



# **LICENSING (HEARING) SUB COMMITTEE**

---

**Date: THURSDAY, 27 JULY 2023**

**Time: 10.00 am**

**Venue: COMMITTEE ROOMS, 2ND  
FLOOR, WEST WING, GUILDHALL**

**PERSONAL LICENSE HOLDER:  
Mr Jason Ward**

# CONTENTS

|   |                 |
|---|-----------------|
| Hearing Procedure   | (Pages 3 - 4)   |
| Report of the Executive Director Environment                              | (Pages 5 - 10)  |
| Appendix 1: List of relevant offences                                     | (Pages 11 - 14) |
| Appendix 2: Copy of Personal Licence of Mr Jason Ward                     | (Pages 15 - 16) |
| Appendix 3: Notification of conviction from South Devon Magistrates Court | (Pages 17 - 18) |
| Appendix 4: Copy of notice given to Mr Ward                               | (Pages 19 - 20) |
| i) Representations received from Mr Jason Ward                            | (Pages 21 - 22) |
| Appendix 5: Copy of notice given to Chief Officer of Police               | (Pages 23 - 24) |
| i) Representations received from the Chief Officer of Police              | (Pages 25 - 26) |
| Appendix 6: Confirmation email from South Devon MC of no notification     | (Pages 27 - 28) |

## LICENSING SUB COMMITTEE PROCEDURE FOR PUBLIC HEARINGS

1. This procedure shall apply to all public hearings conducted under the provisions of the Licensing Act 2003.
2. Public hearings conducted under the provisions of the Licensing Act 2003 shall take the form of a discussion led by the licensing authority. Cross-examination will be permitted when the Sub Committee considers it to be required. The conduct of hearings shall be broadly based, subject to the discretion of the Sub Committee, on the points set out below.
3. At the start of the hearing the Chairman of the Sub Committee will introduce himself and other Members of the Sub Committee as well as the City Corporation officers present. Anyone making representations will then be asked to introduce themselves and anyone accompanying them. The applicant will then do likewise.<sup>1</sup>
4. The Chairman will then explain the purpose of the hearing and the procedure to be followed at the hearing. The Sub Committee will then make any rulings necessary in respect of requests for witnesses to heard in support of any of the parties making representations or the applicant.
5. Those making representations will then be invited to present their case. Repetition will not be permitted. Equal time will be offered to the applicant and those making representations. Where there is more than one party making representations and/or calling witnesses in support consideration should be given to having one spokesman on behalf of all parties so as to avoid repetition. Although the use of a spokesman will be encouraged by the Sub Committee, the decision rests with those parties making representations.
6. In the event of disorder or persistent disregard of the authority of the Chair, the Chairman may suspend or adjourn the hearing, or require that the person(s) causing disorder or showing disregard leave the hearing.
7. In the event that the Sub Committee has decided that cross-examination will be permitted, the applicant will be invited to ask questions of the party(s) making representations and their witnesses (if any). The party(s) making representations and any witnesses giving evidence in support will then answer any questions put to them by members of the Sub Committee.
8. The applicant will then be invited to present their case and call any witnesses in support of their application. The applicant will be entitled to the same period of time to present his case as those making representations were afforded.

---

<sup>1</sup> In hearings where a licence is being reviewed, references in this procedure to ‘applicant’ should be read as references to the licence holder and references to ‘those making representations’ should be read as references to those applying for the review.

9. In the event that the Sub Committee has decided that cross-examination will be permitted, those making representations will be invited to ask questions of the applicant and their witnesses (if any). The applicant and any witnesses giving evidence in support will then answer any questions put to them by members of the Sub Committee.
10. The Chairman will ask all parties if there is anything else they would like to add in support of their respective cases.
11. Those making representations will then be invited to make closing submissions followed by the applicant.
12. The Sub Committee will then retire to consider their decision. They may call for assistance by the representatives of the Town Clerk and/or the Comptroller & City Solicitor but those persons will play no part in the decision-making process.
13. In due course, the Sub Committee will return to announce their decision or to inform those present when the decision will be given.

