

Minutes of Licensing Sub Committee 1

**Monday, 25 October 2021 at 10.00 am
at Council Chamber - Sandwell Council House, Oldbury**

Present: Councillor Allen (Chair)
Councillors Rouf and Fenton

Also present: Balbir Dhugga (Licensing Officer); Geeta Bangerh (Licensing Officer); David Elliott (Solicitor); Trisha Newton (Senior Democratic Services Officer); Gabrielle Evans (Democratic Services Officer); Amundeeep Johal (Democratic Services Officer)

49/21 Apologies for Absence

An apology was received from Councillor Webb.

50/21 Declarations of Interest

There were no declarations of interest made.

51/21 Exclusion of the Public and Press

Resolved: that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order, 2006, relating to information which is likely to reveal the identity of an individual.



Personal Licence Application

Members considered an application for a personal licence in respect of Mr T L, following an objection made by West Midlands Police under S120(5) of the Licensing Act, as the applicant had two convictions for relevant offences.

West Midlands Police were concerned that the crime and disorder objective would be undermined if the application was granted.

The applicant possessed unspent convictions, one of which was a foreign conviction, that were considered serious for someone who wished to work within the licensed trade and hold a personal licence. The first conviction took place abroad less than 3 years ago. The second offence took place 3 months prior to the Sub Committee meeting and was in the application period. In relation to the foreign conviction, West Midlands Police were not able to provide further detail on the charges to Sub Committee. The Sub Committee was informed that the relevant convictions would remain unspent until December 2021.

Mr T L provided some detail on his convictions and advised the Sub Committee that he wished to open a business and acquiring the personal licence would assist this.

The Sub Committee took advice from its Legal Advisor before adjourning to make a decision on the application. The Sub Committee had taken into consideration representations made by all parties.

The Sub Committee was minded to refuse the application for a personal licence. The convictions were of a serious nature and relevant to the application for a personal licence. The Sub Committee noted the importance of the propensity to reoffend, as the convictions were within a short time of one another. The Sub Committee saw no reason to depart from guidance.

Resolved: that the application for a Personal Licence in respect of Mr T L be refused.

Meeting ended at 12.09 pm

Contact: democratic_services@sandwell.gov.uk