

# Agenda

## Licensing & Gambling Acts Casework Sub-Committee

This licensing hearing will be held on:

Date: **Wednesday 28 August 2024**

Time: **6.00 pm**

Place: **Long Room - Oxford Town Hall**

**For further information** please contact:

Committee & Member Services Team, Committee Services Officer

☎ 01865 252946

✉ [democraticservices@oxford.gov.uk](mailto:democraticservices@oxford.gov.uk)

**Members of the public can attend to observe this meeting.**

**The Licensing Team sends details to interested parties who have made valid representations in writing on these applications. Only those interested parties may speak at the hearing.**

Information about speaking and recording is set out in the agenda and on the [website](#)

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## **Committee Membership**

Councillors: Membership 3: Quorum 3

Substitutes are permitted from other members of the Licensing and Gambling Acts Committee

Councillor Simon Ottino

Councillor Asima Qayyum

Councillor Ian Yeatman

# Agenda

	<b>Pages</b>
<b>1 Election of Chair for the hearings</b> To confirm the Chair of this Sub-Committee for the duration of this hearing.	
<b>2 Procedure for the hearing</b> The hearing procedures are attached.	5 - 10
<b>3 Determine the Notification to Suspend or Revoke a Personal Licence</b> The Sub-Committee is asked to determine the notification to suspend or revoke a personal licence for Mr. Hugh Wayne Anderson (05/01415/PER), taking into account the details in the report and any representations made at the hearing.	11 - 22

## **Information for those attending**

### **Recording and reporting on meetings held in public**

Members of public and press can record, or report in other ways, the parts of the meeting open to the public. You are not required to indicate in advance but it helps if you notify the Committee Services Officer prior to the meeting so that they can inform the Chair and direct you to the best place to record.

The Council asks those recording the meeting:

- To follow the protocol which can be found on the Council's [website](#)
- Not to disturb or disrupt the meeting
- Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being recorded.
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Please be aware that you may be recorded during your speech and any follow-up. If you are attending please be aware that recording may take place and that you may be inadvertently included in these.

The Chair of the meeting has absolute discretion to suspend or terminate any activities that in his or her opinion are disruptive.

### **Councillors declaring interests**

#### **General duty**

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

#### **What is a disclosable pecuniary interest?**

Disclosable pecuniary interests relate to your\* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

#### **Declaring an interest**

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

#### **Members' Code of Conduct and public perception**

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". The matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

\*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

## OXFORD CITY COUNCIL

### LICENSING CASEWORK SUB-COMMITTEE PROCEDURES

#### ***Housekeeping Matters***

- Mobiles must be switched off
- No smoking throughout the building
- Consumption of food is not permitted

#### **The Meeting**

1. The Licensing Casework Sub-Committee shall consist of three members of the Council (councilors). At the start of each Sub-Committee meeting a Chair shall be elected from among the three members. The Sub-Committee is responsible for reaching a decision upon the application being heard by the Sub-Committee, having received addresses and representations from all parties.

#### **The Paperwork**

2. Officers of the Licensing Authority (the City Council) will prepare the paperwork for the application that is to be heard by the Sub-Committee. The paperwork will include:-
  - A summary of the application, the representations received and of any other relevant material
  - The application and any other supporting material supplied by the applicant
  - Representations made by the responsible authorities
  - Representations made by interested parties

#### **Introductions**

3. The Chair will commence the hearing by introducing her or himself and the other two Sub-Committee members. The Chair will then ask all of the other parties present to introduce themselves and explain in what capacity they are attending.

## Conduct of Proceedings

4. The role of the Chair is to control the proceedings. All questions must be put through the Chair.
5. The Chair will indicate that the members of the Sub-Committee have read and familiarised themselves with the papers and issues. The Chair will stress that the Sub-Committee does not therefore require points to be made or repeated at length.
6. The hearing shall take the form of a discussion. Formal cross-examination shall not be permitted unless the Chair considers that cross-examination in a particular circumstance would assist. In exercising this discretion to permit cross-examination, the Chair must have regard to the rules of natural justice and the right to a fair hearing.
7. Members of the Sub-Committee may ask questions to any party to elicit further information. The representative of the Licensing Authority may also ask questions of any party in order to clarify the evidence and any issues in the case.
8. The Sub-Committee will determine the application in accordance with the Council's Statement of Licensing Policy, the Licensing Act 2003 and Guidance and Regulations under the Act, taking into consideration the overriding need to promote the four Licensing Objectives.
9. In considering any representation or notice made by a party the Sub-Committee may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
10. The Sub-Committee will generally not expect any of the parties to take more than 20 minutes to address it, to give further information or to call witnesses.
11. Where a person attending the hearing is acting in a manner that the Sub-Committee consider to be disruptive, the Sub-Committee may require that the person leave the hearing and may:
  - (a) refuse to permit that person to return; or
  - (b) permit him / her to return only on such conditions as the Authority may specify.