|   |                               |
|---|-------------------------------|
| <b>Committee(s):</b><br>Licensing Sub-Committee   | <b>Dated:</b><br>27 July 2023 |
| <b>Subject:</b> Licensing Act 2003 – Consideration of suspension or revocation of Personal Licence after becoming aware of conviction of Personal Licence Holder for relevant offence | <b>Public</b>                 |
| <b>Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?</b>   | <b>1, 5</b>                   |
| <b>Does this proposal require extra revenue and/or capital spending?</b>  | <b>N</b>                      |
| <b>If so, how much?</b>   | <b>N/A</b>                    |
| <b>What is the source of Funding?</b>   | <b>N/A</b>                    |
| <b>Has this Funding Source been agreed with the Chamberlain’s Department?</b>   | <b>N/A</b>                    |
| <b>Report of:</b> Juliemma McLoughlin, Executive Director Environment   | <b>For Decision</b>           |
| <b>Report authors:</b> Aggie Minas, Licensing Manager and Robert Breese, Licensing Officer  |                               |

## 1. Introduction

- 1.1. Section 132A of the Licensing Act 2003 (the 2003 Act) gives the Licensing Authority a discretionary power to suspend or revoke a personal licence where it becomes aware that the personal licence holder has been convicted of a relevant offence or foreign offence at any time before or after the grant of the licence.
- 1.2. On 2 March 2023, the City of London Licensing Authority received notification from South Hams and West Devon Council that one of our personal licence holders, a Mr Jason Ward (licence granted on 31<sup>st</sup> October 2018, when he was a resident in the City), was convicted for failing to provide a specimen for analysis (driving or attempting to drive) at South and West Devon Magistrates on 3 February 2023
- 1.3. The purpose of this subcommittee is to consider and determine, by public hearing, whether to suspend or revoke the personal licence held by Mr Ward.

## 2. Background / Legislative Requirements

- 2.1. A personal licence authorises an individual to supply or authorise the supply of alcohol in accordance with a premises licence.
- 2.2. A personal licence holder may be nominated as Designated Premises Supervisor (DPS) on a Premises Licence.
- 2.3. Prior to April 2017, only the Magistrates Court had the power to suspend or revoke a personal licence where the licence holder had been convicted of a relevant offence.

- 2.4. On 6th April 2017, the Policing and Crime Act 2017 amended the 2003 Act, by inserting Section 132A, giving the power to suspend or revoke a personal licence to the Licensing Authority, where it became aware of convictions for relevant offences received on or after 6 April 2017.
- 2.5. Relevant offences are listed in Schedule 4 to the 2003 Act. The relevant offence in this case is 14d, marked in bold in Appendix 1 to this report.
- 2.6. Where a personal licence holder is charged with a relevant offence, they have a duty to notify the court during their first appearance in court in connection with that offence, that they are a personal licence holder (S128 of the 2003 Act)
- 2.7. Where the Court is made aware of a personal licence, they may, during sentencing, order the revocation or suspension of licence for a period not exceeding 6 months (S129 of the 2003 Act).
- 2.8. A personal licence holder may appeal their conviction and/or sentence to the Crown Court (S130 of the 2003 Act)
- 2.9. Where a personal licence holder is convicted of a relevant offence, they have a duty to notify the licensing authority of any relevant conviction (S132 of the 2003 Act).
- 2.10. A personal licence holder commits an offence under sections 128 and 132 of the 2003 Act if they fail to notify the court or licensing authority, without reasonable excuse, of the requirements set out in paragraphs 1.4 and 1.7 above.
- 2.11. If the licensing authority is considering whether to suspend or revoke a personal licence the authority must give notice to the licence holder and invite them to make representations (S132A(4) of the 2003 Act).
- 2.12. If the licensing authority does not propose to revoke the personal licence, it must invite representations from the Police responsible authority (S132A(10) of the 2003 Act).

