



**Licensing Sub-Committee**  
**Wednesday 13<sup>th</sup> July 2022**  
**10.30am**

<b>Title</b>	<b>Personal Licence application – LAPERS/22/66155</b>
<b>Report of</b>	Trading Standards & Licensing Manager
<b>Wards</b>	Colindale South
<b>Status</b>	Public with accompanying exempt report (Exempt under The Licensing Act 2003 (Hearings Regulations) 2005, regulation 14. The Local Government Act 1972 does not apply section 101 (15)
<b>Urgent</b>	N/A
<b>Key</b>	No
<b>Enclosures</b>	<i>Report of the Licensing Officer</i> Annex 1 – Application Form Annex 2 – Police Objection Annex 3 – Matters for Decision
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## **Summary**

This report asks the Sub-Committee to consider an application for a Personal Licence for LAPERS/22/66155

# Officers Recommendations

- 1. This report asks the Sub-Committee to consider an application for a Personal Licence for LAPERS/22/66155.**

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 The licensing authority having received valid objection notice from the Police against the application for a new personal licence is expected to hold a hearing to consider those objections. The application can be determined by the licensing authority without a hearing in certain circumstances.

## **2. REASONS FOR RECOMMENDATIONS**

Where an objection notice is submitted in respect of a personal licence application, under Section 120(5) of the Licencing Act 2003, the authority must hold a hearing to consider such objections, unless the authority, the applicant agree that a hearing is not necessary, or if the objection is withdrawn.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 The Licensing Sub-Committee is required to give appropriate weight to the objections (including supporting information) presented by the Police, the Guidance issued pursuant to section 182 of the Licensing Act 2003, the Council's statement of licensing policy and the steps that are appropriate to promote the four licensing objectives.

Having considered those relevant matters, the Licensing Sub-Committee is required to take such of the following steps (if any) as it considers appropriate for the promotion of the licensing objectives.

The steps are—

- (a) to grant the licence
- (b) to refuse the licence

## **4. POST DECISION IMPLEMENTATION**

- 4.1 The decision will have immediate effect unless appealed.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 Members are referred to the Council's Licensing Policy for consideration

- 5.1.2 Timely legal and fair decisions support objectives are contained within the Corporate Plan.

In particular in relation to a “successful London borough” by ensuring that only legal, well-regulated licensable activities occur within the borough.

## **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 N/A

## **5.3 Legal and Constitutional References**

5.3.1 The Licensing Act 2003 sets out how applications for personal licences should be dealt with where an objection notice has been submitted.

5.3.2 Under the Council’s Constitution, Article 7, the licensing sub-committee has responsibility delegated to it (from the Licensing Committee) for licensing hearings concerning all licensing matters.

5.3.3 The licensing sub-committee is being asked to determine the application for a grant of personal licence. The application for a personal licence would normally be granted without the need for a hearing provided certain conditions are met by the applicant but if s/he has been convicted of a relevant offence then the Chief Officer of Police for the area must be given notice of this. If the Chief Officer of the Police is satisfied that granting the licence would undermine the crime prevention objective, s/he must within 14 days give notice to the licensing authority objecting to it..

5.3.4 A hearing must be held to consider this unless the applicant, the objector and the authority agree that a hearing is unnecessary. It is important to distinguish the application for grant/renewal of a personal licence under the Licensing Act 2003 from the type of applications usually heard by the sub-committee, such as for a new premises licence or variation.

The sub-committee members must consider the objection and either reject the application if it considers it appropriate for the promotion of the crime prevention objective to do so or grant it.

## **5.4 Risk Management**

5.4.1 N/A

## **5.5 Equalities and Diversity**

5.5.1 Licence applications are dealt with according to the provisions of the Licensing Act 2003 and associated Regulations which allow both applications and representations to applications to be made by all sectors.

## **5.6 Consultation and Engagement**

5.6.1 The statutory consultation process has been followed in accordance with the Licensing Act 2003.

## **6. BACKGROUND PAPERS**

- 6.1 The application and report of the Licensing Officer and appendices are attached to this report.