

# Licensing Sub Committee Agenda

**Tuesday, 26 May 2015 at 9.30 am**

Committee Room 1 - Town Hall, Queens Road, Hastings TN34 1QR

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		Page No.
<b>Members of the Licensing Sub Committee to sit on this hearing are:</b>		
<b>Councillors Batsford, Charlesworth and Roberts with Councillor Beaney in reserve.</b>		
1.	Appointment of Chair for this meeting	
2.	Apologies for Absence	
3.	Minutes of the meeting held on 8 September 2014	1 - 4
4.	Declarations of Interest	
5.	Notification of any additional urgent items	
6.	Application for a Personal Licence as a result of a Police Objection Notice (Corporate Director, Environmental Services)	7 - 20
7.	Additional urgent items (if any)	

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# Agenda Item 3

## LICENSING SUB COMMITTEE

8 SEPTEMBER 2014

Present: Councillors Batsford, Charlesworth, Sabetian and Charman

### 1. **APPOINTMENT OF CHAIR FOR THIS MEETING**

In accordance with the terms of reference of the Licensing Committee, the Chief Legal Officer invited nominations for the appointment of Chair for the duration of the meeting. Councillor Sabetian moved that Councillor Batsford should take the Chair. This was seconded by Councillor Charlesworth.

**RESOLVED** (unanimously) that Councillor Batsford be appointed as Chair for the duration of the meeting.

### 2. **APOLOGIES FOR ABSENCE**

None.

### 3. **DECLARATIONS OF INTEREST**

Councillor Charlesworth declared a personal interest in that she had shopped at Yella Shop in the past.

### 4. **MINUTES OF MEETING HELD ON 15 JULY 2014 (FOR INFORMATION)**

**RESOLVED** – That the minutes of the meeting held on 15 July 2014 be approved and signed by the Chair as a true record.

### 5. **NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS**

None.

### 6. **APPLICATION FOR A PREMISES LICENCE: YELLA SHOP, 34 KINGS ROAD, ST LEONARDS ON SEA**

Councillor Batsford set out the procedure that the Sub-Committee would adopt (in accordance with Standard Practice), all parties confirmed they understood this.

The Corporate Director, Environmental Health, submitted a report on an application for a premises licence at Yella Shop, 34 Kings Road, St. Leonards on Sea.

Mr Brown, Licensing Manager, presented the report. Since the publication of the report, he informed the committee that an email of communication had taken place between Ms Debra Silvester, Licensing Services Agency, and Tony Masters, Licensing Officer, Sussex Police, regarding a number of revised conditions proposed

## LICENSING SUB COMMITTEE

8 SEPTEMBER 2014

by the applicant. Their email of communication, dated 27<sup>th</sup> August, was circulated to the committee to read.

Mr Savill, Barrister, for Sussex Police, made his submission on the grounds that the variation of the premises licence will not promote the licensing objectives, specifically the prevention of crime and disorder and the prevention of public nuisance. He commented that the applicant had failed to demonstrate in his operating schedule that there would not be any negative cumulative impact as the premises falls within the St. Leonards town centre saturation zone. Furthermore, the Police report the area is beset with problems and that another alcohol outlet cannot but contribute to the problem.

Councillor Sabetian asked Mr Savill if the negative cumulative impact referred to in the application, applied to the latest information received or whether it had been addressed in the operating schedule. Mr Savill confirmed that it was applicable to both and the subsequent amendment. He advised that all measures which address the running of the premises do not address cumulative impact in any way.

Mr Brown read the representations received in response to the application from local interested parties. They comment on the existing problems in the area and how this application would add to those issues. The representations were attached under Appendix C of the agenda.

