

Minutes

**Alcohol, Entertainment & Late
Night Refreshment Licensing
Committee
Friday, 17 March 2023**



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Committee members present

Councillor Pam Bosworth (Chairman)
Councillor Dean Ward (Vice-Chairman)
Councillor Harrish Bisnauthsing
Councillor Robert Broughton
Councillor George Chivers
Councillor Breda-Rae Griffin
Councillor Nikki Manterfield

Officers

Chris Clarke, Licensing Officer
Mandy Braithwaite, Legal Advisor
Lucy Bonshor, Democratic Officer

Other Members present

Councillor Jane Kingman

31. Apologies for absence

An apology for absence was received from Councillor Paul Fellows.

It was noted that Councillor Phil Dilks, Councillor Jane Kingman and Councillor Paul Wood were not required to attend the meeting as they had not been involved when the application before Committee had been determined at the last meeting. Although Councillor Jane Kingman was present at the meeting, she took no part in the discussion or the decision in respect of agenda item 5.

32. Disclosures of interests

None disclosed.

33. Minutes of the meeting held on 17 February 2023

The minutes of the meeting held on 17 February 2023 were proposed, seconded and **AGREED**.

34. Exclusion of Press and Public

It was proposed, seconded and **AGREED** to exclude the press and public during consideration of the follow item of business because of the likelihood that otherwise exempt information, as described in paragraphs 1 and 2 of the Local Government Act 1972 Act (as amended) would be disclosed to them.

35. Licensing Act 2003: Determination of whether to revoke or suspend a personal licence

Decision

The Committee ratified the decision made at the last meeting of the Committee to suspend the Personal Licence for six months as no representation was received from the Chief of Police following the notice issued in respect of whether the licence should be revoked having regard to the crime prevention objective in accordance with section 132A of the Licensing Act 2003.

The applicant was not present at the meeting.

Licensing Officer presented the report which asked the Committee to consider the minded to decision to suspend a personal licence for six months made at the last meeting of the Committee, having regard to the fact that no representations had been received from the Chief of Police following the issue of the relevant notice following the last meeting.

One Member asked if there had been a material change since the last meeting to which the Licensing Officer replied that nothing had changed as no representations had been received from the Police.

The Licensing Officer then gave his closing statement. The Policing and Crime Act 2017 gives Licensing Authorities a discretionary power to revoke or suspend a personal licence if a personal licence holder is convicted of a relevant offence under the Licensing Act 2017.

The Committee were minded to suspend the personal licence for six months and the Licensing Authority notified the Chief of Police.

Any comments, or lack of comments, received from the Chief of Police within 14 days must be considered by the Committee and a final decision made. Where those comments request revocation a second Committee hearing will occur. Where other

comments, or no comments, are received the Committee will determine if the original decision stands or if a second hearing will take place.

In all cases, the Committee must record the outcome of that decision and the reasons for the decision reached.

(10:09 the Licensing Officer left the meeting)

Members considered the information before them having regard to the relevant parts of the Council's Licensing Policy, the Licensing Act and guidance. Members noted that no representation had been made by the Chief of Police following the issue of the notice and therefore, it was proposed, seconded and **AGREED** to ratify the decision made at the last meeting to suspend the Personal Licence for six months.

(10:12 the Licensing Officer returned to the meeting)

The Legal Advisor read out the Committees decision. The Committee had considered the evidence before them having regard to the relevant parts of the Council's Licensing Policy, the Licensing Act and guidance. The Committee had considered the Licence Holders relevant and recent conviction, and the representations made by them at the previous meeting. As no comments had been received from the Chief of Police on the issue of the notice and there was no material change since the last Committee meeting, the Committee proposed not to revoke the Personal Licence and ratified their decision to suspend the licence for six months.

The decision was appealable to the Magistrates Court within 21 days.

36. Any other business which the Chairman, by reason of special circumstances, decides is urgent.

Members were informed that a proposal was going to be put forward to amend the Constitution to enable decisions, like the one taken today, could be done by email rather than convening a meeting of the Committee.

Members were in agreement with this proposal.

The Chairman reminded Members that the next meeting of the Committee would be taking place on Thursday 20 April 2023 rather than Friday.

37. Close of meeting

The meeting closed at 10:15am.