

**Minutes of: LICENSING HEARING PANEL**

**Date of Meeting:** 18 December 2013

**Present:** Councillor D Jones (in the Chair)  
Councillors N Bayley, and B Vincent

**Also in attendance:**

**Public Attendance:** There were no members of the public in attendance save for 1 representative of Greater Manchester Police, The Applicant, the Applicant's solicitor and 2 supporters of the Applicant.

**Apologies for Absence:**

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**LHP.631 DECLARATIONS OF INTEREST**

No declarations of interest were made in relation to any items considered at the meeting.

**LHP.632 APPLICATION FOR A PERSONAL LICENCE**

Prior to the Hearing the authority received an application submitted by the Applicant. The application was for a personal licence to be granted under section 117 of the Licensing Act 2003.

The application was as detailed in the report which was presented to the Members of the Panel by the Deputy Licensing Officer.

Representations in respect of the application were received within the appropriate period from Greater Manchester Police.

All written representations were contained within the report to Panel. All documentary evidence comprising the application, report provided with the agenda and representations were served on all parties in advance of the hearing.

The Panel heard oral representations from the Applicant, the Applicant's solicitor, and the Applicants 2 supporters.

The Panel then heard representations from Greater Manchester Police.

The Panel heard no other representations.

The Panel asked questions of the Applicant and representatives of Greater Manchester Police.

All parties were offered the opportunity to question the Applicant and vice versa.

All parties were allowed the opportunity to sum up their respective cases.

The Panel then duly retired to consider the application and all of the information provided.

The Members of the Panel were advised by the Legal Officer as to their duties under Section 4 of the Licensing Act 2003 to at all times consider the promotion of the Licensing Objectives, these being:

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

The Members were also advised of their duties in carrying out those functions in relation to:

- a) the Council's published Statement of Licensing Policy
- b) the Guidance issued by the Secretary of State as contained in section 182 of the Licensing Act 2003, which was updated in October 2012

In addition Members were advised to give appropriate weight to the steps that are appropriate to promote the licensing objectives and the representations presented by all parties.

The Panel also had regard to the European Convention on Human Rights and in particular that everyone has the right to peaceful enjoyment of his possessions, respect for his private and family life, his home and his correspondence. A fair balance between competing interests must be considered.

## **DECISION**

Having heard from the Deputy Licensing Officer, representatives of Greater Manchester Police, the Applicant and the Applicant's supporters, the Panel considered the merits of the case and in accordance with its duties decided as follows.

The evidence was considered with care and it was established that following the evidence of all parties, having understood the application and equally understanding the representations made, on balance the Panel found there were no causes for concern so far as the promotion of the four Licensing Objectives were concerned.

The Panel therefore considered it reasonable, balanced, appropriate and proportionate, based on all of the evidence, **To Grant the Application for the Personal Licence.**

**COUNCILLOR D JONES**  
**Chair**

**(Note: The meeting started at 1.00 pm and ended at 3.30 pm)**