### **3. Personal Licence Holder Details**

- 3.1. Mr Jason Francis Ward is the holder of a personal licence, issued by the City of London Licensing Authority on 31 October 2018, when he was resident in the City.
- 3.2. A copy of the personal licence (LN/200507308) is shown as Appendix 2.
- 3.3. Mr Ward is not currently the nominated DPS on any premises licence in the City of London but is the nominated DPS at a premises under the jurisdiction of West Devon Borough Council.

#### **4. Notifications, Notices and Representations**

- 4.1. On 2 March 2023, the City of London Licensing Authority received notification from South Hams and West Devon Council that Mr Jason Ward was convicted for failing to provide a specimen for analysis (driving or attempting to drive) at South and West Devon Magistrates on 3 February 2023. A copy of the notification is attached as Appendix 3.
- 4.2. In the absence of any additional information from the personal licence holder, officers of the licensing authority deemed it appropriate to consider the suspension or revocation of the personal licence.
- 4.3. The Licensing Authority gave notice under Section 132A (4) to the personal licence holder, Mr Jason Ward, on Monday 24 April 2023, inviting him to make representations regarding:
  - (a) the relevant offence
  - (b) any other relevant information (including information regarding the licence
  - (c) holder's personal circumstances, and in this case the failure to notify the court of his status as a personal licence holder and the licensing authority of the conviction).A copy of the notice is attached as Appendix 4.
- 4.4. A representation was received from Mr Ward by email on 19 May 2023. This is attached as Appendix 4(a).
- 4.5. In his representation, Mr Ward expresses regret and refers to a legal oversight and time restraints as mitigating factors in lack of notification to the court and the Licensing Authority. He also advises of personal family circumstances that will culminate in him taking over the running of his family business in the future.
- 4.6. Having considered Mr Ward's representation, and all the information available to them, officers did not consider there was adequate information for the licensing authority to make a decision on whether to suspend or revoke Mr Ward's personal licence.
- 4.7. The Licensing Authority therefore gave notice under Section 132A (10) to the Chief Officer of Police for the City of London on 26 May 2023, inviting him to make representations on whether the licence should be suspended or revoked having regards to the crime prevention licensing objective. A copy of the notice is attached as Appendix 5.
- 4.8. A representation was received from the Chief Officer of Police on 26 May 2023, concluding that they wouldn't deem a revocation to be necessary. This representation is attached Appendix 5(a).

#### **5. Licensing Implications**

- 5.1. At the time of his conviction, Mr Ward failed to make the court aware that he was a personal licence holder, an offence without reasonable excuse. This is

confirmed in the email from the court shown as Appendix 6. The same email confirms that Mr Ward did not appeal his conviction or sentence.

- 5.2. The consequences of the failure to notify the Court of the offence is that the Court was unable to invoke S129 of the 2003 Act and consider revocation or suspension of his personal licence as part of the sentence.
- 5.3. Following conviction, Mr Ward failed to make the City of London aware of his conviction, an offence without reasonable excuse.
- 5.4. Having considered Mr Ward's representation attached as Appendix 4(a), and all the information available to them, officers considered it was not in the public interest to instigate any legal proceedings against him for failing to notify the court or the licensing authority.

## **6. Decision and Appeals**

- 6.1. The Licensing Sub-Committee must, having regard to the representations made by Mr Ward and the Police responsible authority, decide whether to suspend or revoke the personal licence held by Mr Ward.
- 6.2. The licensing authority must give notice of any decision made to the licence holder and the chief officer of police, including reasons for the decision and detailing rights to appeal.
- 6.3. If the Licensing Authority decides to suspend or revoke the licence, the personal licence holder may appeal the sub-committee's decision to a Magistrates Court.
- 6.4. A decision under this section does not have effect until the end of the period allowed for appealing against the decision (namely 21 days), or if the decision is appealed against, until the appeal is disposed of.

