

## **Minutes of the Licensing Sub-Committee 2**

**Tuesday, 26<sup>th</sup> March, 2024 at 2.00 pm**  
**In the Council Chamber at the Council House, Priory Road, Dudley**

### **Present:**

Councillor E Taylor (in the Chair)  
Councillors P Drake and A Taylor

### **Officers:**

N Slym – Assistant Team Manager (Licensing and Waste Enforcement) (Directorate of Public Realm); T Holder – Solicitor and H Mills – Senior Democratic Services Officer (Directorate of Finance and Legal).

---

#### **1 Election of Chair**

It was noted that Councillor E Taylor was elected as Chair for this meeting of the Sub-Committee only.

---

#### **2 Apology for Absence**

An apology for absence from the meeting was submitted on behalf of Councillor K Razzaq.

---

#### **3 Appointment of Substitute Members**

It was reported that Councillor A Taylor had been appointed as a substitute member for Councillor K Razzaq for this meeting of the Sub-Committee only.

---

---

4 **Declarations of Interest**

No Member made a declaration of interest in accordance with the Members' Code of Conduct.

---

5 **Minutes**

**Resolved**

That the minutes of the meeting held on 4<sup>th</sup> April, 2023, be approved as a correct record, and signed.

---

6 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

---

7 **Exclusion of the Public and Press**

**Resolved**

That the public and press be excluded from the meeting for the following item of business, on the grounds of the likely disclosure of exempt information relating to an individual(s) as defined under Part I of Schedule 12A to the Local Government Act 1972, as amended.

---

8 **Application for a Personal Licence**

A report of the Director of Environment was submitted to consider an application for the grant of a personal licence in respect of JLW.

The following persons were in attendance at the meeting:-

JLW – Applicant  
J Harvey – Solicitor-Advocate  
J Terry – Employer (Supporter)  
D Jenkins – West Midlands Police  
K Turley – West Midlands Police

Following introductions, the Assistant Team Manager (Licensing and Waste Enforcement) presented the report on behalf of the Council.

D Jenkins, outlined in detail the reasons for the objection submitted by West Midlands Police, in particular referring to past unspent convictions, which in their view due to the severity of the offences would undermine the Crime and Disorder Licensing Objectives should a personal licence be granted.

Following presentation of the objections, D Jenkins responded to questions raised by all parties including whether it was West Midlands Police policy to never support personal licence applications when the applicant had unspent convictions, irrelevant of the time which had lapsed since the conviction. It was also confirmed that the applicant had pleaded guilty to the offences upon arrest and no further matter/offences had been committed since the conviction.

J Harvey then presented the case on behalf of his applicant, referring to the submission that had been circulated to all parties in advance of the meeting. As part of the presentation, J Terry (current employer) was invited to make representations in support of JLW's appeal for a personal licence.

At the request of the Sub-Committee, JWL then made representations, and in doing so accepted full accountability for their actions in the past. The rehabilitation measures undertaken to try to better themselves were outlined and the Sub-Committee were asked to provide JWL with the opportunity to fulfil the offers that were now available to them.

J Harvey and JWL responded to questions raised by all parties with regards to the convictions and the discrepancy with regard to the completion of the application form in terms of the failure to disclose the convictions, although it was acknowledged that an up-to-date Disclosure and Barring Service (DBS) had been provided.

All parties were provided with the opportunity to sum up their case, following which the Solicitor provided an overall summary. At this juncture all parties withdrew from the meeting to enable the Sub-Committee to determine the application.

The Sub-Committee having made their decision invited the parties to return and the Solicitor outlined the decision.

## **Resolved**

That, following consideration of the information contained in the report and presented at the meeting, the Sub-Committee although mindful of the discrepancies in the version of events surrounding the convictions, in view of JWL's reported rehabilitation and that others had also invested in JWL's future, determined that the application for a personal licence be granted.

The meeting ended at 3.10pm

CHAIR