

**NEWARK & SHERWOOD DISTRICT COUNCIL
LICENSING SUB-COMMITTEE**

**RECORD OF HEARING HELD ON
21 SEPTEMBER 2018
10:00 HOURS
CIVIC ROOM ONE, CASTLE HOUSE**

**HEARING TO CONSIDER THE SUSPENSION OR REVOCATION OF A
PERSONAL LICENCE**

SUB – COMMITTEE: Councillor Mrs R. Crowe (Chairman)
Councillor D.R. Payne
Councillor B. Wells

ALSO IN ATTENDANCE: Caroline O’Hare (Legal Advisor)
Nicola Kellas (Licensing Officer)
Councillor Mrs K. Arnold (Observer)
Councillor Mrs L.M.J. Tift (Observer)

Personal Licence Holder

Danny Ashford Godfrey

Presentation by Licensing Officer

The Licensing Officer presented to the Sub-Committee details of the reason for the Hearing which sought Members’ consideration as to what action should be taken with regard to the Personal Licence Reference No. 002130 issued under Section 120 of the Licensing Act 2003 to Mr. Danny A. Godfrey following a conviction of drink-driving.

The report before the Sub-Committee presented Members with the background to the circumstances which had led up to Mr. Godfrey’s arrest and subsequent conviction of drink-driving. Paragraph 3 of the report set out the legislation in relation to the powers that licensing authorities had to revoke or suspend a personal licence and the duties of the personal licence holder to notify the issuing authority of any convictions. The options available to the Sub-Committee were listed in paragraph 4 and the options available to them were contained in paragraph 5.

Presentation by Personal Licence Holder

In response to being asked to put forward the circumstances surrounding the incident and subsequent conviction, Mr. Godfrey advised that he had separated from his wife at the end of the previous year. He had also been made redundant from his job in a local supermarket and had lost his home which had resulted in him

sleeping on friends' sofas and staying occasionally at his mother's house. He had attended a leaving party following his redundancy and could only recall going into one public house. He could not recall anything further of the incident. He stated that this was extremely out of character and was very ashamed of his actions. He added that it was at the lowest point in his life but that he had since turned himself around and was currently working as a security guard.

Questions to Personal Licence Holder

A Member asked Mr. Godfrey to confirm whether he had a problem with alcohol and whether, at the time of the incident, he was utilising his Personal Licence. Mr. Godfrey confirmed that he did not have an alcohol problem and that he was not currently using his Personal Licence, adding that it was unlikely that he would use it in the future. Mr. Godfrey confirmed that prior to his redundancy he was a shift supervisor at the supermarket so had needed his personal licence then for overseeing sales of alcohol.

Summaries

The Sub-Committee's Legal Advisor stated that she had provided the Members with legal advice prior to the commencement of the Hearing and summarised what topics she had covered. She advised that should the Sub-Committee determine to take no action then the Police must be informed. Dependent upon the Police's consideration of the Sub-Committee's decision it could be that Mr. Godfrey would be required to come before Members once more.

Decision

The Chairman outlined the Sub-Committee's considerations and that they had resolved to issue Mr. Godfrey with a written warning. They also advised that should he use his Personal Licence in the future to contact the Licensing Authority to ensure that he was aware of any changes to legislation which may affect his employment.

The hearing closed at 10:24 hours