



**MINUTES of
LICENSING SUB-COMMITTEE
4 NOVEMBER 2020**

PRESENT

Purpose of the Hearing: To consider an application for a Personal Licence, under the provisions of the Licensing Act 2003

Councillors: M G Bassenger, M F L Durham, CC, Mrs J C Stilts and Mrs M E Thompson

**Representing the
Licensing Sub-
Committee:** Ms Lacey Latimer, Licensing Officer
Mr Simon Quelch, Solicitor to the Council
Miss Tara Bird, Committee Clerk

Applicant: Present

Interested Party None

Responsible Authorities: Mr G Burke, Essex Police County Licensing Officer

In Attendance: Councillor W Stamp

1296. TO APPOINT A CHAIRMAN FOR HEARING

RESOLVED that Councillor M F L Durham be appointed Chairman for the meeting.

IN THE CHAIR: COUNCILLOR M F L DURHAM

1297. CHAIRMAN'S NOTICES

The Chairman welcomed everyone to this remote meeting of the Licensing Sub-Committee, held under new regulations which had come into effect in response to the COVID-19 situation. The Chairman then went through some general housekeeping arrangements for the meeting.

A roll call of those Members present was taken.

1298. APOLOGIES FOR ABSENCE

There were none.

1299. DISCLOSURE OF INTEREST

Councillor M F L Durham declared a non-pecuniary interest as he was employed in the licensing trade for nearly 40 years and held a personal licence since 1995.

1300. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that under Section 100A(4) of the Local Government Act 1972 and Regulation 14 of the Licensing Act 2003 (Hearings), 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 Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Act and that this satisfies the public interest test.

1301. LICENSING ACT 2003: APPLICATION FOR A PERSONAL LICENCE

The Chairman sought confirmation that all present were in possession of and had read the report of the Director of Service Delivery along with Appendices A and B. Introductions were made at this point.

The Licensing Officer outlined the application for a Personal Licence and referred Members to the representation received from Essex Police (attached at Appendix B to the report).

The Chairman then outlined the procedure that would be followed at the meeting and invited Mr Burke from Essex Police (responsible authority) to make an opening statement.

Mr Burke referred the Committee to the letter submitted (Appendix B) and advised he had nothing further to add. At this point Members of the Committee were given the opportunity to raise questions to Mr Burke to which he responded.

The Chairman then invited the Applicant to make an opening statement. The Applicant referred to his submitted application and provided the Committee with further details. He advised that he would not be calling any witnesses.

Members of the Committee were given the opportunity to raise questions to the Applicant to which he responded.

The Chairman invited the Applicant to make a closing statement.

The applicant made a statement and asked the Committee to positively consider his application.

The Chairman then invited Mr Burke to make a closing statement. Mr Burke confirmed he had nothing further to add.

On confirmation of there being no further question or statements, the Chairman thanked everyone present for their contributions and advised that the meeting would now close. The Committee would then consider the evidence and representations made before reaching its decision. All parties would be notified of the decision within five working days of this hearing.

The Chairman advised that appeal against the review decision may be made within 21 days of the notification of the decision by the Licensing Sub-Committee, licence holder, Environmental Health or any other person making relevant representation.

1302. POST COMMITTEE DECISION

The Sub-Committee considered the representations of the applicant and Mr Burke carefully in relation to the Licensing objectives.

By a majority the Sub-Committee concluded that a personal licence should not be granted to the Applicant based on the representations from Essex Police.

RESOLVED that the application be dismissed.

All parties have a right of appeal to the Magistrates' Court, against this decision. An appeal must be commenced by giving notice of appeal to Essex Magistrates' Court, Osprey House, Hedgerows Business Park, Colchester Road, Springfield, Essex, CM2 5PF, within the period of 21 days beginning from the receipt of this letter.

There being no further items of business the Chairman closed the meeting at 9.56 am.

M F L DURHAM CC
CHAIRMAN