Ms Debra Silvester, Agent for the applicant, was present. In her submission she said they had offered a number of conditions to further promote the licensing objectives. In regard to the running of the premises, she said the applicant will provide extensive/regular training which will be recorded; all staff will be familiar with Challenge 25 and the refusals register; posters will be displayed in the shop to promote this; alcoholic products will be limited to a maximum of 6.5% volume and will be sold from 8am to 11pm daily; all staff will be made aware of street drinkers. She added that Mr Thirukkumar had 7 years of experience having worked in Surrey and Croydon, he understands the cumulative impact and does not wish to cause further problems. He will join the shop Watch Scheme and St Leonards Town Team to work with local shopkeepers. She concluded that Mr Thirukkumar wished to be part of the community and stated that he will ensure the grant of a licence will not have a negative impact.

Councillor Sabetian asked Ms Silvester why there was no suggestion to include the extra conditions in the original application. Ms Silvester said she was not aware of the process for the cumulative impact zone and only became aware upon receipt of an email from the Police and objectors.

Councillor Charlesworth asked how many staff would be in the shop. Mr Thirukkumar said one member of staff would be present, but if the shop was busy a second member of staff would be present.

The Licensing Manager sought clarification on when they found out about the Saturation Policy. Ms Silvester said it was after the application had been submitted on 18<sup>th</sup> July 2014. She said she contacted the Police and decided to put more measures in place.

## LICENSING SUB COMMITTEE

8 SEPTEMBER 2014

Mr Brown asked Mr Thirukkumar how many times he visited the premises. Mr Thirukkumar confirmed that he had visited the premises three times. Mr Brown went on to ask him if he was proposing to be the Designated Premises Supervisor (DPS) and where he was issued his personal licence. Mr Thirukkumar confirmed his licence was issued by Rother District Council and that he had visited the premises three times. Ms Silvester added that Mr Thirukkumar had been living away in Surrey for the last 8 to 10 years.

Mr Savill said it had been of concern to the Police that this application was submitted without knowledge of the cumulative impact policy/zone. Although there will be internal management processes such as CCTV and training, the conditions offered by the applicant do not address their concerns for the cumulative impact zone. He stated that the cumulative impact is managing the customers behaviour out of the premises. The applicant had not addressed this at all.

In his summary, Mr Brown reiterated the fact that the application was for a premises located within one of the three saturation zones in the borough. A fact that had been identified by the police and the Council early in the application process.

In her summary, Ms Silvester stated that Mr Thirukkumar could do nothing about the cumulative impact, or influence how other shops were run. She went on to say that the applicant had put measures in place to work with the community and that Mr Thirukkumar will run the premises to the best of his ability.

**RESOLVED (unanimously) that the application be REFUSED for the following reason:**

**The Applicant has not addressed the issue of Cumulative Impact within the Operating Schedule. He was not aware that the premises were within the saturation area when he made his application.**

**The suggested amendment to the application and the additional conditions fail to address that there would be no negative cumulative impact on the Licensing Objectives.**

**The Committee have had regard to their own Licensing Policy and the guidance issued by the Secretary of State in June 2014.**

### **7. ADDITIONAL URGENT ITEMS (IF ANY)**

None.

(The Chair declared the meeting closed at. 3.07 pm)

**LICENSING SUB COMMITTEE**

**8 SEPTEMBER 2014**

# ~~Agenda Annex~~ **Licensing Sub Committee Procedures**

## **1. The Chair's Introduction and Explanation of the Procedure, which will be followed**

- ☐ Introduce Members and Officers and invite the applicant, objectors and any representatives to the table, asking them to introduce themselves.
- ☐ Explain that the hearing will follow a procedure, and that is that the Officer will make his report, followed by the Consultees such as the Police and then the Objectors and finally the Applicant. There will be an opportunity for questions. Members may ask for clarification from the Licensing Officer and Summaries may be given if required.
- ☐ Ask if the Parties received the report and are ready to proceed.
- ☐ If any Party to the hearing fails to attend ask Members to consider whether to adjourn the hearing or to proceed in the Party's absence.

The Hearing of each application will then follow the order set out below:

## **2. Summary of report by Licensing Manager / Officer.**

## **3. Statutory Consultees (eg Police, Fire Service, Environmental Health) submissions on the application.**

Any questions for Statutory Consultees from

- ☐ Applicant / Representative?
- ☐ Objectors?
- ☐ Officers?
- ☐ Members?

