

## **Licensing Sub-Committee**

**Monday, 2nd July, 2012**

**PRESENT:** Councillor A Khan in the Chair

Councillors C Townsley and G Wilkinson

### **27 Election of the Chair**

Councillor Khan was elected Chair of the meeting

### **28 Procedural matter**

Having been advised that the applicant had not arrived at the scheduled time and having waited 15 minutes beyond this time during which efforts to contact the applicant were made without success, the Licensing Sub-Committee agreed to deal with the application in absence

### **29 Exempt Information - Possible Exclusion of the Press and Public**

**RESOLVED** - That the public be excluded from the meeting during consideration of that part of the agenda designated as exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:

- a) Appendices A and B of the report both in terms of Regulation 14 of the Licensing Act 2003 (Hearing Regulations 2005) and the Licensing Procedure Rules, and on the grounds that it is not in the public interest to disclose the documents as they pertain to an individual and that person would reasonably expect their personal information or discussions to be in the public domain
- b) To note that the press and public will also be excluded from that part of the hearing where Members deliberate the application as it is in the public interest to allow the Members to have full and frank debate on the matter, as allowed under the provisions of the Licensing Procedure Rules

### **30 Late Items**

There were no late items

### **31 Declarations of Interest**

In accordance with paragraphs 19-20 of the Members' Code of Conduct, Councillor Wilkinson declared a significant interest as the address of the applicant was situated in Councillor Wilkinson's Ward, although he stated he did not know the applicant and had never been in the public house which had been given as Mr Maughan's home address

### **32 Application for the grant of a Personal Licence for Mr R Maughan**

The Sub-Committee, having regard to the Licensing Act 2003, the Section 182 Guidance and the Authority's own Statement of Licensing Policy considered an application for the grant of a Personal Licence in respect of Mr Robert Maughan

Representations had been received from West Yorkshire Police with Mr R Patterson being in attendance at the meeting. The applicant, Mr Maughan did not attend

The Sub-Committee heard from Mr Patterson on behalf of West Yorkshire Police who referred to the information contained within Appendices A and B in relation to disclosures made by Mr Maughan. Although refusing a licence in this circumstances was not automatic, West Yorkshire Police were of the view that due to the nature of the disclosures and the frequency of incidents that to grant a Personal Licence to Mr Maughan would not be in line with the licensing objective relating to the prevention of crime and disorder

Following Mr Patterson's representations, Members asked that a check be made to see if in the interim, Mr Maughan had arrived. One of the Licensing Officers present at the meeting checked but reported that the applicant was not present

The Sub-Committee carefully considered the written representations from the applicant and West Yorkshire Police and Mr Patterson's verbal representations

Members were disappointed that the applicant had not attended and that every effort had been made to contact him, including delaying the start of the hearing and had agreed to hear the application in absence. A further check on Mr Maughan's attendance being made at the conclusion of West Yorkshire Police's representations

Whilst noting the last offence was three years ago, the Panel shared the concerns of West Yorkshire Police and resolved to refuse the application

**RESOLVED** - That the application be refused