12. Before the end of the hearing any person who was required to leave the hearing under paragraph 11 may submit in writing any information which they would have been entitled to give orally had they not been required to leave.

### **Order of Proceedings**

13. All parties have a right to attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

#### **The Licensing Authority**

14. The representative of the Licensing Authority shall present the report relating to the application to be heard by the Sub-Committee. The representative shall say who the applicant is, what the application is for and explain the paperwork before the Sub-Committee.

#### **Applicant case**

15. The applicant must fully outline their application and address the licensing objectives, and then may call witnesses if desired.
16. Where a responsible authority or interested party seeks to cross-examine the applicant or any of their witnesses, he / she must seek the permission of the Chair who will exercise the discretion as to whether to allow such questioning.

#### **Responsible Authorities case**

17. Each responsible authority must fully outline the nature of their representation and address the licensing objectives, and then may call witnesses if desired.
18. Where the applicant or an interested party seeks to cross-examine the responsible authority or any of their witnesses, he / she must seek the permission of the Chair who will exercise the discretion as to whether to allow such questioning.

#### **Interested parties case**

19. Each interested party must fully outline the nature of their representation and address the licensing objectives, and then may call witnesses if desired.

20. Where there are a number of interested parties and the nature of the representations are similar, such parties may decide to appoint a spokesperson to represent the group.
21. Where a person is representing an interested party, the representative will be required to state the full name and address of the interested party.
22. Where the applicant or responsible authority seeks to cross-examine the interested party or any of their witnesses, he / she must seek the permission of the Chair who will exercise the discretion as to whether to allow such questioning.

### **Closing submissions**

23. All parties will then be given the opportunity briefly to summarise their key points. The order shall be:-
  - Applicant
  - Responsible authorities
  - Interested parties
24. Interested parties may choose to appoint a spokesperson to briefly summarise the key points.

### **Determinations**

25. At the end of a hearing, the Chair will announce that the hearing is adjourned while the Sub-Committee retires to deliberate in private.
26. The Sub-Committee must make its determination at the conclusion of the hearing in the following cases:
  - application for a variation and conversion of an “existing licence” (“existing licence” defined at paragraph 1 of Schedule 8);
  - application for variation and conversion of an existing club premises certificate;
  - counter notice following police objection to temporary event notice;
  - review of a premises licence following closure order;
  - determination of application for conversion of existing licence;
  - determination of application for conversion of existing club premises certificate;
  - determination of application by holder of a justices’ licence for grant of a personal licence.



27. In other cases (not mentioned in paragraph 26), excluding where a hearing has been dispensed with, the Sub-Committee must make its determination within the period of five working days beginning with the day or the last day on which the hearing was held.
28. A written decision outlining the reasons for the decision will be sent to the parties forthwith on making its determinations.

**Closed hearing**

29. The hearing shall take place in public. However, the Sub-Committee may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.

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**To:** Licensing and Gambling Acts Sub-Committee  
**Date:** 28<sup>th</sup> August 2024  
**Report of:** Executive Director for Communities and People.  
**Title of Report:** Hugh Wayne Anderson – determine the Notification to Suspend or Revoke a Personal Licence  
**Application Ref:** 05/01415/PER

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	To inform the determination of the Notification to Suspend or Revoke a Personal Licence.
<b>Corporate Priority:</b>	Enable an Inclusive Economy
<b>Recommendation(s):</b> That the Licensing and Gambling Acts Sub-Committee resolves to:	
1. Determine the Notification to Suspend or Revoke a Personal Licence taking into account the details in this report and any representations made at this Sub-Committee meeting.	

