

## **Licensing Sub-Committee**

**Monday, 11th February, 2013**

**PRESENT:** Councillor R Downes in the Chair

Councillors K Bruce and J Dunn

### **150 Election of the Chair**

**RESOLVED** – Councillor Downes was elected Chair for the meeting.

### **151 Appeals Against Refusal of Inspection of Documents**

There were no appeals against the refusal of inspection of documents.

### **152 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) Appendix A and B of the report referred to in minute 156 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 contents as the information therein pertains to an individual and that person would not reasonably expect their personal information or discussions thereon to be in the public domain. Additionally the information relates to ongoing police investigations which could be jeopardised if discussions were held in public; and
- (b) The Sub Committee also noted that the press and public would 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.

### **153 Late Items**

There were no late items added to the agenda.

### **154 Declarations of Disclosable Pecuniary and Other Interests**

There were no declarations made.

### **155 Application to vary a premises licence held in respect of the Old Peacock Elland Road, Holbeck, Leeds, LS11 8TU**

This application was not heard due to agreements previously having been reached.

**156 Application for the grant of a personal licence for Kevin John Alexander, 36 Ramshead Heights, Seacroft, Leeds, LS14 6PU**

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 for Mr Kevin John Alexander, 36 Ramshead Heights, Seacroft, Leeds, LS14 6PU.

The Sub – Committee was required to consider the application due to the receipt of a representation from West Yorkshire Police.

The following were present at the Hearing:-

Kevin John Alexander – The Applicant; and  
PC Lynn Dobson – West Yorkshire Police

The Sub – Committee heard from the applicant who explained that he had been offered a job as a steward at a members club in Cleckheaton. The applicant responded to the written submissions of West Yorkshire Police, in light of his previous criminal convictions. The applicant further outlined that he was a reformed character and wanted to make a break with his previous way of life and that this opportunity would allow him to do so. The applicant highlighted the voluntary and community work he was involved with as evidence he had changed his ways.

Members of the Sub-Committee asked the applicant about his previous convictions and his understanding of the responsibilities of holding a personal licence. The applicant was also asked about his previous work and what he proposed to do if this application was refused.

PC Dobson addressed the Sub-Committee highlighting relevant aspects of the written submissions. The Sub-Committee were informed that West Yorkshire Police felt that due to unspent convictions the applicant was not ready to be put in a position of trust.

Members of the Sub-Committee questioned PC Dobson about the length of time until relevant convictions would be spent. Members also asked general questions about the likelihood of offenders returning to crime because of a lack of employment.

In summing up the applicant re-iterated his commitment to a new lifestyle and that he was trying hard to contribute to society in a positive way. He informed the Sub-Committee that the steward role he was being offered was an opportunity to build on this change in lifestyle whilst providing an income and somewhere to live.

The Sub-Committee put further questions to the applicant about his suitability for a personal licence and his background.

**RESOLVED** – That the application be refused.

The Sub Committee carefully considered the application finding it a difficult decision to make. However West Yorkshire Police's version of events was accepted. The Sub-Committee noted the change in lifestyle of the applicant but considered it too soon for a personal licence to be granted.