

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 11 August 2014

**PRESENT:** Councillors Geoff Smith (Chair), Olivia Blake and Jillian Creasy

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#### **1. APOLOGIES FOR ABSENCE**

1.1 There were no apologies for absence.

#### **2. EXCLUSION OF PUBLIC AND PRESS**

2.1 **RESOLVED:** That the public and press be excluded from the meeting before discussion takes place on item 4 on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

#### **3. DECLARATIONS OF INTEREST**

3.1 There were no declarations interest.

#### **4. LICENSING ACT 2003 - PERSONAL LICENCE APPLICATION**

4.1 The Chief Licensing Officer submitted a report to consider an application for a Personal Licence made under Section 117 of the Licensing Act 2003 (Case No. 77/14).

4.2 Present at the meeting were the applicant, the applicant's uncle, Benita Mumby (South Yorkshire Police Licensing, Objector), Clive Stephenson (Licensing Strategy and Policy Officer), Caroline Milson (Solicitor to the Sub-Committee) and Jennie Skiba (Democratic Services).

4.3 The Solicitor to the Sub-Committee outlined the procedure which would be followed during the hearing.

4.4 Clive Stephenson presented the report to the Sub-Committee and it was noted that representations had been received from South Yorkshire Police Licensing Section, and were attached at Appendix 'B' to the report.

4.5 Benita Mumby made representation on behalf of South Yorkshire Police, referring to the applicant's offences and convictions. She made specific reference to the offences, detailing the offences, the date of conviction and indicating that, under Section 5 of the Rehabilitation of Offenders Act, her objection is based on the prevention of crime and disorder and that the applicant has unspent convictions against him. Ms Mumby also responded to a number of questions raised by Members of the Sub-Committee.

- 4.6 The applicant and the applicant's uncle addressed the Sub-Committee. The applicant stated that he regretted carrying out the offences and that his personal circumstances had changed. He responded to a number of questions raised by Members of, and the Solicitor to, the Sub-Committee, and Clive Stephenson.
- 4.7 RESOLVED: That the attendees involved in the application for a Personal Licence be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.8 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the application.
- 4.9 At this stage in the proceedings, the meeting was re-opened to the attendees.
- 4.10 RESOLVED: That the application for the Personal Licence (Case No. 14/13) be rejected on the grounds that, in the light of the representations now made and the nature of one of the offences now reported, the Sub-Committee considered that granting a Personal Licence in this case would not be beneficial for the promotion of the licensing objectives.

(The full reasons for the Sub-Committee's decision will be included in the written Notice of Determination.)