## **4. Other Objectors each make submissions on the application.**

Any questions for Objectors from

- ☐ Applicant / Representative?
- ☐ Statutory Consultee?
- ☐ Officers?
- ☐ Members?

## **5. Applicant / Representative make submissions on the application / call any witnesses.**

Any Questions for Applicant / Representative / Witnesses from

- ☐ Statutory Consultees and Objectors?
- ☐ Officers?
- ☐ Members?

## **6. Do Members require any clarification from the Licensing Manager / Officer?**

If clarification given, questions on clarification only from:

- ☐ Applicant / Representative?
- ☐ Statutory Consultees and Objectors?
- ☐ Members?

## **7. Summaries (if required)**

- ☐ Licensing Manager / Officer summing up
- ☐ Statutory Consultees and Objectors' summing up
- ☐ Applicant/Representative summing up

## **8. Decision Making**

- ☐ Members retire to discuss the application, propose and second a recommendation and vote on this.
- ☐ They may take legal advice from the Legal Advisor. The Legal Advisor will advise the Parties of any legal advice given to the sub-committee. No other person may retire with the Sub-committee.
- ☐ The decision is announced by the Chair giving full reasons for the decision, together with any conditions, which are to be attached to the grant of the licence or the reasons for a refusal of the application.

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# Agenda Item 6



**Report to:** Licensing Sub-Committee

**Date of Meeting:** 26th May 2015

**Report Title:** Application for a personal licence with a police objection. Mr Riza Dogan.

**Report By:** Mike Hepworth  
Head of Environmental Services

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## **Purpose of Report**

To consider the application for a Personal Licence as a result of a Police Objection Notice.

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## **Recommendation(s)**

- 1. Members consider the content of the report, the options available and reach a decision.**

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## **Reasons for Recommendations**

The Licensing Act 2003 requires a licensing sub committee to consider such applications when an appropriate objection notice have been made. The decision reached at the sub committee can be subject to appeal by any party to the hearing who is aggrieved by the decision.

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## Introduction

## Introduction

### 1.0 Background History

1. On 7th February 2005 the Licensing Act 2003 came into force for all local authorities, marking the practical commencement of the Government's new liquor licensing regime.
2. On the 31st March 2015 Hastings Borough Council received an application for a personal licence for Mr Riza Dogan, 43 The Slides, St Leonards on Sea, TN38 9LE from CPL Training, Birkenhead, made under Section 117 the Licensing Act 2003. (Attached Appendix A).
3. Mr Dogan has not previously held any form of licence to sell Alcohol.

### 2.0 Application

4. The application must include a disclosure of convictions form with a signed declaration together with a copy of the relevant licensing qualification and a copy of a basic disclosure for criminal convictions. This was done in this case and forms part of Appendix A.
5. Question 3 on the disclosure of convictions form asks " Have you been convicted of any relevant offence or foreign offence?" and then asks " If you have been convicted of any relevant offences you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed".
6. In this case the applicant has answered, "Yes" to the first question and gave details of seven (7) Court dates with offences but did not include any conviction or sentence details.
7. The applicant has signed a declaration at part 5 of the disclosure, the form stating "The information contained in this form is correct to the best of my knowledge and belief" Contained in appendix A.
8. The basic disclosure submitted showed the seven convictions on the dates declared in the disclosure of convictions form. Six of which are not matters considered relevant to the application for a personal licence. One offence for Wounding with intent to do Grievous Bodily Harm for which he received a 5yr prison sentence in 2005 is a relevant offence under the Act.

### 3.0 Consultation

9. The Licensing Act 2003 requires the licensing Authority to notify the Police, if it appears to them that the applicant for a personal licence has relevant convictions, this has been done.
10. As a result of this process the police served an "Objection Notice" on the Authority within the 14 days of the notification being served on them by the local Authority. The notice being on the grounds of undermining the crime prevention objective. (Attached Appendix B).
11. This objection is considered to be valid, under the statutory guidance issued by central government.