<b>Appendices</b>	
Appendix 1	Thames Valley Police Notification of Mr Andersons conviction to the Licensing Authority
Appendix 2	The Licensing Authority's Notification to Suspend or Revoke a Personal Licence to Mr Hugh Anderson
Appendix 3	The Licensing Authority's Notification to Suspend or Revoke a Personal Licence to Thames Valley Police
Appendix 4	Thames Valley Police Representation to the Notification to Suspend or Revoke a Personal Licence to Mr Hugh Anderson

## Introduction and background

1. This report is made to the Licensing & Gambling Acts Casework Sub- Committee so it may determine in accordance with its powers and the Licensing Act 2003 whether **to revoke Mr Anderson's Personal Licence following his relevant conviction under the Licensing Act 2003.**

## Licensing History

2. Mr Anderson was issued a Personal Licence by Oxford City Council on 4<sup>th</sup> August 2005. Personal licences do not have an expiry date under the Licensing Act 2003.
3. On 11<sup>th</sup> April 2024 Mr Hugh Anderson was convicted of two offences deemed relevant under the Licensing Act 2003:
  - Two counts of Sexual Assault on a Female Over 13 by way of intentionally touching a female (no penetration)

Disposal:

- Suspended Imprisonment for 26 weeks wholly suspended for 2 years.
- Sex Offenders Notice for 10 years.
- Costs £3500.00.
- Victim Surcharge £156.00

A copy of the email correspondence with Thames Valley Police confirming this conviction can be found at **Appendix One**.

4. On 6<sup>th</sup> June 2024 the Licensing Authority sent Mr Anderson a Notice of Consideration to Suspend or Revoke a Personal Licence following the notification of his relevant convictions (s132A (4) Licensing Act 2003). Mr Anderson was permitted 28 days to make a representation to the notice, of which none was received.

A copy of the Notice under s132A (4) Licensing Act 2003 can be found at **Appendix Two**.

5. A copy of this notice and notification of the conviction was sent to Thames Valley Police Licensing Department via email on 5<sup>th</sup> July 2024 proposing to **revoke** Mr Anderson's personal licence in light of his convictions for relevant offences. Thames Valley Police were permitted 28 days to make representation to the notice.

A copy of the email sent to Thames Valley Police can be found at **Appendix Three**.

6. In making a recommendation to **revoke** (rather than suspend) the Licensing Authority has taken the following factors into account:

- (a) **the serious nature of offences that resulted in the convictions.**
- (b) **the offences are relevant under the Licensing Act 2003.**
- (c) **the offences took place on a licensed premises where Mr Anderson is the premises licence holder.**

7. On 12<sup>th</sup> July 2024 Thames Valley Police Force Licensing Officer responded to the request for representation to the notice; their representation detailed the circumstances of the incidents that resulted in Mr Anderson’s convictions and stated:

*“Mr Anderson has been found guilty of serious relevant offences and as such, it is the recommendation of the police to the licensing committee to revoke the personal licence.”*

A copy of the Thames Valley Police full representation can be found at **Appendix Four**.

### Statement of Licensing Policy

8. The Sub-Committee is referred to the Council’s Statement of Licensing Policy\*. In particular, the following paragraphs have a bearing upon the application:

Relevant Policy Matters	Section	Policy
Personal Licences	7.2.1, 7.2.3 and 7.2.6	N/A

9. A copy of the Statement of Licensing Policy may be obtained from the Council Offices or found online at:  
<https://www.oxford.gov.uk/downloads/download/307/download-the-statement-of-licensing-policy>.

### Home Office Statutory Guidance

10. Members are also referred to the statutory guidance issued by the Home Office. Of relevance to this personal licence are the following matters:

Relevant Sections	Relevant Paragraphs
Personal Licences – Licensing Authority Powers to Revoke or Suspend Personal Licences	4.75 to 4.77 and 4.79

11. A copy of the Home Office Statutory Guidance may be found online at:  
<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

### Other Relevant Considerations

12. The Sub-Committee is reminded of its responsibilities under the Crime and Disorder Act 1998 (to co-operate in the reduction of crime and disorder in Oxford) and the Human Rights Act 1998 (which guarantees the right to a fair hearing for all parties in the determination of their civil rights, and also provides for the protection of property, which may include licences in existence, and the protection of private

and family life) when considering the fair balance between the interests of the licensee and the rights of local residents. Any decision taken by the Sub-Committee must be necessary and proportionate to the objectives being pursued.

