

Cherwell District Council

Licensing Sub Committee

Exempt Minutes

3 **Constitution of the Sub Committee**

The constitution of the sub-committee was Councillors Blackwell, Ilott and Reynolds.

4 **Exclusion of the Press and Public**

Resolved

That the press and public be excluded as the following item had been marked as confidential and the exclusion of the press and public is compulsory in law.

5 **Personal Licence Determination Hearing**

Environment & Community

D Ian Davies BSc (Hons) DMS **Strategic Director Environment & Community**

Chris Rothwell BSc (Hons) FInst SRM **Head of Safer Communities, Urban & Rural Services**

Cherwell

**DISTRICT COUNCIL
NORTH OXFORDSHIRE**

Mr Abdullah Shehab
368 Cowley Road
Cowley
Oxford
Oxfordshire
OX4 2BY

*Bodicote House
Bodicote • Banbury
Oxfordshire • OX15 4AA
Telephone 01295 252535
Textphone 01295 221572
DX 24224 (Banbury)
<http://www.cherwell.gov.uk>*

Please ask for **Licensing**
Direct Dial **01295 753744**

Our ref **PSL**
Fax **01295 221878**

Your ref
Email **licensing@cherwell-dc.gov.uk**

4 August 2011

Dear Mr Shehab

Licensing Act 2003 – Grant of Personal Licence Application: Mr Abdullah Shehab

I refer to the hearing of the Licensing Sub-Committee on 28 July 2011 at which the Sub-Committee considered an application in respect of the above named person for the grant of a personal licence under the Licensing Act 2003. The decision contained in this letter is a decision of the Licensing Authority.

Regulation 20 of the Licensing Act (Hearings) Regulations 2005 states:-

Failure of parties to attend the hearing

20. — (1) *If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.*
- (2) *If a party who has not so indicated fails to attend or be represented at a hearing the authority may—*
- (a) *where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or*
 - (b) *hold the hearing in the party's absence.*
- (3) *Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.*
- (4) *Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.*

As you failed to attend the hearing the Sub-Committee first considered if it were necessary in the public interest to adjourn the hearing. It determined that it was NOT in the public interest to adjourn the hearing and determined therefore to hold the hearing in your absence.

After considering all the representations made at the hearing the Sub-Committee made the following determination:

The Licensing Sub-Committee have considered the report given by the Licensing Officer as well as the representations made by Thames Valley Police.

The Licensing Sub-Committee have also taken note of the Licensing Objectives, the Licensing Act 2003 guidance and the Council's Licensing Policy document.

Mr Shehab made no representations. The Sub-Committee therefore concluded that there were no exceptional or compelling reasons to grant the application in the light of Thames Valley Police's objection.

The application is therefore refused.

You have a right of appeal against this decision to the Magistrates' Court within 21 days of the date of this letter. The relevant Magistrates Court for the area is;

Northern Oxfordshire Magistrates Court
The Courthouse
Warwick Road
Banbury
Oxon
OX16 2AW

Tel: 01295 452000
Fax: 01295 452050

As you did not attend the Hearing I am also returning your Personal Licence qualification certificate and your basic Disclosure form.

The Licensing Sub Committee - 28 July 2011

Finally, if you have any queries regarding this notice, please contact a member of the Licensing Team on 01295 753744.

Yours Sincerely

A handwritten signature in purple ink, appearing to read 'Natasha Barnes', followed by a long horizontal line extending to the right.

Natasha Barnes
Licensing & Vehicle Parks Manager