### 4.0 Legal Considerations

12. The Licensing Act 2003 is now the only process to issue persons with a personal licence to sell Alcohol.
13. The application process is laid down in Statute and only allows for an "Objection notice" to be served by the police on the crime prevention objective.
14. If a relevant objection notice is served on the local authority in the laid down timescale, a hearing must be held.
15. The Department for Culture, Media and Sport has issued guidance under Section 182 of the Licensing Act 2003. This guidance is provided to Licensing Authorities to assist them in carrying out their functions.
16. All members of the Licensing Committee have been supplied with copies of the DCMS Government guidance and the Hastings Borough Council Statement of Licensing Policy.
17. Human rights considerations must be taken into account fully in balancing licensing issues, in particular, article 1 of the first protocol and article 8. Article 1 relates to the protection of property and the peaceful enjoyment of possessions and property. Holding a personal licence would be considered a possession. Article 8 relates to the right to respect for private and family life, home and correspondence. These are however qualified rights and can be deprived of "in the public interest". Interference is permissible if what is done:-
  18. Has its basis in law;
  19. Is necessary in a democratic society to fulfil a pressing need or pursue a legitimate aim;
  20. Is proportionate to the aims being pursued; and,
  21. Is related to the prevention of crime; or, the protection of public order or health.
22. If members chose to refuse the licence application, the applicant has a right of appeal to the Magistrates' Court.

## 5.0 Options

- 23. Grant the application for a personal licence.
- 24. Refuse the application for a personal licence.
- 25. Members are reminded they must give written reasons for their decision.

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### Wards Affected

None

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### Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	No
Crime and Fear of Crime (Section 17)	Yes
Risk Management	No
Environmental Issues	No
Economic/Financial Implications	No
Human Rights Act	Yes
Organisational Consequences	No
Local People's Views	No
Anti-Poverty	No

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### Additional Information

Appendix A. Application for personal licence with supporting papers.  
Appendix B. Police Objection Notice.

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### Officer to Contact

Bob Brown. Licensing Manager  
bbrown@hastings.gov.uk  
01424 783249

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Licensing Team  
HASTINGS BOROUGH COUNCIL  
Aquila House - 4th Floor  
Breeds Place  
Hastings  
East Sussex  
TN34 3UY

To whom it may concern,

Please find enclosed the required documentation and fee for a personal licence application.

The application is being made on behalf of the applicant, by CPL Training.

We would greatly appreciate that you send all correspondence, including the granted licence, to our address of CPL Training, Egerton House, 2 Tower Road, Birkenhead, Wirral CH41 1FN, as also noted on the application itself, rather than the client directly.

Should you have any queries about this application, please do not hesitate to contact us on 0151 650 6910 and ask to be put through to the licensing team.

Many thanks for your assistance.

The Licensing Team

CPL Training

**HASTINGS BOROUGH COUNCIL**

**31 MAR 2015**

**AQUILA HOUSE**

CAN 1310 31/3 JR £37.00

### Application for a personal licence

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

1. Your personal details			
<b>TITLE</b> Please tick			
Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)			
Surname		DOGAN	
Forenames		LIZA	
<b>PREVIOUS NAMES</b> (if relevant) please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary.			
<b>TITLE</b> Please tick			
Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)			
Surname		Elen	
Forenames		Polat	
I am 18 years old or over. Please tick			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>ADDRESS WHERE ORDINARILY RESIDENT</b> (We will use this address to correspond with you unless you complete the separate correspondence box below).			
43 The Slides, St Leonards on Sea			
<b>Post town</b>		<b>Post code</b>	
St Leonards on Sea		TN38 9LE	
<b>TELEPHONE NUMBERS</b>			
Daytime		[REDACTED]	
Evening		[REDACTED]	
Mobile		" "	
<b>FAX NUMBER</b>			
<b>E-MAIL ADDRESS</b> (if you would prefer us to correspond with you by e-mail)			

PERS 1296.  
HO 31097.

