

M M I N U T E S

meeting: **LICENSING SUB-COMMITTEE**

date: **3 NOVEMBER 2011**

PRESENT:-

Councillor Claymore (Chair)
Councillors Judith Rowley and Shah

OFFICERS IN ATTENDANCE:-

L Banbury, Democratic Support Officer - Delivery (Corporate Governance)
R Edge, Section Leader (Licensing) - Education and Enterprise
S Hardwick, Senior Solicitor - Delivery (Corporate Governance)

Wolverhampton
City Council



OPEN ITEMS

Exclusion of Press and Public

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Resolved:-

That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from consideration of the items of business in Part II of the Agenda, on the grounds that in view of the nature of the business to be transacted or the nature of the proceedings, exempt information falling within paragraph 3 of Schedule 12A to the Act (Information relating to the business affairs of particular persons) is likely to be disclosed.

PART II – EXEMPT ITEMS

**Licensing Act 2003 – Application for a Personal Licence
(Appendix 44)**

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In Attendance

Applicant

Mr J Jagpal

Objector

Inspector P Affron - West Midlands Police

The Chair introduced all parties and outlined the procedure to be followed. No interests were declared by Members.

The Licensing Officer briefly outlined the report submitted to the meeting and circulated to all parties in advance.

All parties were afforded the opportunity to question the Licensing Officer.

At this juncture Mr Jagpal outlined the reasons for his application, indicating that he was General Manager at a local hotel and believed that a Personal Licence was crucial to his employment. He now had the responsibility of a family and had abstained from drinking alcohol following the conviction in 2008. It was noted that he had attended an approved alcohol awareness course.

All parties were afforded the opportunity to question Mr Jagpal.

At this juncture, Inspector Affron outlined the objection to the application made by the West Midlands Police.

All parties were afforded the opportunity to question Inspector Affron. Inspector Affron advised that the objection had been made as a matter of principle, in view of the fact that Mr Jagpal's conviction would not become spent until September 2013 and was not based on any personal knowledge of the applicant.

Mr Jagpal and Inspector Affron were afforded the opportunity to make a final statement.

All parties, with the exception of the City Council's Solicitor and the Democratic Support Officer, withdrew from the meeting at this point.

Deliberations and Decisions

111 The Sub-Committee discussed issues which had been raised during discussion of the application for a Personal Licence. The Solicitor advised the Sub-Committee of the options available to them in determining this matter, in light of the written report and representations made at the meeting.

Re-Admission of Parties

112 The parties returned to the meeting.

Announcement of Decision

113 The Sub-Committee considered the representations of the West Midlands Police appended to the report of the Licensing Authority, which was circulated to all parties in advance of the meeting, together with representations made by Mr Jagpal and the Police Officer at the meeting. The Sub-Committee subsequently decided that he should not be granted a Personal Licence. They were of the view that, in this case, the granting of the Licence would undermine the prevention of crime and disorder licensing objective, in light of the fact that his conviction for a relevant offence will not be spent until 3 September 2013.

All parties have a right of appeal to the Magistrates' Court within 21 days of receipt of this decision.