

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee (Statutory)

Meeting held 6 December 2022

PRESENT: Councillors David Barker (Chair), Mike Drabble and Denise Fox

1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Cliff Woodcraft.

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 5 on the agenda (item 4 of these minutes) 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 paragraph 7 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 - REVIEW OF A PERSONAL LICENCE

4.1 The Chief Licensing Officer submitted a report to consider the suspension or revocation of a personal licence following the conviction of a relevant offence/foreign offence under Section 132A of the Licensing Act 2003 (Ref No. 185/22).

4.2 Present for this item were the licence holder, Jayne Gough (Licensing Strategy and Policy Officer), Jack Risely Boyd and Carol Curtin (Legal Advisers to the Sub-Committee) and Jennie Skiba (Democratic Services).

4.3 Carol Curtin outlined the procedure to be followed during the hearing.

4.4 Jayne Gough presented the report to the Sub-Committee highlighting that the Licensing Act 2003 had been amended by Section 138 of the Police and Crime Act 2017, which had given the Licensing Authority discretionary powers to revoke or suspend a personal licence where the holder had been subject to convictions for relevant offences. Ms. Gough stated an anonymous letter had been received, drawing the Licensing Authority's attention to the conviction and this had been attached to the report at Appendix "B". Additional submissions had been received in support of the licence holder and these were attached at Appendix "C" to the report.

- 4.5 The licence holder outlined to the Sub-Committee the events that had taken place on the evening which had led to the conviction. Members of the Sub-Committee and legal representatives asked a number of questions and responses were provided by the licence holder.
- 4.6 Jayne Gough outlined the options available to the Sub-Committee.
- 4.7 RESOLVED: That the licence holder and Licensing Officer involved in the hearing 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 7 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.8 Carol Curtin reported orally, giving legal advice on various aspects of the case.
- 4.9 At this stage in the proceedings, the meeting was re-opened to the licence holder and Licensing Officer.
- 4.10 RESOLVED: That, in the light of the information contained in the report now submitted, the representations now made and the responses to the questions raised, the Sub-Committee agrees to take no action against the licence holder.

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