W/201500342

**Address for correspondence associated with this application (if different to the address above)**

CPL TRAINING  
EGERTON HOUSE  
2 TOWER ROAD  
BIRKENHEAD  
WIRRAL

**Post town**

**Post code**

CH41 1FN

**TELEPHONE NUMBERS**

Daytime 0151 650 6910

Evening

Mobile

**E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)**

licensing@cpltraining.co.uk

**2. Your licensing qualifications**

Read Note 1

Please tick yes

Please indicate below which one of these statements applies to you:

1. I hold an accredited licensing qualification



2. I hold a certified qualification



3. I hold an equivalent qualification



4. I am a person of prescribed description



If you have ticked either of statements 1, 2 or 3 please provide details of your qualification in the box below (name of qualification, date of issue, issuing body) and please enclose your qualification with your application.

If you have ticked statement 4, please provide evidence that you are a person of prescribed description.

AWARD FOR PERSONAL LICENCE HOLDER

ISSUED: 28 October 2014

**3. Previous or outstanding applications for a personal licence**

Note: You may only hold one personal licence at a time.

Please tick

Do you currently hold a personal licence?

Yes

No



Do you currently have any outstanding applications for a personal licence, with this or any other licensing authority?


Yes

No



Has any personal licence held by you been forfeited in the last 5 years?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Licensing Authority			
Licence number			
Date of issue			
Date of expiry			
Any further details			

4. CHECKLIST:	
I have	Please tick yes
• enclosed two photographs of myself, one of which is endorsed as a true likeness of me by a solicitor or notary, a person of standing in the community or any individual with a professional qualification	<input checked="" type="checkbox"/>
• enclosed any licensing qualification I hold or proof that I am a person of prescribed description	<input checked="" type="checkbox"/>
• enclosed a criminal conviction certificate or a criminal record certificate or the results of a subject access search of the police national computer by the National Identification Service	<input checked="" type="checkbox"/>
• enclosed a completed disclosure of criminal convictions and declaration form (Schedule 3)	<input checked="" type="checkbox"/>
• made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>

5. Declaration	
<p><b>The information contained in this form is correct to the best of my knowledge and belief.</b></p> <p>It is an offence knowingly or recklessly to make a false statement in or in connection with an application for the grant or renewal of a personal licence. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.</p>	
SIGNATURE	<div>  </div>
DATE	28.01.2015

#### NOTES

Information on the Licensing Act 2003 is available on the website of the Department for Culture, Media and Sport  
[http://www.culture.gov.uk/alcohol\\_and\\_entertainment/default.htm](http://www.culture.gov.uk/alcohol_and_entertainment/default.htm)  
 or from your local licensing authority.

#### 1. Licensing qualifications

Licensing qualifications are dealt with in section 120(8) and (9) of the Licensing Act 2003.



### Disclosure of convictions and declaration

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

1. Your personal details	
<b>TITLE</b> Please tick	
Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)	
Surname	DOGAN
Forenames	RIZA
<b>PREVIOUS NAMES</b> (if relevant) please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary.	
<b>TITLE</b> Please tick	
Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)	
Surname	EREN
Forenames	POLAT

2. Forfeiture of a personal licence in the last 5 years		
Do not answer this question if you are applying under regulation 8 of the Licensing Act (Personal licences) Regulations 2005		
	Please tick	
Has any personal licence held by you been forfeited in the last 5 years?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If yes, please provide details below:		
Name of court		
Address of court		
Date of forfeiture		
Offence which resulted in the forfeiture		
Any additional details		

