

LICENSING ACT PANEL

Tuesday, 1st September 2009

Councillor P.M. Blandamer

Councillors:

P.A. Hughes

B.S.R. Miller

1 APPLICATION FOR A PERSONAL LICENCE - SB

Members were informed that a police representative was unable to attend the meeting.

RESOLVED:

To adjourn the meeting to a later date.

The meeting closed at 10.05am.

ADJOURNED MEETING OF THE LICENSING ACT PANEL

Tuesday, 21st September 2009

Councillor P.M. Blandamer

Councillors:

P.A. Hughes

B.S.R. Miller

SB, the Applicant, appeared in person
Appearing for Nottinghamshire Police – Miss Jayne Walker, Solicitor

2. APPLICATION FOR A PERSONAL LICENCE - SB

RESOLVED to reject the application

The reasons for the decision are:

- i) the panel find that the offence for which the applicant is convicted is a relevant offence, and is not 'spent'
- ii) the panel find that the Police did show that it is necessary to reject the licence to promote crime prevention; that a personal licence is a privilege, not a right.
- iii) The panel did not find any exceptional and compelling reasons surrounding the circumstances of the offence which would allow them to grant the licence
 - a) the applicant knew he would have to drive home but still had alcoholic drinks
 - b) the applicant badly misjudged the amount of alcohol he had in that he had twice the legal limit in his blood

- c) the applicant failed to complete the relevant course following the offence
- d) the applicant has not had 5 years since the conviction and the panel can find no reason to depart from the Gedling Borough Council policy
- e) the applicant has explained steps which he has introduced at the Major Oak to discourage drinking and driving – for which he is to be commended – but these are steps which the premises should be taking and do not represent exceptional circumstances.

For the above reasons the Licensing panel reject the applicant's application for a personal licence.

The meeting closed at 11.15 am