

MINUTES OF LICENSING SUB-COMMITTEE

Wednesday, 14 October 2020
(6:00 - 6:29 pm)

Present: Cllr Moin Quadri (Chair), Cllr Glenda Paddle and Cllr Lee Waker

5. Declaration of Members' Interests

There were no declarations of interest.

6. Private Business

It was resolved to exclude the public and press for the remainder of the meeting by reason of the nature of the business to be discussed which included information exempt from publication by virtue of paragraph 7 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

7. Review of Personal Licence Holder (PLH) following Conviction

The Council's Licensing Officer presented a report in respect of a review of a personal license following a conviction for a drink drive offence at North Essex Magistrates Court on 2 January 2020, which is listed as a relevant offence under Schedule 4 of the Licensing Act 2003. She also stated that the PLH had failed to notify the Court at the point of their conviction that they were a personal licence holder and that they had also failed to notify the Council of their conviction, as well as their change of home address.

In response to a question, the Licensing Officer stated that a letter notifying the PLH of the hearing was sent to both the original home address that the Council held for the PLH, as well as to the new address provided to them by Essex Police. It was also explained that the PLH had been requested to attend the meeting of the Sub-Committee via an Outlook Microsoft Teams invite sent to their email address, which included a PDF of the agenda and report pack.

In response to a further question, the Licensing Officer stated that the Licensing Sub Committee hearing of the case had been delayed due to the Covid-19 pandemic and an increased workload for the Licensing Team.

The Sub-Committee then heard from the Police, who were present at the meeting and outlined their reasoning for requesting the revocation of the personal licence. The Sub-Committee noted that there were no representations from the PLH.

Both the Licensing Officer and the Police Representative summed up their respective positions and the Sub-Committee then retired to consider its decision.

Decision:

The Sub-Committee noted that the PLH had been convicted of a relevant offence under Schedule 4 of the Licensing Act 2003, that they had failed to notify the Court at the point of their conviction that they were a PLH and that they had failed to notify the

Council of their conviction, as well as their change of address.

Whilst the Sub-Committee was entitled to depart from the licensing guidance, in the absence of an attendance by the PLH or any submissions from them in mitigation, there was nothing before it to persuade it to depart. Accordingly, the Sub-Committee **agreed** that the personal licence be revoked.