## **7. Recommendations**

- 7.1. Members are asked to consider the representations made by the licence holder and the Police Responsible Authority and determine whether to:
  - a) Take no further action (personal licence remains valid)
  - b) Suspend the personal licence for a period not exceeding 6 months
  - c) Revoke the personal licence

## **Appendices**

|               |   |
|---------------|---|
| Appendix 1    | List of relevant offences                                     |
| Appendix 2    | Copy of Personal Licence of Mr Jason Ward                     |
| Appendix 3    | Notification of conviction from South Devon Magistrates Court |
| Appendix 4    | Copy of notice given to Mr Ward                               |
| Appendix 4(a) | Representations received from Mr Jason Ward                   |
| Appendix 5    | Copy of notice given to Chief Officer of Police               |



|               |   |
|---------------|---|
| Appendix 5(a) | Representations received from the Chief Officer of Police |
| Appendix 6    | Confirmation email from South Devon MC of no notification |

**Background Papers** None

**Robert Breese**

Licensing Officer

T: 020 7332 3344

E: [robert.breese@cityoflondon.gov.uk](mailto:robert.breese@cityoflondon.gov.uk)

**Aggie Minas**

Licensing Manager

T: 020 7332 1269

E: [aggie.minas@cityoflondon.gov.uk](mailto:aggie.minas@cityoflondon.gov.uk)

This page is intentionally left blank

## List of Relevant Offences

1. An offence under the Licensing Act 2003.
2. An offence under any of the following enactments-
  - (a) Schedule 12 to the London Government Act 1963 (c. 33) (public entertainment licensing);
  - (b) the Licensing Act 1964 (c. 26);
  - (c) the Private Places of Entertainment (Licensing) Act 1967 (c. 19);
  - (d) section 13 of the Theatres Act 1968 (c. 54);
  - (e) the Late Night Refreshment Houses Act 1969 (c. 53);
  - (f) section 6 of, or Schedule 1 to, the Local Government (Miscellaneous Provisions) Act 1982 (c. 30);
  - (g) the Licensing (Occasional Permissions) Act 1983 (c. 24);
  - (h) the Cinemas Act 1985 (c. 13);
  - (i) the London Local Authorities Act 1990 (c. vii).
3. An offence under the Firearms Act 1968 (c. 27).
4. An offence under section 1 of the Trade Descriptions Act 1968 (c. 29) (false trade description of goods) in circumstances where the goods in question are or include alcohol.
5. An offence under any of the following provisions of the Theft Act 1968 (c. 60)-
  - (a) section 1 (theft);
  - (b) section 8 (robbery);
  - (c) section 9 (burglary);
  - (d) section 10 (aggravated burglary);
  - (e) section 11 (removal of articles from places open to the public);
  - (f) section 12A (aggravated vehicle-taking), in circumstances where subsection (2)(b) of that section applies and the accident caused the death of any person;
  - (g) section 13 (abstracting of electricity);
  - (h) section 15 (obtaining property by deception);
  - (i) section 15A (obtaining a money transfer by deception);
  - (j) section 16 (obtaining pecuniary advantage by deception);
  - (k) section 17 (false accounting);
  - (l) section 19 (false statements by company directors etc.);
  - (m) section 20 (suppression, etc. of documents);
  - (n) section 21 (blackmail);
  - (o) section 22 (handling stolen goods);
  - (p) section 24A (dishonestly retaining a wrongful credit);
  - (q) section 25 (going equipped for stealing etc)
6. An offence under section 7(2) of the Gaming Act 1968 (c. 65) (allowing child to take part in gaming on premises licensed for the sale of alcohol).
7. An offence under any of the following provisions of the Misuse of Drugs Act 1971 (c. 38): -
  - (a) section 4(2) (production of a controlled drug);

(b) section 4(3) (supply of a controlled drug);

(c) section 5(3) (possession of a controlled drug with intent to supply);

(d) section 8 (permitting activities to take place on premises).

7A. An offence under any of the Immigration Acts.

8. An offence under either of the following provisions of the Theft Act 1978 (c. 31):-

(a) section 1 (obtaining services by deception);

(b) section 2 (evasion of liability by deception).

9. An offence under either of the following provisions of the Customs and Excise Management Act 1979

(c. 2) :-

(a) section 170 (disregarding subsection (1)(a)) (fraudulent evasion of duty etc.);

(b) section 170B (taking preparatory steps for evasion of duty).

