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LICENSING & APPEALS SUB-COMMITTEE

Minutes of a Virtual meeting held on Monday 10th August 2020 at 10:30am and reconvened on Monday 17th August 2020 at 10:30am.

Under Regulations made under the Coronavirus Act 2020, the meeting was held virtually. Members of the public were able to view the virtual meeting via the District Council's website at www.derbyshiredales.gov.uk or via our YouTube channel.

PRESENT

Councillor Tom Donnelly - In the Chair

Councillors Jacqueline Allison and Joyce Pawley

Eileen Tierney (Licensing Manager), Lee Gardner (Legal Services Manager) and Simon Johnson (Democratic Services Officer)

PC Rebecca Timperley – Derbyshire Constabulary

PC Glenn Holden – Derbyshire Constabulary

Applicant – Only in attendance on Monday 17th August 2020.

16/20 – ELECTION OF CHAIRMAN

It was moved by Councillor Joyce Pawley seconded by Councillor Jacqueline Allison and

RESOLVED
(Unanimously)

That Councillor Tom Donnelly be elected as Chairman of the Committee.

17/20 – EXCLUSION OF THE PUBLIC AND PRESS

It was moved by Councillor Tom Donnelly, seconded by Councillor Jacqueline Allison

RESOLVED
(Unanimously)

That in accordance with Section 100(a) of the Local Government Act 1972 the public and press be excluded because it is likely that the nature of the business to be transacted would result in exempt information being disclosed.

At this point the Sub-Committee excluded the public and press because in determining the Licence, Members would need to consider personal information relating to the Licence Applicant.

18/20 – LICENSING ACT 2003 – SECTION 42 AND SECTION 37: APPLICATION TO TRANSFER PREMISES LICENCE AND TO VARY THE DESIGNATED PREMISES SUPERVISOR – THE OLD EYRE ARMS, HASSOP, BAKEWELL DE45 1NS

It was reported that, in accordance with the Council's Licensing procedures, an application had been received to transfer the Premises Licence held in respect of the Eyre Arms at Hassop near Bakewell and an application to vary the Designated Premises Supervisor (DPS) on the same Premises Licence.

The circumstances of the Applicant's referral to the Sub-Committee is due an objection being made to the applications by the Chief Officer of Police for Derbyshire.

The Chairman invited the participants to introduce themselves, asked whether any party wished the Committee to consider the application in private and confirmed that the Committee was quorate.

The Licence Applicant was not able to attend and present their case due to technical issue through internet access and telephone signal.

The Sub-Committee confirmed they did not have enough information to determine the matter.

19/20 – DECISION

It was moved by Councillor Tom Donnelly, seconded by Councillor Joyce Pawley and

RESOLVED
(Unanimously)

That having considered the attempt made by the applicant to attend the hearing being prevented by internet access and telephone signal, the Sub-Committee has determined to reconvene the hearing for Monday 17th August 2020 at 10:30am.

Reason for Decision

The reason for the decision is to permit a further opportunity for the Applicant to present their case for consideration, prior to determination by the Sub-Committee.

CHAIRMAN

MEETING CLOSED: 11:20am

20/20 – RECONVENED HEARING

In accordance with the decision (recorded in Minute 19/20) taken on Monday 10th August 2020, the Hearing reconvened at 10:30am on Monday 17th August 2020.

21/20 – EXCLUSION OF THE PUBLIC AND PRESS

It was moved by Councillor Tom Donnelly, seconded by Councillor Joyce Pawley

RESOLVED That in accordance with Section 100(a) of the Local
(Unanimously) Government Act 1972 the public and press be excluded
because it is likely that the nature of the business to be
transacted would result in exempt information being disclosed.

At this point the Sub-Committee excluded the public and press because in determining the Licence, Members would need to consider personal information relating to the Licence Applicant.

22/20 – LICENSING ACT 2003 – SECTION 42 AND SECTION 37: APPLICATION TO TRANSFER PREMISES LICENCE AND TO VARY THE DESIGNATED PREMISES SUPERVISOR – THE OLD EYRE ARMS, HASSOP, BAKEWELL DE45 1NS

It was reported that, in accordance with the Council's Licensing procedures, an application had been received to transfer the Premises Licence held in respect of the Eyre Arms at Hassop near Bakewell and an application to vary the Designated Premises Supervisor (DPS) on the same Premises Licence.

The circumstances of the Applicant's referral to the Sub-Committee is due an objection being made to the applications by the Chief Officer of Police for Derbyshire.

The Chairman invited the participants to introduce themselves, asked whether any party wished the Committee to consider the application in private and confirmed that the Committee was quorate.

The Licensing Manager gave an outline of the application.

The Committee and the other parties were afforded an opportunity to request clarification of the Licensing Manager's report.

The Police were invited to put their case.

The Committee had an opportunity to question PC Timperley and PC Holden. The Applicant was also afforded the opportunity to request clarification of any points raised by the Police.

The Applicant was invited to put their case.

The Committee had an opportunity to question the Applicant. The Police were also afforded the opportunity to request clarification of any points raised by the Applicant.

All parties were afforded an opportunity to request clarification of any point

The Committee members confirmed that they had sufficient information to make a decision and withdrew into private session to discuss their findings.

The Applicant left the meeting at 11:50am prior to the Sub-Committee's determination of the application and decision.

23/20 – DECISION

It was moved by Councillor Tom Donnelly, seconded by Councillor Joyce Pawley and

RESOLVED
(Unanimously)

That having considered all the evidence put before it, the Sub-Committee has determined that the Applicant is not a fit and proper person to hold a Premises Licence and subsequently not fit to be the Designated Premises Supervisor (DPS) on the same Premises Licence.

Reason for Decision

The reasons for the decision are contained in the Decision Notice, which is attached to the exempt minute, as they include personal information relating to the applicant.

CHAIRMAN

MEETING CLOSED: 12:13pm