

NORTHAMPTON BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

Friday, 24 January 2014

COUNCILLORS PRESENT: Councillors Malpas (Chair) Duncan and Stone

OFFICERS: Louise Faulkner (Senior Licensing Officer)
Mehboob Kassam (LGSS Solicitor)

FOR THE APPLICANT: Mr Menekse (Applicant)
Mr Birch (Applicant's Representative)

FOR THE REPRESENTORS: PC Bryan (Northamptonshire Police)
SGT Worthington (Northamptonshire Police)

1. WELCOMES

The Chair welcomed everyone to the meeting.

2. DECLARATIONS OF INTEREST

There were none.

3. EXCLUSION OF PUBLIC AND PRESS

4. BUSINESS

5. PERSONAL LICENCE APPLICATION - CAHIT MENEKSE

The Senior Licensing Officer outlined the purpose of the hearing and explained that on the 12th December 2013 a personal licence application had been received at the Licensing Department in respect of Mr Menekse of 76 Mendip Road, Northampton. It was noted that an objection had been lodged by Northamptonshire Police on the ground of Prevention of Crime and Disorder as there was a concern that the conviction that Mr Menekse received would undermine that licensing objective.

The Determination

The Sub-committee reconvened at 11.15am

Having considered section 4 (2) of the Licensing Act 2003, the Sub Committee had carried out their function with a view of promoting the Licensing Objectives of:

- a) The prevention of Crime and Disorder
- b) Public Safety
- c) The Prevention of Public Nuisance
- d) The Protection of Children from Harm

It was the first of the listed objectives that the Sub- committee had been concerned with as the conviction of Mr Menekse was a relevant offence under Section 14, Schedule 4, Licensing Act 2003

The Sub- Committee also paid due regard to its Licensing Statement under Section 4 (3) and the guidance issued under Section 182.

The Sub- Committee unanimously decided to grant the application of Mr Menekse for a Personal Licence as to do so would not undermine the promotion of Crime and Disorder

objective:

The Committee received legal advice in terms of

- 1) The legal test to be applied under section 120(7) Licensing Act 2013.

The reason for the decision was as follows:

- i) Mr Menekse had not been convicted of any other offences since 2010.
- ii) The relevant offence would be spent within the next year.
- iii) The applicant had demonstrated that he was a responsible person in view of his ongoing business interests and his employment of workers in his various businesses.

All parties had the right to appeal the Sub-Committee's decision to the Magistrates Court within 21 days of the date of decision.

The meeting concluded at 11.15am