

# Statutory Licensing Sub-Committee B

Friday, 6 October 2006

**Present:** Councillor Edward Smith (Chair), Councillors Thomas Bedford and Marion Lowe

## 06.SLB.26 DECLARATIONS OF ANY INTERESTS

None of the Members present declared an interest in respect of the item included on the agenda.

## 06.SLB.27 EXCLUSION OF THE PUBLIC AND PRESS

**RESOLVED – That the public and press be excluded from the meeting for the following item of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 4 of Part 1 of Schedule 12A of the Local Government Act 1972.**

## 06.SLB.28 LICENSING ACT 2003 - APPLICATION FOR PERSONAL LICENSE - MR MSH

The Director of Customer, Democratic and Legal Services submitted a report requesting the Sub-Committee to determine a personal application for the grant of a personal licence in respect of Mr MSH.

The report indicated that Mr MSH had applied on 15 August 2006 for the grant of a personal licence. Mr MSH had been convicted of a relevant offence as defined by Schedule 4 of the Licensing Act 2003.

Lancashire Police in accordance with Section 120(5) of the Licensing Act 2003 had objected to this application on the grounds that the conviction would undermine the licensing objectives.

The applicant along with his legal representative attended the meeting giving an explanation as to the reasons why and the circumstances of his receiving the conviction.

The Sub-Committee raised a number of issues with the applicant and the Police representative and considered all the written and verbal evidence in the interest of the provision of the Council's adopted Statement of Licensing Policy and Government Guidelines. After taking account of the representations and relevant factors the Sub-Committee arrived at the following unanimous **DECISION:**

The Licensing Sub-Committee considered the written and verbal representations submitted and made by and on behalf of both the applicant and Lancashire Police.

The Committee is aware of its obligations under Section 4 of the Licensing Act 2003 and in relation to the application before us whether granting the application would undermine the crime and prevention objective.

We have also considered the guidance issued under Section 182 of the Act together with the Council's Statement of Licensing Policy. We note that Paragraph 10 of the report prepared for this meeting makes reference to Paragraph 25.3 of the Council's Statement of Licensing Policy, however, we consider Paragraph 26 to be relevant.

We have formed the view that Mr MSH has had a good clean record in the licensing trade and is of a sound responsible character and that we were informed by him that this incident was a one-off exception.

The Committee is therefore confident in granting him a Personal Licence.

Chair