

**If you would like any further information or have any special requirements in respect of this Meeting, please contact Lynda Eastwood, Democratic Services Officer on (01507) 613421**

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Date: Wednesday, 28 January 2026

Dear Councillor,

### **Licensing Act 2003 Sub Committee**

You are invited to attend a Meeting of the **Licensing Act 2003 Sub Committee** to be held at **the Hub, Mareham Road, Horncastle, Lincolnshire LN9 6PH** on **Monday, 16th February, 2026** at **2.00pm**, for the transaction of the business set out in the attached Agenda.

Councillors observing the meeting and the public and the press may access the meeting via the following link <https://bit.ly/ELDCYT> where a livestream and subsequent recording of the meeting will be available.

Please note that this meeting will be transcribed to assist with the preparation of minutes. By remaining in the room, you are giving your consent to this transcription

Yours sincerely



Robert Barlow  
Chief Executive

### **Conservative**

Councillor Ruchira Yarsley

### **Independent Group**

Councillor Andrew Leonard

### **Labour**

Councillor Graham Cullen

### **District Independent/Liberal Democrat**

Councillor Sandra Campbell-Wardman

**LICENSING ACT 2003 SUB COMMITTEE AGENDA  
Monday, 16 February 2026**

<b>Item</b>	<b>Subject</b>	<b>Page No.</b>
<b>1.</b>	<b>ELECTION OF CHAIRMAN:</b>	
<b>2.</b>	<b>DISCLOSURE OF INTERESTS (IF ANY):</b>	
<b>3.</b>	<b>APOLOGIES FOR ABSENCE:</b>	
<b>4.</b>	<b>EXCLUSION OF THE PUBLIC AND PRESS</b> <b>To consider excluding the public and press for the following items and if appropriate the Chairman to move:</b>  <b>That under Section 100(a)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items on the grounds that, if they were present, there could be disclosed exempt information as defined at paragraph 1,2 and 7 of Part 1 of Schedule 12A of the Act (as amended).</b>	
<b>5.</b>	<b>REVIEW OF A PERSONAL LICENCE:</b>  Confidential report of the Group Manager Public Protection. Appendix 1 and 2 are confidential.	<b>1 - 16</b>

By virtue of paragraph(s) 1, 2, 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

Agenda Item 5

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**APPENDIX 3****Extract from the Home Office Guidance to Licensing Authorities Issued Under Section 182 of the Licensing Act 2003 (November 2025)****Personal Licences****Licensing Authority Powers to Revoke or Suspend Personal Licences****Paragraph 4.75**

The Policing and Crime Act 2017 gives licensing authorities the power to revoke or suspend personal licences, with effect from 6 April 2017. This is a discretionary power; licensing authorities are not obliged to give consideration to all personal licence holders subject to convictions for relevant offences, foreign offences or civil penalties for immigration matters. When a licensing authority has granted a personal licence and becomes aware that the licence holder has been convicted of a relevant offence or foreign offence or been required to pay an immigration penalty, a licensing authority may revoke the licence or suspend it for a period of up to six months. This applies to convictions received and civil immigration penalties which a person has been required to pay at any time before or after the licence was granted, as long as the conviction was received after 6 April 2017, or the requirement to pay the civil penalty arose after 6 April 2017. Only magistrates' courts can order the forfeiture or suspension of a personal licence for convictions received prior to 6 April 2017. The process which must be undertaken by the licensing authority to suspend or revoke a personal licence is set out at section 132A of the 2003 Act. The decision to revoke or suspend a personal licence must be made by the licensing committee or sub-committee, but the actions required before making a final decision may be made by a licensing officer.

**Paragraph 4.76**

The licensing authority may not take action if the licence holder has appealed against the conviction or the sentence imposed in relation to the offence, until the appeal is disposed of. Where an appeal is not lodged, the licensing authority may not take action until the time limit for making an appeal has expired.

**Paragraph 4.77**

If a licensing authority is considering revoking or suspending a personal licence, the authority must give notice to the licence holder. This notice must invite the holder to make representations about the conviction, any decision of a court in relation to the licence, or any decision by an appellate court if the licence holder has appealed such a decision. The licence holder may also decide to include any other information, for example, about their personal circumstances. The licence holder must be given 28 days to make their representation, beginning on the day the notice was issued. The licensing authority does not need to hold a hearing to consider the representations. Before deciding whether to revoke or suspend the licence the licensing authority must consider any representations made by the licence holder, any decisions made by the court or appellate court in respect of the personal licence of which the licensing authority is aware, and any other information which the licensing authority considers relevant. The licensing authority may not be aware of whether the court considered whether to revoke or suspend the licence, and there is no obligation on the licensing authority to find this out before making a decision themselves. Where the court has considered the personal licence and decided not to take action, this does not prevent the licensing authority from deciding to take action itself. Licensing authorities have different aims to courts in that they must

fulfil their statutory duty to promote the licensing objectives, and therefore it is appropriate for the licensing authority to come to its own decision about the licence.

#### **Paragraph 4.78**

If the licensing authority, having considered a suspension and revocation and subsequently considered all the information made available to it, proposes not to revoke the licence it must give notice to the chief officer of police in the licensing authority's area, and invite the chief officer to make representations about whether the licence should be suspended or revoked, having regard to the prevention of crime. The chief officer may make representations within the period of 14 days from the day they receive the notice from the licensing authority. Any representations made by the chief officer of police must be taken into account by the licensing authority in deciding whether to suspend or revoke the licence. Convictions may come to light via police in another area, for example if the personal licence holder no longer lives in the area of the licensing authority which issued the licence, or if the offence took place in another police force area. In this instance it would be good practice for the police providing the information to notify the police force in the licensing authority area, because it is the local chief officer who must provide representations if the licensing authority proposes not to revoke the licence. Where the licence holder is convicted of immigration offences or has been required to pay a civil penalty for immigration matters, the licensing authority may consider notifying Home Office Immigration Enforcement to enable them to liaise with the Police.

#### **Paragraph 4.79**

The licensing authority must notify the licence holder and the chief officer of police of the decision made (even if the police did not make representations). The licence holder may appeal the licensing authority's decision to revoke or suspend their personal licence. A decision to revoke or suspend the licence does not take effect until the end of the period allowed for appealing the decision (21 days); or if the decision is appealed against, until the appeal is disposed of.

#### **Paragraph 4.80**

If the personal licence holder is a DPS, the licensing authority may notify the premises licence holder once the decision to revoke or suspend the licence has been made if it becomes necessary to do so in order for the licensing authority to be able to carry out their functions. The licensing authority may also notify any person who has declared an interest in the premises under section 178 of the 2003 Act if it becomes necessary to do so in order for the licensing authority to be able to carry out their functions. The licensing authority may invite the premises licence holder to make representations about the personal licence holder before deciding whether to revoke or suspend the licence; this is not a legal requirement and may not be appropriate in all circumstances.

### **Relevant Offences**

#### **Paragraph 4.81**

Relevant offences are set out in Schedule 4 to the 2003 Act. If a person has been required to pay a civil penalty for immigration matters on or after 6 April 2017, this may be taken into consideration in the same way as a relevant offence. Offences added to the list of relevant offences with effect from 6 April 2017 may only be taken into consideration if the conviction was received on or after 6 April 2017.