

Appendix D

General Procedure for Revoking or Suspending a Personal Licence

1. Officers become aware of a conviction of a “relevant offence” or immigration penalty. *Note: The personal licence holder should inform the local authority and also the magistrates’ court should be informing the local authority.*
2. After officer determines that it is a relevant offence, a decision will be made by the officer whether it may be appropriate for the licence to be revoked or suspended.
3. If the officer believes it may be appropriate to revoke or suspend the licence, a notice must be given to the licence holder confirming the intention.
4. Officer also collects any addition information that may be relevant to the case.
5. The licence holder has 28 days to provide any relevant information as explained in the notice.
6. Representations made by the licence holder will be taken into account along with any other information received from the officer’s investigation. This could involve any evidence and statements provided by the police or Home Office in regards to the circumstances surrounding the convictions.
7. Report will be produced for Sub-Committee detailing the convictions received and relevant offence, information supplied by licence holder and any further information gathered during course of investigation.
8. A Sub-Committee hearing will be held where the report will be presented and the licence holder invited to attend to provide a submission and answer any questions from members.
9. Members will have the option of 3 decisions that can be made:
 - a. To take no action
 - b. To suspend the personal licence for a period not exceeding 6 months
 - c. To revoke the personal licence
10. If the Sub-committee proposes not to revoke the personal licence, the officer must then notify the chief of police and give them 14 days to make representations regarding whether the licence should be suspended or revoked having regard to the crime prevention objective.

11. If Police respond and ask for the revocation of personal licence, a second hearing will be held for members to consider the original information, the new representations from the Police and give a final decision. Following consideration of the new information, the same 3 options apply:
 - a. To take no action
 - b. To suspend the personal licence for a period not exceeding 6 months
 - c. To revoke the personal licence

12. If no response is received from the Police, or the response indicates it is for information only, then Sub-Committee will need to confirm if the original decision stands. This may be done via email/phone or similar method rather than a second hearing. Alternatively they may decide to convene a second hearing as item 11 above.

13. Once a final decision has been made, a decision notice will be sent to the licence holder and Police detailing the decision made and reasons for it. The licence holder will have 21 days to appeal to magistrates.