10. An offence under either of the following provisions of the Tobacco Products Duty Act 1979 (c. 7) :-

(a) section 8G (possession and sale of unmarked tobacco);

(b) section 8H (use of premises for sale of unmarked tobacco).

11. An offence under the Forgery and Counterfeiting Act 1981 (c. 45) (other than an offence under section 18 or 19 of that Act).

12. An offence under the Firearms (Amendment) Act 1988 (c. 45).

13. An offence under any of the following provisions of the Copyright, Designs and Patents Act 1988 (c. 48): -

(a) section 107(1)(d)(iii) (public exhibition in the course of a business of article infringing copyright);

(b) section 107(3) (infringement of copyright by public performance of work etc.);

(c) section 198(2) (broadcast etc. of recording of performance made without sufficient consent);

(d) section 297(1) (fraudulent reception of transmission);

(e) section 297A(1) (supply etc. of unauthorised decoder).

14. An offence under any of the following provisions of the Road Traffic Act 1988 (c. 52) :-

(a) section 3A (causing death by careless driving while under the influence of drink or drugs);

(b) section 4 (driving etc. a vehicle when under the influence of drink or drugs);

(c) section 5 (driving etc. a vehicle with alcohol concentration above prescribed limit)

**(d) section (6) (failing to co-operate with a preliminary test).**

15. An offence under either of the following provisions of the Food Safety Act 1990 (c. 16) in circumstances where the food in question is or includes alcohol :-

(a) section 14 (selling food or drink not of the nature, substance or quality demanded);

(b) section 15 (falsely describing or presenting food or drink).

16. An offence under section 92(1) or (2) of the Trade Marks Act 1994 (c. 26) (unauthorised use of trade mark, etc. in relation to goods) in circumstances where the goods in question are or include alcohol.

17. An offence under the Firearms (Amendment) Act 1997 (c. 5).

18. A sexual offence, being an offence –

(a) listed in part 2 of schedule 15 to the Criminal Justice Act 2003, other than the offence mentioned in

paragraph 95 (an offence under section 4 of the Sexual Offenders Act 1967 (procuring others to commit homosexual acts));

(aa) listed in schedule 3 to the Sexual Offences Act 2003 (sexual offences for the purposes of notifications and orders)

(b) an offence under section 8 of the Sexual Offences Act 1956 (intercourse with a defective);

(c) an offence under section 18 of the Sexual Offences Act 1956 (fraudulent abduction of an heiress)).

19. A violent offence, being any offence which leads, or is intended or likely to lead, to a person's death or to a physical injury to a person, including an offence which is required to be charged as arson (whether or not it would otherwise fall within this definition).

19A. An offence listed in Part 1 of Schedule 15 to the Criminal Justice Act 2003(specified violent offences)

20. An offence under section 3 of the Private Security Industry Act 2001 (engaging in certain activities relating to security without a licence).

21. An offence under section 46 of the Gambling Act 2005 if the child or young person was invited, caused or permitted to gamble on premises in respect of which a premises licence under this Act had effect.

22. An offence under the Fraud Act 2006.

22ZA. An offence under any of the provisions of the Violent Crime Reduction Act 2006

(a) section 28 (using someone to mind a weapon);

(b) section 36 (manufacture, import and sale of realistic imitation firearms).

22B. An offence under regulation 6 of the Business Protection from Misleading Marketing Regulations 2008 (offence of misleading advertising) in circumstances where the advertising in question relates to alcohol or to goods that include alcohol.

23. An offence under regulation 8, 9, 10, 11 or 12 of the Consumer Protection from Unfair Trading Regulations 2008 (offences relating to unfair commercial practices) in circumstances where the commercial practice in question is directly connected with the promotion, sale or supply of alcohol or of a product that includes alcohol.

23A. An offence under any of the following provisions of the Psychoactive Substances Act 2016—

(a)section 4 (producing a psychoactive substance);

(b)section 5 (supplying, or offering to supply, a psychoactive substance);

(c)section 7 (possession of psychoactive substance with intent to supply);

(d)section 8 (importing or exporting a psychoactive substance

23B. An offence listed in section 41 of the Counter-Terrorism Act 2008 (terrorism offences).

