

Statutory Licensing Sub Committee

A meeting of Statutory Licensing Sub Committee was held on Tuesday 23rd December 2025.

Present: Cllr Eileen Johnson (Chair), Cllr John Coulson and Cllr Andrew Sherris

Officers: Natalie Hodgson, Leanne Maloney-Kelly and Sarah Whaley

Also in attendance: PC Andrew Thorpe (Cleveland Police) and Applicant - 160402

Apologies:

SLS/21/25 Evacuation Procedure

The evacuation procedure was noted.

SLS/22/25 Declarations of interest

There were no declarations of interest.

SLS/23/25 Licensing Act 2003 Personal Licence Application - 160402

Members of the Statutory Licensing Sub Committee were asked to consider an application for a personal licence under section 117 of the Licensing Act 2003 ("the Act") for applicant – 160402. The application was the subject of an objection notice from the police, therefore a hearing was required.

On reviewing the basic disclosure and the declaration, the applicant had been convicted of driving a motor vehicle with excess alcohol on 27 April 2025, which was a relevant conviction, under schedule 4 of the Act.

The police had made an objection notice, which included personal details relating to applicant – 160402's conduct.

Members of the Statutory Licensing Sub Committee agreed that the discussion of appendix 1 required exclusion of the public under regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005.

Applicant - 160402 appeared before the Committee for determination of his application and was given the opportunity to make representation.

PC Andrew Thorpe of Cleveland Police attended the meeting and was given the opportunity to make representation.

The report detailed the following:

- A copy of the grounds for the police objection to applicant – 160402's application.
- A copy of applicant – 160402's application, right to work and driving licence.

The Chair introduced everyone present and explained the procedure to be followed during the hearing.

Committee papers and reports had been provided to all relevant parties prior to the meeting.

The Committee Members were presented with the officer's report and had the opportunity to ask questions of both the officer's, Cleveland Police and applicant – 160402.

The Committee Members were presented with Cleveland Police's objection notice and had the opportunity to ask questions of both the officer's, Cleveland Police and applicant – 160402 in relation to the objection.

The Committee had considered all the information before them and listened to what the licensing officer, Cleveland Police and applicant – 160402 had said to them.

The main topics discussed were as follows:

- Cleveland Police highlighted concerns that anybody who had been convicted of driving under the influence of alcohol did not show the required level of responsibility or was trustworthy to hold a personal licence. Holding a personal licence was a big responsibility where important decisions needed to be made and which could put the licence holder and others in jeopardy if the wrong decisions were made. Cleveland Police therefore had no choice but to object to applicant – 160402's application for a personal licence on the grounds that it could undermine the Crime and Disorder licensing condition. The poor decision-making applicant – 160402 had made committing such an offence called in to question his decision making when supplying alcohol and the general running of a licensed premises.

- Applicant – 160402 gave the Committee a potted history of his ill health, family background and work life.

- Applicant – 160402 had been mentally discharged from the Army and registered disabled in 2012 and since then had spent most of his time at home or in hospital.

- Applicant – 160402 explained that he used to sing in pubs and whilst singing, he was offered a bar job. Within 3 weeks of taking the job he was promoted to assistant manager and then was given the opportunity to run a pub over a holiday cover period. Applicant – 160402 told Members that he was encouraged by his family to investigate the possibility of doing this himself, however he didn't know if he was strong enough, however his family told him he was. Applicant – 160402 also informed Members that he had taken and passed Level 2 Award for Personal Licence Holders.

- Applicant – 160402 explained the circumstances around his drink driving offence. Applicant – 160402 had received a text message from friends between 01:30 to 02:00 asking him to pick them up from a licensed premises in Stockton to which he agreed. When applicant – 160402 arrived at the premises his friends were not where they said they would be, so he went inside to look for them. Applicant – 160402's friends gave him a large glass of wine which applicant – 160402 drank. Applicant – 160402 then proceeded to drive his car and was breathalysed, which resulted in a positive test for alcohol and applicant – 160402's subsequent conviction of driving a motor vehicle with excess alcohol.

- Applicant – 160402 informed the Committee that this was the first time that he had ever got into a vehicle with alcohol in his body and wasn't sure if the alcohol mixed with his medication had impacted the result. Applicant - 160402 also told Members that he had made a mistake and let himself and his family down and that he didn't usually drink, as he had stopped in 2012.

- Applicant 160402 told the Committee that he was wanting to embark on a career running a pub with his son. Applicant – 160402 had already been offered 2 jobs however he needed to get his personal licence to be able to accept one of the jobs. Applicant – 160402 highlighted that many customers and staff thought he was good at running a pub, which had impacted positively on applicant – 160402's confidence and he felt he would be able to do a good job. Applicant – 160402 also informed Members that he really needed this opportunity to get back into the workplace and focus on working which would enable him to take his mind off his illness and let him feel like himself again.

Members were given the opportunity to ask questions of the applicant which could be summarised as follows:

- Members asked applicant – 160402 about his drinking habits around the time of the offence. Applicant – 160402 explained that he didn't drink, however he had done when he was in the Army. On the night of the offence applicant – 160402 was meeting an old friend and his friend's son and drinking was not something he would normally do as applicant – 160402 liked to sing and therefore he usually only drank water

- Brief discussion was had around one of the jobs that had been offered to Applicant – 160402 and whether it was essential that he needed a personal licence to enable him to accept the position. Applicant – 160402 confirmed he would need the personal licence to be able to accept the job.

- Questions were raised relating to how much alcohol was in applicant – 160402's system when tested. Applicant – 160402 said it had been 51 at the roadside and 50 at the station, however he felt this was high for 1 drink, therefore questioned whether his medication had impacted on the reading. Applicant - 160402 also highlighted that his medication did state not to take with alcohol, therefore he should have not accepted the drink and he was sorry, he had made a mistake.

Applicant - 160402 was given the opportunity to make a closing statement.

The Statutory Licensing Sub-Committee had considered all of the papers before them and listened to what the officer, applicant - 160402 and PC Thorpe had said to them.

The Committee were sympathetic towards applicant- 160402, and his circumstances, however, the Committee determined that applicant – 160402's application should be refused due to his relevant offence for driving with excess alcohol.

Unfortunately, such an offence raised concerns about applicant – 160402's ability to make responsible decisions as required by a personal licence holder.

RESOLVED that applicant – 160402's application for a Personal Licence be refused for the reasons as detailed above.

Chair: