

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