

**SHEFFIELD CITY COUNCIL**

**Licensing Sub-Committee**

**Meeting held 21 February 2013**

**PRESENT:** Councillors John Robson (Chair), Clive Skelton and Geoff Smith

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**1. APOLOGIES FOR ABSENCE**

1.1 An apology for absence was received from Councillor Stuart Wattam.

**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 of 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. 14/13).

4.2 Present at the meeting were the applicant, the applicant's cousin, Benita Mumby and Linsey Fletcher (South Yorkshire Police Licensing, Objectors), Matt Proctor (Senior Licensing Officer), Carolyn Forster (Solicitor to the Sub-Committee) and John Turner (Democratic Services).

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

4.4 Matt Proctor 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 one of the offences, detailing the offence, the date of conviction and indicating that, under Section 5 of the Rehabilitation of Offenders Act, the offence was linked to the activity to which the applicant planned to use his Personal Licence for. For this reason, the Police did not believe that the applicant was a fit and proper person to hold a Personal Licence. Ms Mumby also responded to a number of questions raised by Members of the Sub-Committee.

- 4.6 The applicant addressed the Sub-Committee, stating that he regretted carrying out the offences and, on the basis that he was not working at the present time, he had applied for the Personal Licence so that he could make a living for himself. He responded to a number of questions raised by Members of, and the Solicitor to, the Sub-Committee, and Matt Proctor.
- 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 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 (Case No. 14/13) would not be beneficial for the promotion of the licensing objectives.