

Minutes of the **Licensing Sub-Committee**  
of the **Test Valley Borough Council**  
held in Conference Room 1, Beech Hurst, Weyhill Road, Andover  
on Monday, 24 October 2022 at 9.30 am

Attendance:

Councillor G Bailey

Councillor J Budzynski

Councillor N Matthews

1 **Appointment of Chairman**

**Resolved:**

**That Councillor Budzynski be appointed as Chairman for the duration of the meeting.**

2 **Apologies**

There were no apologies for absence.

3 **Declarations of Interest**

There were no declarations of interest.

4 **Exclusion of the Public**

**Resolved:**

**That pursuant to Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and also Regulation 14 of The Licensing Act 2003 (Hearings) Regulations 2005, the public be excluded from the meeting for the consideration of reports on the following matters on the grounds that they involve the likely disclosure of exempt information as defined in the following Paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, indicated below. The public interest in maintaining the exemption outweighs the public interest in disclosing the information for the reason given below:**

**Review of a Personal Licence following conviction**

**Paragraphs 1, 2 & 7**

**It is considered that the report contains exempt information within the meaning of paragraphs 1, 2 & 7 of Schedule 12A of the Local Government Act 1972, as amended. It is further considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because the information relates to a named individual, could reveal the identity of an individual and relates to action taken in connection with the prevention, investigation, or prosecution of crime.**

## **5 Review of a Personal Licence following conviction for a relevant offence**

The Personal Licence holder had been referred to the Licensing Sub-Committee to review the suitability of holding a personal licence following notification that a relevant offence was committed under Schedule 4 of the Licensing Act 2003.

The Licensing Manager presented his report and gave evidence in respect of the Personal Licence holder was also a designated premises supervisor. The Licence Holder was not in attendance, but had provided written representations, which were included in the report presented at the meeting.

It was explained to Members that Section 132 of the Licensing Act 2003 places an obligation on a licence holder to notify the Licensing Authority of any conviction for a relevant offence. The licence holder notified the Licensing Authority on 17 June 2022 of the conviction of a relevant offence Notice was given to the Licence Holder notifying them that the Licensing Authority was considering whether to suspend or revoke the licence arising from the conviction and that matter would be heard by the Licensing Sub- Committee.

It was further explained that the Licensing Authority may revoke a personal licence or suspend a personal licence for a period not exceeding six months, where they have been notified that a personal licence holder has committed a relevant offence.

Moreover, should the Sub-Committee propose not to revoke the licence, the Licensing Authority must give notice to the Chief Constable of Hampshire Constabulary and invite representations within 14 days of receipt of that notice, as to whether the licence should be suspended or revoked having regard to the crime prevention objective. Any such representations made by the Police must be considered by the Licensing Authority and a final hearing will be held for the Sub-Committee to consider the original information, any representations from the Police or licence holder and then make a decision whether to suspend or revoke the licence.

The Sub-Committee was advised of the matters that were required to be taken into account in section 132 (7) of the Act 2003.

**Resolved:**

- 1. That the Licensing Sub-Committee proposed, in principle, not to revoke or suspend the Personal Licence.**
- 2. In that event, before making a final decision as to whether to suspend or revoke the licence, that a notice be issued to the Chief Constable for Hampshire Constabulary, inviting them to make representations on the issue of whether the licence should be suspended or revoked having regard to the crime prevention objective in accordance with section 132A of the Licensing Act 2003.**

(The meeting terminated at 10.05 am)