3. Relevant or foreign offences	
Read Note 1	Please tick
Have you been convicted of any relevant offence or foreign offence?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If you have been convicted of any relevant offences you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed:	
15/02/01 HARINGEY MAGISTRATES - POSSESSING OFFENSIVE WEAPON IN PUBLIC	
15/02/02 HARINGEY MAGISTRATES - TAKING MOTOR VEHICLE WITHOUT CONSENT	
14/05/02 HARINGEY MAGISTRATES - DRIVING WHILEST DISQUALIFIED + UNINSURED	
20/03/03 WALTHAM FOREST - DISORDERLY BEHAVIOUR OR THREATENING	
06/02/04 THAMES MAGISTRATES - POSSESSING OFFENSIVE WEAPON	
18/06/04 ENFIELD MAGISTRATES - DESTROY OR DAMAGE PROPERTY	
14/02/05 WOOD GREEN CROWN - WOUNDING WITH INTENT	
If you have been convicted of any foreign offences you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed:	

4. Declaration	
I declare that I have not been convicted of any relevant offence or any foreign offence	
SIGNATURE	DATE

5. Declaration	
The information contained in this form is correct to the best of my knowledge and belief.	
It is an offence knowingly or recklessly to make a false statement in or in connection with an application for the grant or renewal of a personal licence. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.	
SIGNATURE	DATE
<i>Run</i>	28.01.2015

## NOTES

Information on the Licensing Act 2003 is available on the website of the Department for Culture, Media and Sport

([http://www.culture.gov.uk/alcohol\\_and\\_entertainment/default.htm](http://www.culture.gov.uk/alcohol_and_entertainment/default.htm))  
or from your local licensing authority.

### **1.Relevant or foreign offences**

**Relevant offences** are the offences listed in Schedule 4 to the Licensing Act 2003:

The meaning of **foreign offence** is dealt with in section 113 of the Licensing Act 2003.

If you are the holder of a justices' licence and you are applying for a personal licence under regulation 8 of the Licensing Act (Personal licences) Regulations 2005 see paragraphs 23 and 28 in Part 3 of Schedule 8 to the Licensing Act 2003 for the information you are required to give.

If you are convicted of any relevant or foreign offence during the period between when your application is made and when your application is determined or withdrawn, you must notify the authority to which your application was made. Failure to do so without reasonable excuse could lead to prosecution and a fine not exceeding level 4 on the standard scale.

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**Sussex Police**  
Serving Sussex

[www.sussex.police.uk](http://www.sussex.police.uk)

## Licensing & Public Safety.

15<sup>th</sup> April 2015.

Licensing Manager  
Environment and Safety Directorate  
Cavendish House  
Breeds Place  
Hastings  
East Sussex.  
TN34 3UY.

Dear Mr. Brown.

**RE: APPLICATION FOR THE GRANT OF A PERSONAL LICENCE.**  
**NOTICE OF OBJECTION under Section 120 (5) of the Licensing Act 2003.**

Notice of objection is hereby given on behalf of the Chief Officer of Police for Sussex to the application, made under Section 117 of the Licensing Act 2003 for a personal licence, made by Mr. Riza Dogan (DOB 23/09/1983), of 43 The Slides St. Leonards on Sea East Sussex, TN38 9LE, on the grounds of crime and disorder.

Mr. Dogan has been convicted of a 'relevant offence' under the Licensing Act 2003.

On the 13<sup>th</sup> August 2004 Mr. Dogan was arrested for the offence of 'wounding with intent to do grievous bodily harm'. This is a relevant offence under the Licensing Act 2003.

On the 14<sup>th</sup> February 2005 the applicant appeared at Wood Green Crown Court and was convicted of the offence, being sentenced to 5 years imprisonment. Under the terms of the Rehabilitation of Offenders Act 1974, amended 10<sup>th</sup> March 2014, for custodial sentences of over 4 years the conviction is never 'spent' and therefore this offence remains relevant to this application.

Given the type of offence committed by the applicant and the severity of the incident, as indicated by the sentence imposed, the Chief Officer of Sussex Police is satisfied that the granting of a personal licence to Mr. Dogan would undermine the crime prevention objective. Therefore Sussex Police request that the Licensing Sub Committee refuse this application.

Yours sincerely,

Jean Irving  
Licensing / Public Safety Manager  
Sussex Police Headquarters Lewes

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