

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 17 June 2014

**PRESENT:** Councillors Geoff Smith (Chair), Olivia Blake, Neale Gibson and George Lindars-Hammond

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#### **1. APOLOGIES FOR ABSENCE**

1.1 No apologies for absence were received.

#### **2. EXCLUSION OF PUBLIC AND PRESS**

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 4 on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

#### **3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

#### **4. LICENSING ACT 2003 - VARIATION OF A PREMISES LICENCE TO SPECIFY AN INDIVIDUAL AS A DESIGNATED PREMISES SUPERVISOR**

4.1 The Chief Licensing Officer submitted a report to consider an application for the variation of a Premises Licence to specify an individual as a Designated Premises Supervisor, made under Section 37 of the Licensing Act 2003 (Case No. 49/14).

4.2 Present at the meeting were Benita Mumby (South Yorkshire Police Licensing, Objector), Clive Stephenson (Licensing Strategy and Policy Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee) and John Turner (Democratic Services). The Premises Licence Holder (Applicant) had been given notice of the hearing, but did not attend.

4.3 Marie-Claire Frankie outlined the procedure which would be followed during the hearing.

4.4 Clive Stephenson presented the report to the Sub-Committee and it was noted that representations had been received from South Yorkshire Police Licensing Section, and were attached at Appendix 'C' to the report. Mr Stephenson also circulated the application to vary a Premises Licence to specify an individual as Designated Premises Supervisor, which had been omitted from the papers published with the agenda.

4.5 Benita Mumby made representations on behalf of South Yorkshire Police, stating that the applicant had been found guilty of an offence in 2012, and that the

Police's objection related to Section 5 of the Rehabilitation of Offenders Act. Ms Mumby made reference to the sentence he had received and stated that, for these reasons, the Police did not believe that the applicant was a fit and proper person to hold a Premises Licence and become a Designated Premises Supervisor. Ms Mumby also responded to a number of questions raised by Members of the Sub-Committee.

- 4.6 RESOLVED: That the attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.7 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the application.
- 4.8 At this stage in the proceedings, the meeting was re-opened to the attendees.
- 4.9 RESOLVED: That, in the light of the conviction now reported and the representations now made, the application to vary a Premises Licence to specify an individual as a Designated Premises Supervisor, in respect of the premises now mentioned (Case No. 49/14), be refused.

(NOTE: The full reasons for the Sub-Committee's decision will be included in the written Notice of Determination.)