

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee B

Date: Wednesday, 26th June, 2019

Place: Darwin Room - Tickfield

Present: Councillor H McDonald (Chair)
Councillors S Habermel and A Thompson

In Attendance: A Penn, E Anakwue and T Row

Start/End Time: 2.00 p.m. - 2.45 p.m.

107 Apologies for Absence

There were no apologies for absence.

108 Declarations of Interest

Councillor Thompson declared a non-pecuniary interest in Agenda Item No. 4 (Application for Revocation of Personal Licence) on the grounds that the solicitor acting on behalf of the respondent had acted for him on an employment issue.

109 Exclusion of the Public

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

110 Application for revocation of Personal Licence

The Sub Committee considered a report of the Deputy Chief Executive (Place) concerning a request by Essex Police for the revocation of a personal licence. The request had been made on crime prevention grounds.

The Sub Committee noted that the respondent had been a personal licence holder for approximately 7 years. In August 2018, the licence holder pleaded guilty to a number of offences, which had occurred in May 2018, and was subsequently convicted by a Magistrates' Court. For each offence the licence holder received a 2 year community order.

The Sub Committee noted that, in this case, neither the Court nor the licence holder informed the Licensing Authority of the conviction, although the licence holder had subsequently stated in his submission that he did inform the Court.

The Sub Committee considered all the evidence and submissions, and read all the documents. In reaching its decision the sub-committee had regard to the National Guidance and the licensing authority's Statement of Licensing Policy.

It is not the Sub Committee's role to determine the guilt of the licence holder as this is a matter for the Courts. The Sub Committee must, however, fulfil its statutory duty to ensure the promotion of the licensing objectives.

The Sub Committee concluded that, given the gravity and nature of the relevant offences for which he had been convicted, the crime prevention objective as set out in the Licensing Act 2003 would be undermined. It therefore:

Resolved:-

That the personal licence be revoked.

Chair: _____