24. An offence under section 1 of the Criminal Attempts Act 1981 of attempting to commit an offence that is a relevant offence

25. An offence under Section 1 of the Criminal law Act 1977 of conspiracy to commit an offence that is a relevant offence

26. The offence at common law of conspiracy to defraud. **Page 13**

This page is intentionally left blank

Licence No: LN/200507308



**LICENSING ACT 2003**  
**Part 6 - Section 117**  
**PERSONAL LICENCE (Part two )**

The Common Council of the City of London Corporation under the Provisions of Part 6 - section 117 of the Licensing Act 2003 hereby Licences:-

**Jason Francis Ward**

**The holder of this licence is authorised to sell or supply alcohol or to authorise the sale or supply of alcohol in accordance with a valid premises licence**

**Record of Relevant Offences:-**

None as of date of issue

Dated of issue: 31st October 2018

Signed: .....

**Director of Markets & Consumer  
Protection**

**City of London  
Trading Standards (Licensing Section)  
PO Box 270  
Guildhall  
London, EC2P 2EJ  
Tel: 020 7332 3226/7**

This page is intentionally left blank



**From:** SW-Licensing <licensing@swdevon.gov.uk>  
**Sent:** Thursday, March 2, 2023 3:23 PM  
**To:** obert.Breese@cityoflondon.gov.uk  
**Cc:** M&CP - Licensing <licensing@cityoflondon.gov.uk>  
**Subject:** FW: Personal Licence Holder information request

THIS IS AN EXTERNAL EMAIL

Good Afternoon,

Many Thanks for confirming this information. We have been made aware of a relevant conviction listed within Schedule 4 of the Licensing Act 2003 and our Police Licensing team has concerns over suitability of this person to hold a personal licence.

On the 03<sup>rd</sup> February 2023 Mr Jason WARD appeared at South and West Devon Magistrates where he was convicted of the following offence:

*Failing to provide a specimen for analysis (Driving or attempting to drive)*

I was inquiring whether you have been notified by the Courts or the individual as to this conviction and whether there has been any considerations made regarding this individual personal licence.

If you were not aware – do you have any considerations at this stage?

Looking forward to hearing from you.

Many Thanks

Karen

Karen Procter | Principal Environmental Health Officer, BSc (Hons), MCIEH  
South Hams District Council | West Devon Borough Council  
Email: [karen.procter@swdevon.gov.uk](mailto:karen.procter@swdevon.gov.uk)  
Tel: 01803 861128

This page is intentionally left blank

**Port Health and Public Protection  
Department of Environmental Services**

Gavin Stedman  
Director of Port Health and Public Protection

FAO Jason Ward

**Telephone** 0207 332 3406

**Email**

Robert.breese@cityoflondon.gov.uk

**Date** 24 April 2023

Dear Jason

**Licensing Act 2003 – Conviction (relevant offence) of Personal Licence Holder**

In accordance with section 132A of the Licensing Act 2003 I am writing to inform you that following your conviction for a relevant offence we are in the process of considering suspension or revocation of your personal licence.

As part of this process we must formally invite the you to make representations to us within 28 days of the date of this letter – so by **22<sup>nd</sup> May 2023**.

Your representation should have regard to the following:

- the relevant offence
- any other relevant information (including information regarding the offence and your personal circumstances, and in this case the failures to notify the court of your status as a personal licence holder, and the licensing authority of the conviction).

Please send your representation by email to: [licensing@cityoflondon.gov.uk](mailto:licensing@cityoflondon.gov.uk) or by post to:

City of London Licensing team  
PO Box 270  
Guildhall, City of London  
EC2P 2EJ

Upon receipt of your representation we will advise you as to our decision, and/or the next steps in the process.

Thanks for your co-operation,

Robert Breese  
Licensing Officer  
**Port Health & Public Protection**

This page is intentionally left blank

**From:**  
**To:** [M&CP - Licensing](#)  
**Subject:** Representation in regards to personal licence - Jason Ward  
**Date:** 19 May 2023 14:57:53

---

THIS IS AN EXTERNAL EMAIL

I am writing in regards to representation in the process of reviewing my personal license.

