

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE
HELD ON WEDNESDAY, 9 AUGUST 2023**

COUNCILLORS

PRESENT George Savva MBE (Chair), Sabri Ozaydin, and Chris Dey

OFFICERS: Ellie Green (Licensing Team Manager), Dina Boodhun (Legal Adviser), and Harry Blake-Herbert (Governance Officer)

Also Attending: Officers observing

1 WELCOME AND APOLOGIES

The Chair welcomed everyone to the meeting. There were no apologies received. The committee agreed to delay the start of the hearing by 5 minutes to allow the licence holder the opportunity to be present in case they were running late.

2 DECLARATION OF INTEREST

There were no declarations of interest received regarding any item on the agenda.

3 EXCLUSION OF THE PRESS AND PUBLIC

The press and public were excluded from the meeting as per Section 100A(4) of the Local Government Act 1972, on the grounds that discussions which took place would likely involve the disclosure of exempt information as defined in those paragraphs of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006); and the meeting moved into Part 2.

4 PART 2 AGENDA

**5 CONSIDERATION OF SUSPENSION OR REVOCATION OF A
PERSONAL LICENCE**

NOTED:

That the discussion regarding this item was undertaken in Part 2.

The Licensing Sub-Committee **RESOLVED** that in order to promote the licensing objectives, the licence, be **REVOKED**.

The Chair made the following statement:

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'The Licensing Sub-Committee (LSC) considered the request for the revocation of the personal licence, dated 16 June 2023 from Essex Police. The LSC also considered whether to suspend the personal licence under its powers pursuant to section 132A of the Licensing Act 2003. Information was considered under section 185 of the Licensing Act 2003 disclosed by Essex Police. The LSC considered that the Personal Licence Holder (PLH) was convicted of a relevant criminal offence under paragraph 14(c) of Schedule 4 of the Licensing Act 2003. The conviction was driving a motor vehicle with excess alcohol, contrary to Section 5(1)(a) of the Road Traffic Act 1988. The PLH was convicted of the relevant offence on 7 July 2021. They were sentenced to a fine and a driving disqualification under the Road Traffic Act 1988. The endorsement remains unspent until 6 July 2026. The LSC took into account the licence holder's representations at Annex 6 of the LSC Agenda where they sent an email on 16 July 2023. The LSC also took into account its powers under Section 132A of the Licensing Act 2003 and decided to revoke the personal licence, having regard to the crime prevention objective. Further, the LSC took into consideration the Statutory Guidance under Section 182 of the Licensing Act 2003, particularly, Section 4 that relates to personal licences. The PLH has not demonstrated that they are taking their responsibilities seriously as a PLH, particularly not showing that they are aware of licensing law and their wider social responsibilities in the sale of alcohol. The LSC were disappointed that the PLH did not attend the hearing to put forward their representations in person.'

The Chair thanked everyone for their time and the meeting ended at 10:52.