13. Members are reminded that whenever they make a decision under the Licensing Act 2003, they have a duty to act with a view to promoting the licensing objectives, when determining the suitability of a personal licence holder with a relevant conviction, consideration of crime prevention objective must be paramount.
14. In making its decision, Members must also have regard to the Home Office statutory guidance issued under section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy.
15. The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
  - a) to take no action.
  - b) issue a warning.
  - c) suspend the personal licence, or
  - d) revoke the personal licence.
16. Members should note that the licence holder or Responsible Authorities have the right of appeal against the decision made by the Sub-Committee.

<b>Report author</b>	Emma Thompson
Job title	Senior Licensing Compliance Officer
Service area or department	General Licensing
Telephone	01865 252565
e-mail	<a href="mailto:licensing@oxford.gov.uk">licensing@oxford.gov.uk</a>

**APPENDIX ONE**

**From:** [Redacted]  
**To:** [Redacted]  
**Subject:** RE: Hi-Lo Jamaican Eating House  
**Date:** 17 May 2024 16:43:35  
**Attachments:** [image007.png](#)  
[image009.png](#)  
[image010.jpg](#)  
[image001.jpg](#)  
[image002.png](#)  
[image004.png](#)

Hi Emma  
Please see below responses to your questions

[Redacted]

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

Want to know more about Licensing or the Night Time Economy?  
Read our:

[Redacted]

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**From:** [Redacted]  
**Sent:** 08 May 2024 16:42  
**To:** [Redacted]  
**Subject:** RE: Hi-Lo Jamaican Eating House

Hi [Redacted]  
Following our meeting earlier to determine the next appropriate steps in relation to Mr Andersons personal licence can you please confirm the following:

- What date was Mr Anderson convicted? 11/04/2024 at Oxford Crown Court
- Do you know if he has made an appeal to his conviction? I don't I am afraid
- Can you please confirm the exact details of the conviction(s) including the relevant legislation he was convicted under. *This is so we can determine if the conviction(s) are a relevant offence under the Licensing Act 2003. I believe it was the Sexual Offences Act 2003 section 3 -Sexual assault on a female 13 or over by way of intentionally touching a female (no penetration)*

Once we have the above information we will be able advise further.  
Kind Regards

[Redacted] | Senior Licensing Compliance Officer | Communities and People | Oxford City Council | Town Hall | St Aldate's | Oxford | OX1 1BX | General Telephone No: 01865 252565 | Post point 3.6

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**From:** [Redacted]  
**Sent:** Tuesday, April 30, 2024 2:43 PM  
**To:** [Redacted]  
**Subject:** RE: Hi-Lo Jamaican Eating House

Hello [Redacted]  
Regrading the below, I've been able to speak to the clerk to the court and the OIC so I am a bit more

informed now.

Mr Anderson was arrested for three separate counts of touching female customers over clothing. The matter went to court and he was found guilty of two (the third was NFA'd) resulting in:

- Suspended Imprisonment 26 weeks wholly suspended 2 years
- Sex offenders notice 10 years
- Costs £3500.00
- Victim surcharge £156.00

In speaking to the court clerk I had the following update:

Good afternoon,

Please see HHJ Gledhill KC's comments below:

"I have no recollection that this was brought to my attention during the trial – but I can't say for certain. The most appropriate way of ascertaining whether it was is to ask prosecuting counsel.

Even if the Court was not told, I have no intention of taking the matter further. That is a matter for the police and the licensing authority."

Nightsafe did a visit to the premises over the weekend showing it was shut and in officers words it doesn't look like its been open for a while.

There have been some subsequent concerns around Mr Anderson's state of mind linked to his dress, level of hygiene and the state of his living accommodation and as part of the sex offenders list follow up offices have created an adult CRI for social services.

In the run up to court it transpired his wife had also passed away. He has been advised on numerous occasions by myself and the Licensing Authority that with the passing of his wife the venue is without a DPS and therefore cannot sell alcohol and we would not support putting him on the licence given he was currently under investigation and had a somewhat chequered past on PNC.

I think that there is work to be done. I think a conversation around Mr Anderson's personal licence needs to happen next needs to happen, the police will want him off as PLH and that could result in a review to revoke given he is the PLH in order to achieve that but certainly given the matter was in relation to sexual offending against female customers whilst the venue was open and trading also means that a review should really happen. But the LPA as the owner will need to make that decision.

I certainly think that a conversation with Mr Anderson needs to happen as well to ascertain what his plans currently look like.

