

10 APPLICATION FOR A PERSONAL ALCOHOL LICENCE – JASON GARSIDE
DECISION OF LICENSING ACT SUB-COMMITTEE
WEDNESDAY 17TH OCTOBER 2012

The Sub-Committee comprised of Councillor Roger Sherlock (Chairman), Councillor Mike Greenall and Councillor Margaret Pattison.

The Legal Adviser was Luke Gorst, Solicitor

The Democratic Support Officer was Jane Glenton, Democratic Services

An application for a personal alcohol licence had been made under Section 117 of the Licensing Act 2003 by Jason Garside. The hearing was held in light of an objection notice issued by the Police due to the applicant having been convicted of a relevant offence.

Mr Garside was present at the hearing and was accompanied by Matt Jackson of Lancaster Brewery and Keith Robertson of Littledale Hall rehabilitation centre.

Sgt James Martin was in attendance to present the Police objection to the application.

The Chairman explained the procedure to those present, and stated that the hearing would be a discussion led by the licensing authority, and any questions would be put through the Chairman.

The Licensing Officer, David Eglin, introduced the report, and stated that the authority had given notice to the Police that the applicant had been convicted of a relevant offence. As a result of this the Police had issued an objection notice to the application.

Sergeant Martin then presented the Police's case.

Mr Jackson and Mr Robertson then spoke in support of the applicant and helped answer questions. Mr Garside then made representations on his own behalf.

The Sub-Committee then withdrew to make its decision, and sought advice from its legal adviser as to the appropriate phraseology of the decision.

DECISION

The Sub-Committee has today considered your application for a personal alcohol licence under s117 of the Licensing Act 2003.

We have also taken into consideration the objection notice given by the Police under s120 of the Licensing act 2003 and to all the representations made at the hearing today.

We have listened carefully to both parties and have decided this case on its merits. For the record, the Sub-Committee was very impressed with the representations from Mr Jackson and Mr Robertson.

The test we have to apply is whether it is appropriate for us to reject the application for the promotion of the crime prevention objective. Although you have been convicted and jailed for a relevant offence this was a long time ago now.

The Sub-Committee is of the opinion you have taken massive steps to rehabilitate yourself and welcome the contribution you now appear to be making to society.

Your application for a personal licence is therefore granted and we wish you well for the future.

In accordance with Section 181 and Schedule 5 of the Licensing Act 2003, the parties have a right of appeal to the Magistrates' Court against this decision. Any appeal should be lodged within 21 days of receiving this written decision.

Signed.....Dated.....

Councillor Roger Sherlock (Chairman)

**Any queries regarding these Minutes, please contact
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