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Blackpool Council

21 October 2016

To: Councillors G Coleman, Hobson and Ryan

The above members are requested to attend the:

LICENSING PANEL

Monday, 31 October 2016 at 6.00 pm
in Committee Room A, Town Hall, Blackpool

A G E N D A

1 APPOINTMENT OF CHAIRMAN

To appoint a Chairman for the meeting.

2 DECLARATION OF INTEREST - LICENSING

Members are asked to declare any interests in the items under consideration and in doing so state:-

(1) the type of interest concerned

(2) the nature of the interest concerned; and

(3) whether they have or have not sat on a Planning Committee which has previously considered a planning application in respect of a licensed premises which is also subject to consideration for a premises licence as part of the agenda for this meeting.

If any Member requires advice on declarations of interests, they are advised to contact the Head Democratic Governance in advance of the meeting.

(Members are asked to also pay particular attention to the guidance sheet on interests supplied with the agenda).

3 PROCEDURE FOR THE MEETING

The Chairman of the Panel will summarise the procedure and announce the equal maximum amount of time for each party to speak for the hearing.

- A. Items 1 and 4 (b) will be undertaken in private session by the Panel and not in the Meeting Room.
- B. Items 2, 3, 4(a) and 4(c) will be recommended to the Panel to be held in public.
- C. The Panel may decide to exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. (This includes a party and any person assisting or representing a party)

4 APPLICATION FOR PERSONAL LICENCE

(Pages 1 - 14)

- a. APPLICATION AND REPRESENTATIONS SUBMITTED. To consider the attached report
- b. DETERMINATION OF THE APPLICATION FOR A PERSONAL LICENCE
- c. ANNOUNCEMENT OF THE DECISION FOR A PERSONAL LICENCE

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Lennox Beattie, Executive and Regulatory Manager, Tel: 01253 477157, e-mail lennox.beattie@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Report to:	Licensing Panel
Relevant Officer:	Sharon Davies, Head of Licensing Services
Date of Meeting :	31 October 2016

APPLICATION FOR A PERSONAL LICENCE – Garry Milton Gill

1.0 Purpose of the report:

1.1 To consider an application by Garry Milton Gill for the grant of a Personal Licence.

2.0 Recommendation(s):

2.1 The panel is requested to determine the application.

3.0 Reasons for recommendation(s):

3.1 This application must be determined by a panel as an objection has been received.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

None, once an application has been submitted and an objection received it must be considered by the Licensing Panel.

4.0 Background Information

4.1 On 26 September 2016, the Licensing Service received an application for a Personal Licence from Garry Milton Gill. As the accompanying disclosure revealed a live relevant offence a copy of the application was sent to the Police for their consideration.

The Licensing Service received an objection from the Police on 6 October 2016.

4.2 **Local policy considerations**

7.2.4 of the Statement of Licensing Policy states the following – “ at a hearing a panel of the licensing committee will consider whether the granting of the licence would undermine the crime prevention objective. The panel will consider the seriousness of the conviction(s), the time that has elapsed since the offence(s) were committed and any mitigating circumstances. Applications will normally be refused unless there are exceptional and compelling circumstances which justify grant.

4.3 **National policy considerations**

4.11 – A number of relevant offences never become spent. However, where an applicant is able to demonstrate that the offence in question took place so long ago and that the applicant no longer has a propensity to re-offend, a licensing authority may consider that it is appropriate to grant the application on the basis that doing so would not undermine the crime prevention objective.

4.4 **Observations**

When considering an application for a personal licence the panel is only concerned with the crime prevention objective. The panel are also restricted to considering live relevant convictions. Any offences which are spent or are not considered to be relevant must not be taken into account when considering whether the application for a personal licence should be granted.

4.5 Does the information submitted include any exempt information? No

4.6 **List of Appendices:**

Appendix 4a: Application
Appendix 4b: Representation from Lancashire Constabulary

(both exempt from publication)

5.0 **Legal considerations:**

5.1 Please see local and national policy in the background information.

6.0 **Human Resources considerations:**

6.1 None

7.0 **Equalities considerations:**

7.1 None

8.0 Financial considerations:

8.1 None

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