

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING SUB-COMMITTEE

HELD ON THURSDAY 29 NOVEMBER, 2012 AT 10.00 A.M.

IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PRESENT: Councillors

Snape, P.A. (Chairman)

Anslow, C. Fisher, P.

Applicant:

Miss K.L. Rogers

Representing the Licensing Authority:

Mr. S. O'Meara, Senior Licensing Officer, Environmental Health, Cannock Chase Council

Mr. D.P. Davies, Food and Safety Manager, Cannock Chase Council

Responsible Authority:

Sgt Carsley, Staffordshire Police

Legal Advisor to the Committee:

Mr. S. Turner, Solicitor

Secretary to the Committee:

Mrs. J. Hunt, Senior Committee Officer

9. Appointment of Chairman

Councillor P.A. Snape was appointed Chairman for the meeting.

10. Apologies and Reconstitution of Membership

The Chairman informed all parties that the Council would only allow licensing decisions to be taken by a minimum of three Councillors. In the event of one Member being unable to attend, their place would be substituted by another Member taken from the membership of the full Licensing/Public Protection Committee. In the event of this substitution taking place, all parties would be informed of the change of membership at the beginning of the hearing.

11. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

No declarations of interests were received.

12. Exclusion of the Public

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in paragraph 2, Part 1, Schedule 12A of the Local Government Act, 1972 (as amended).

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PART 2

13. Application for a Personal Licence

Consideration was given to the Not for Publication Report of the Head of Environmental Health (Enclosure 4.1 – 4.12 of the Official Minutes of the Council).

The Chairman asked all parties to introduce themselves and to confirm their understanding of the procedure and explained that each party would have an equal amount of time in which to present their case.

At this point the Committee were asked to consider additional information which had been submitted by Staffordshire Police. The Chairman agreed to adjourn the meeting whilst the Committee considered the information.

On the Committee re-convening the Officer of the Licensing Authority presented the report in respect of this matter. He outlined the relevant issues for consideration.

The Objector, Applicant then Members of the Sub-Committee were given the opportunity to ask questions of the Officer of the Licensing Authority.

The Applicant was then afforded the opportunity to put her case.

The Objector and Members of the Sub-Committee were given the opportunity to ask questions of the Applicant.

The Objector was then afforded the opportunity to put the Responsible Authorities case.

The Applicant, Members of the Sub-Committee and Officer of the Licensing Authority were given the opportunity to ask questions of the Objector..

All parties were then afforded the opportunity to sum up their cases.

The Committee then deliberated in private accompanied by the Council's Legal Adviser and Secretary to the Committee.

RESOLVED:

That, after hearing the evidence submitted and the representations made by the Applicant, Staffordshire Police and having considered the matters set out in the report of the Head of Environmental Health, the application for a Personal

Licence be refused.

Reasons for the Decision

- i) The applicant's demeanour and attitude before the Committee, and her answers to questions evidenced that she was not a suitable person to hold a personal licence, and that she was unlikely to be able to cope with the demands of working with the public. In particular the Committee had concerns about the applicant's ability to deal appropriately with difficult persons who had consumed excessive alcohol.
- ii) Given the above, and the applicant's current conviction, the Committee was satisfied that the granting of a personal licence to the applicant would undermine the licensing objective relating to the prevention of crime and disorder.
- iii) The Committee had regard to the statutory guidance concerning personal licences, and to the Council's Licensing Policy.

CHAIRMAN

(The meeting closed at 10.55 am).