



DECISION NOTICE

Date	18 May 2018
Applicant	JAB
Reason for Hearing	<p>The Licensing Authority has received an application for the grant of a Personal Licence.</p> <p>There has been an objection notice served by Lancashire Constabulary, a "responsible authority" as defined by the Licensing Act 2003. As such a hearing must be held to determine the application.</p>
Parties in Attendance	<p>Panel: Councillor Angela Jacques - Convenor, Councillor Brenda Blackshaw, Councillor Shirley Green.</p> <p>JAB – Personal Licence applicant</p> <p>PC Ben Reynolds representing Lancashire Constabulary</p>

The licensing authority had received an application for a personal licence from JAB which disclosed a conviction for a relevant offence as set out in the Licensing Act 2003.

Where an application for a personal licence is received that discloses a conviction for a relevant offence the Licensing Authority must give Notice to the Chief Officer of Police to that effect.

The Chief Officer of Police for Lancashire Constabulary objected to the application because of that conviction and the Panel had to decide whether to grant the licence in spite of the police objections.

The Panel listened carefully to the evidence and arguments presented by both parties. The panel also had regard to the statutory guidance issued by the Secretary of State and to the council's own statement of licensing policy.

Under the act, the Panel must refuse the application if it considers it appropriate for the promotion of the crime prevention objective: otherwise it must grant the application.

The sale or supply of alcohol, because of its impact on the wider community and on crime and anti-social behavior, carries a great responsibility. Therefore any person who is supplying, selling or authorising the sale of alcohol, must hold a Personal Licence issued under the Act.

The objector had provided a summary of the conviction. The conviction was pertinent to the application because it suggested that the applicant may have, or may have had, a propensity towards dishonesty. The conviction is not spent until February 2022.

The Panel considered the applicant's representations to see if they could properly conclude that there were any circumstances in which granting the licence would not be likely to undermine the crime prevention objective.

The Panel sympathized with the applicant and the circumstances of the situation she was in at the time of her conviction. It was suggested by the applicant that conditions could be imposed on the licence restricting it to her current employment. Unfortunately this is not possible and the licence application is either approved or rejected.

We heard from Richard Whalley, who is the applicant's employer, and appreciate his personal and professional opinions.

Allowing the applicant to have a personal licence would place them in a position of great trust and responsibility and the panel cannot find justification in granting the license due to the nature of the conviction and the fact that the offence is not spent for a further 4 years.

The panel therefore considered it appropriate for the promotion of the licensing objective of the prevention of crime and disorder to reject this application.

That is our decision and we thank you for your assistance.