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 18 April 2024 16:34  
**To:** [REDACTED]  
**Subject:** Hi-Lo Jamaican Eating House



Good Afternoon [REDACTED],

Following the press article in relation to Mr Anderson's conviction for sexual assault are you able to confirm the below to assist with the next steps the Licensing Authority may need to take in relation to his personal and/or premises licences:

- Can we please have full disclosure of the offence(s) and conviction(s)? Please do let us know if there a form that needs to be completed to obtain this information.
- Did the court take action against his Personal Licence?
- Are the offences relevant to the premises/activities/objectives and if so, are we expecting a review of the premises licence?

I also think a pass by of the premises by Night Safe Officers to ensure the premises is not trading without a DPS would be a good idea this weekend.

If you have any queries do not hesitate to contact me or the Licensing Department.

Kind Regards

[REDACTED] | Senior Licensing Compliance Officer | Communities and People | Oxford City Council | Town Hall | St Aldate's | Oxford | OX1 1BX | General Telephone No: 01865 252565 | Post point 3.6

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\*\*\*\*\*

**Licensing Authority**

Direct Line: 01865 252565

E-mail: [licensing@oxford.gov.uk](mailto:licensing@oxford.gov.uk)

Town Hall

St. Aldate's

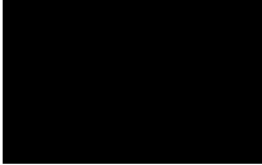
Oxford

OX1 1BX

Central Number: 01865 249811

[www.oxford.gov.uk](http://www.oxford.gov.uk)

Mr Hugh Wayne Anderson



**Date:** 6th June 2024  
**Our Ref:** 05/01415/PER  
**Your Ref:** 05/01415/PER

Dear Mr Anderson

**RE: SECTION 132A (4) LICENSING ACT 2003: NOTICE OF CONSIDERATION TO SUSPEND OR REVOKE PERSONAL LICENCE**

It has been brought to my attention by Thames Valley Police Force Licensing Officer that on the 11<sup>th</sup> April 2024 you were convicted of two counts of Sexual Assault on a Female 13 or over by way of intentionally touching a female (no penetration); these are classed as relevant offences under the Licensing Act 2003.

In light of the information provided, under Section 132A (5) of the Licensing Act 2003, I hereby give you notice to make representations regarding the following:

- (a) The relevant offence, foreign offence or immigration penalty that has caused the relevant licensing authority to issue this notice,
- (b) Any decision of a court under section 129 or 130 in relation to the licence, and
- (c) Any other relevant information (including information regarding the licence holder's personal circumstances).

As a Personal Licence holder, you may make representations to the licensing authority [licensing@oxford.gov.uk](mailto:licensing@oxford.gov.uk), within 28 days, beginning with the day this notice is issued.

Should you have any queries relating to this matter, please feel free to contact me at the above address.

Yours sincerely,

Emma Thompson  
Senior Licensing Compliance Officer



**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: Our ref 05/01415/PER  
**Date:** 05 July 2024 12:18:16  
**Attachments:** [REDACTED]

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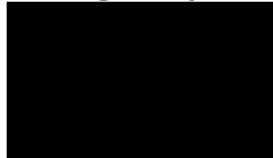
Good Afternoon,

**\*There was a typo on my original email please see below correct version\***

The Licensing Authority were notified by Alex Bloomfield, Force Licensing Officer, Thames Valley Police that on 11<sup>th</sup> April 2024, Mr Hugh Anderson, was convicted of two offences of sexual assault on a female 13 or over by way of intentionally touching (no penetration) under the sexual offences act 2003. A copy of this email is attached.

Following this, on 6<sup>th</sup> June 2024 the Licensing Authority sent via recorded delivery a notice of consideration (attached) to suspend or revoke personal licence under Section 132A (4) Licensing Act 2003 to the following personal licence holder:

Mr Hugh Wayne Anderson



Personal Licence Number: 05/01415/PER

No representation has been received by the Licensing Authority from Mr Hugh Anderson..

The Licensing Authority therefore gives notice under Section 132A (10) Licensing Act 2003 to the Chief Officer of Police that it proposes to revoke the personal licence. The Licensing Authority now invites the Chief Officer of Police to make a representation regarding the issue of whether the licence should be suspended or revoked having regard to the crime prevention objective.

The Chief Officer of Police may make a representation within a period of 14 days beginning on the day this notice is received.

If you have any queries; please don't hesitate to contact me or the licensing department.

