

LICENSING SUB COMMITTEE A

Tuesday, 20 August 2019

PRESENT: Councillor J.M. Charles (Chair)

Councillors:

C.A. Davies and A.L. Fox

Also present as an Observer:

Councillor K. Howell

Present as representatives of a Responsible Authority:

E. Jones – Licensing Lead, Carmarthenshire County Council

A. Rees – Licensing Officer, Carmarthenshire County Council

D. Bizby – Dyfed Powys Police

The following Officers were in attendance:

R. Edgecombe, Legal Services Manager

K. Thomas, Democratic Services Officer

Chamber, County Hall, Carmarthen, SA31 1JP - 10.00 - 11.23 am

1. DECLARATIONS OF PERSONAL INTEREST.

There were no declarations of personal interest.

2. PERSONAL LICENCE HOLDER - RYAN JONES

The Sub Committee considered a report seeking the revocation of the Personal Licence previously granted by the Authority on the 24th November, 2005 to Mr Ryan Jones of the Fox Inn, Fox Corner, Worplesdon, Guildford, Surrey GU3 3PP.

The Licensing Lead advised the Sub –Committee of the circumstances regarding the revocation application. It was also advised of the views of the Dyfed Powys Police in the matter which recommended a suspension of the personal licence.

The Sub Committee interviewed Mr Jones with regard to the issues raised by both the Licensing Authority and the Dyfed Powys Police.

The Sub- Committee thereupon

UNANIMOUSLY RESOLVED to retire into private session in order to receive legal advice pursuant to Paragraph 16 of Schedule 12A of the Local Government Act 1972.

Following the adjournment, the Sub-Committee reconvened to advise of its decision

RESOLVED that the Personal Licence granted to Mr Ryan Jones be revoked.

Reasons

In coming to its decision, the Sub-Committee made the following findings of fact:-

1. Mr Jones had been granted a personal licence on 24th November 2005
2. Mr Jones has been convicted of relevant criminal offences since the 6th April 2017
3. The personal licence held by Mr Jones had previously been suspended by the courts for 6 months in 2013 following his conviction for relevant offences
4. Mr Jones had failed to notify the Licensing authority of those convictions and his changes of address. Those were further criminal offences.

The Sub-Committee had attached weight to the views of the Police. However in light of the fact that Mr Jones' licence had previously been suspended for 6 months by the Magistrates Court, the Sub-Committee believed a further period of suspension would not be sufficient to promote the crime prevention objective. In particular, Mr Jones had not learnt from the previous period of suspension.

The Sub-Committee did not accept the evidence from Mr Jones as to the impact of any revocation of his personal licence on the premises where he worked. The decision of the Sub-Committee would not take effect until the statutory appeal period expired. That would allow the premises licence holder time to appoint another DPS.

Having regard to the above facts, and the representations received, the Sub-Committee was satisfied that it was appropriate for it to exercise its discretion to revoke Mr Jones' personal licence in order to promote the licensing objectives of preventing crime and disorder.

Furthermore the Sub -Committee was satisfied that this course of action was a proportionate response to the issues brought to its attention.

3. PERSONAL LICENCE HOLDER - NIGELLUS JUDE VAZ

The Licensing Lead referred to the report seeking the revocation of the Personal Licence previously granted to Mr Nigellus Jude Vaz and advised that subsequent to the despatch of the agenda, Mr Vaz had requested an adjournment of the hearing on the grounds he would be unable to attend the meeting that day

UNANIMOUSLY RESOLVED that consideration of the revocation of Mr Vaz's Personal Licence be adjourned to the 10th September, 2019 and Mr Vaz be advised that should he fail/be unable to attend the hearing on that date, the revocation may be considered in his absence.

4. PERSONAL LICENCE HOLDER - RICHARD CRAIG PRYCE BUNFORD

The Licensing Lead referred to the report seeking the revocation of the Personal Licence previously granted to Mr Richard Craig Pryce Bunford and requested that, due to difficulties encountered in tracing Mr Bunford, consideration of the report be deferred to the 10th September to enable appropriate investigations to be undertaken. He stated that if, by that time, it had not proved possible to locate Mr Bunford the Sub-Committee may be requested to consider the revocation in his absence.

UNANIMOUSLY RESOLVED that consideration of the revocation of Mr Bunford's Personal Licence be adjourned to the 10th September, 2019.

CHAIR

DATE