



HILLINGDON

LONDON

Nigel Wakelin
Licensing Team
Sport & Leisure Directorate
2-4 Cockspur Street
London
SW1Y 5DH

Reference: DCMS/Cons/10/SWPL

Your ref:

Date: 23rd February 2010

Dear Sir,

THE LICENSING ACT 2003 DCMS CONSULTATION ON PERSONAL LICENCES RELEVANT OFFENCES

With reference to the recent consultation which is to be returned to you by 12th March 2010, you are advised that the matter was presented to the Licensing Committee on 19th January 2010 to attain their advice and guidance.

At the meeting, members of the Committee were in overall support of the new proposals.

You are advised as follows in regard to the collective views on the consultation questions raised:

1. *Would you support the inclusion of the 'Failure to co-operate with a preliminary test' under section 6 of the Road Traffic Act 1988 in the relevant offences? Please explain your answer.*

Yes. This would be consistent with other offences relating to the Road Traffic Act.

2. *Would you support the inclusion of conspiracy offences related to the offences included in the relevant offences? Please explain your answer.*

Yes. Offences of this nature will indicate 'mens rea'.

Licensing Service
Environment & Consumer Protection Services
T.01895 277433 F.01895 250011
licensing@hillington.gov.uk www.hillingdon.gov.uk
London Borough of Hillingdon,
3S/09, Civic Centre, High Street, Uxbridge, UB8 1UW



INVESTOR IN PEOPLE

3. Would you support the inclusion of attempt offences arising under the Criminal Attempts Act 1981 in the relevant offences?

Yes.

4. Do you think that any of the offences suggested in questions 1-3 above are not appropriate to be included in the relevant offences? Please explain your answer.

No.

5. Do you agree that conspiracy and attempt offences related to relevant offences from those Acts repealed by the 2003 Act should not be included in the list of new offences? If not, why not?

Yes.

6. Do you have any evidence of unspent convictions for conspiracy and attempt offences related to relevant offences from those Acts repealed by the 2003 Act?

No.

7. Are there any offences in the relevant offences that you feel should be removed from the list? If so, why?

No.

8. Should an unspent conviction for Drunk and Disorderly be included in the list of relevant offences? Please include the reasons for your view.

Yes. Inclusion of this offence will demonstrate the applicants regard for alcohol. The applicant will then have the opportunity to explain their individual circumstances to the Licensing Committee if necessary.

9. Should an unspent conviction for Possession of Controlled Drugs be included in the list of relevant offences and, if so, which classes of controlled substances should be included. Please include the reasons for your view.

Yes. Inclusion of this offence will demonstrate the applicants regard for controlled substances.

10. Do you have any views on whether persistent sales of tobacco to under 18s and offences under the food safety act should be reflected in the relevant offences?

These offences should be included as it will reflect the applicants regard for age restricted products which is important when the applicant is seeking to be in a position of responsibility.

11. Do you agree with the assumptions that we have made in calculating the costs of the proposals? Do you have any evidence to support your opinion?

No additional costs are anticipated at this stage.

12. Do you agree that the suggested costs and benefits set out in the Impact Assessment are a reasonable estimate of the potential costs and benefits?

N/A

13. Are you able to provide us with data that will help us to calculate the costs and benefits of the proposals?

No.

Please contact me should you wish to discuss any matter.

Yours faithfully

Stephanie Waterford
Licensing Service