had been advised by 'Get Licence' that he did not have to include the conviction.

The Committee were very concerned at how recent the conviction was, with this not been spent until 2025 and for being an offence of dishonesty. The Committee was also concerned that the Applicant had failed to disclose the conviction on his licence application, he had been ill-advised and ought to have checked with the Council's Licensing team if he had doubts. The Committee were disappointed that the Applicant stated this had been his first conviction when it transpired it was not.

The Committee were not satisfied that granting the licence would promote the licensing objective of preventing crime and disorder.

CHAIR: \_\_\_\_\_

DATE: \_\_\_\_\_