Kind Regards

[REDACTED] | **Senior Licensing Compliance Officer | Communities and People | Oxford City Council | Town Hall | St Aldate's | Oxford | OX1 1BX | General Telephone No: 01865 252565 | Post point 3.6**

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## APPENDIX FOUR



Protecting Our Communities

Email: [REDACTED]

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

Our Reference: 05/01415/PER

12/07/2024

To: The Licensing Authority (Oxford City Council)

**SUBJECT: SECTION 132A (4) LICENSING ACT 2003: NOTICE OF CONSIDERATION TO SUSPEND OR REVOKE PERSONAL LICENCE- POLICE REPRESENTATIONS**

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Regarding the recent notice by the licensing authority to consider the status of Mr Hugh Anderson's personal licence to authorise the sale of alcohol, Thames Valley Police support such consideration and recommend that the licence is revoked.

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Our rationale for supporting such a statement is that despite the serious nature of the offences themselves, there are also serious exacerbating factors to these offences stemming from Mr Anderson's position as a licence holder and as such being in a position of trust, that calls into question his fitness of character.

The circumstances are a matter of public record, and if needed by Thames Valley Police will happily answer any questions the sub-committee may have on the incidents and the investigation. However in brief, on the 23/04/2022 and 01/05/2022, involving two different young adult females, Mr Anderson, whilst at the Hi Lo Jamaican Eating house, has approached both females, who were customers at the time of the venue. He has in the latter incident made aggressive sexualised comments and has in both instances physically assaulted both by touching over clothing in a sexualised fashion. He was charged and found guilty by Oxford Crown Court of offences contrary to section 3 of the Sexual Offences Act 2003.

Whilst hearsay has no place in crown court proceedings, it is permitted under the Licensing Act in the confines of a licensing hearing. It should therefore be noted that it was suggested in a victim statement for the offence committed on the 01/05/2022 that when the victim subsequently spoke to door supervisors working at the Hi Lo on the night, they stated 'YEAH HE GETS LIKE THIS WHEN HE IS DRUNK'.

This suggests that this behaviour has happened before.

It also suggests that Mr Anderson was to a degree in an intoxicated state, which of course clouds ones judgment.

Indeed, in the first instance it is documented in the victim statement that she bought Mr Anderson a can or Red Strip beer, so was drinking.

Whilst there is no offence of drinking whilst on duty for a personal licence holder, in an environment where an intoxicating substance is prevalent and as such by medical definition most of the public on site are to one degree or another deemed to be in a vulnerable state, a personal licence holder is charged with the supervision/administration of that intoxicating substance in the same way a pharmacist does per se.

In other words the public should have trust in the safety of these locations. Key to this is the character of those the licensing authority and the responsible authorities give that permission to.

It should be noted with regard to Mar Anderson's character and behaviour, that he was reminded by this office on a couple of occasions prior to his court appearance, that he had a legal duty under section 128 of the Licensing Act 2003, to disclose to the court at the start of proceedings that he held a personal licence to authorise the sale of alcohol issued by Oxford City Council.

Upon making enquiries with the Judge, it is confirmed that Mr Anderson did not disclose this.

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Being able to authorise the sale of alcohol, and thereby being put in a position of responsibility and impact over the night out of a member of the public who has chosen to go out and socialise in Oxford is in itself one of great personal responsibility.

Faith and trust is placed in that individual by the named responsible authorities and the licensing authority.

Faith and trust is also placed in the authorities by the public to ensure that under our own duty to promote the four licensing objectives (promotion of public safety, prevention of crime and disorder, prevention of public nuisance and protection of children from harm), we act accordingly to protect them and ensure the licensed premises of the city are safe.

In a climate, where violence against women and girls (VAWG) offending is a priority for the Home Office, this is the very sort of matter that needs to be dealt with fairly but robustly.

All of us, licensing authority, named responsible authority, licence holder, personal licence holder, designated premise supervisor, SIA licensed door staff, bar staff etc. are licensing practitioners vested in ensuring that Oxford is safe and responsible place for the public to go out in and all of us must ensure that Oxford is a beacon that promote Oxford as a safe and pleasant place to socialise in.

Mr Anderson has fallen short of that expectation.

It is no light matter to consider rescinding such an authorisation, but in this matter, the breach of trust and the assault on the two victims warrants it in this instance.

Mr Anderson has been found guilty of serious relevant offences and as such, it is the recommendation of the police to the licensing committee to revoke the personal licence.

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