In relation to the offence.

Firstly and without reserve I deeply regret and am ashamed in my decision making to drive that night. As a hospitality business owner and having had a personal license first in 1998 I know my actions were unacceptable. This behaviour will never be repeated.

Previously to this I had no criminal record and did not have any points on my driving licence, or indeed ever have had.

The court recognised and accepted that it was not a refusal to provide which was also taken into account for the magistrate to use the lowest tier for sentencing.

In relation to fail to notify the court of my status as a personal licence holder.

I was completely transparent with the court as to my role as a hospitality owner and my duties therewithin.

This is not to say it was not a mistake on my part to address this specifically, in truth I was unaware this was the case and my counsel made no mention of this in our discussions.

If I had intentionally wanted to mislead, then I would have not provided all the details regarding the hotel and used only my London address.

In relation to fail to notify the relevant licensing authority.

Indeed I was aware that I needed to contact the licensing authority in relation to my conviction. I had been about to do that when you contacted me, the timeframe for me to contact you was I accept longer than it should have been.

In mitigation for this we were caught up in the energy crisis and at that time I had to navigate the hotel out of an energy contract which would have been a death nail for the business.

We basically had to stop, rename and restart the business to break the contract, which as you would appreciate was a large undertaking while still running a day to day business.

Personal circumstance in relation to this representation

We are a family owned hotel on the edge of Dartmoor, Devon, started by my grandparents fifty three years ago this September.

I personally have always been a Chef, apprenticed at the Savoy hotel, London at sixteen years of age and subsequently spending most of my working life in London including nearly twenty years within Michelin starred restaurants including, La Gavroche, Four Seasons, Maison Novelli and ten years at Zafferano.

That said I have always been involved in the family hotel, training and organising staff and a few years ago became much more involved as my parents are getting older and the hotel faced modern difficulties. Obviously that was exacerbated by the pandemic and the problems this caused.

For this reason I returned full time and took over the day to day running of the hotel.

My parents are still involved in the hotel at this present time but wish to step back in the near future and to this end i am presently selling my flat in london.

As I wish to take over the family business I would like to ask for your understanding in regards to this when your final decision on my license is taken.

Regards

Jason Ward

**Port Health and Public Protection  
Department of Environmental Services**

Gavin Stedman  
Director of Port Health and Public Protection

Chief Officer of Police  
City of London Police Licensing Team  
Po Box 270, Guildhall  
London, EC2P 2EJ

**Telephone** 0207 332 3406

**Email**

Robert.breese@cityoflondon.gov.uk

**Date** 26 May 2023

Dear Chief Officer of Police

**Licensing Act 2003 – Conviction (relevant offence) of Personal Licence Holder – Mr Jason Ward**

In accordance with section 132A of the Licensing Act 2003 I am writing to inform you that following the conviction for a relevant offence of one of our personal licence holders, Mr Jason Ward (licence granted on 31st October 2018, when he was a resident in the City), we considered suspension or revocation of his personal licence.

Mr Ward was convicted of the following offence at South and West Devon Magistrates on 3rd February 2023: **Failing to provide a specimen for analysis (Driving or attempting to drive).**

We are proposing not to revoke or suspend the licence, and, in accordance with Section 132A (10), the authority must now give notice to the Chief Officer of Police and invite the officer to make representations regarding the issue of whether they think the licence should be suspended or revoked having regard to the nature of the offence and the prevention of crime and disorder licensing objective.

We must formally invite you to make representations to us within 14 days of the date of this letter – so by **9<sup>th</sup> June 2023.**

Please send your representation by email to: [licensing@cityoflondon.gov.uk](mailto:licensing@cityoflondon.gov.uk) or by post to:

City of London Licensing team  
PO Box 270  
Guildhall, City of London  
EC2P 2EJ

Thanks for your co-operation,

Robert Breese  
Licensing Officer  
**Port Health & Public Protection**

This page is intentionally left blank



**From:** Caroline Hay <[Caroline.Hay@cityoflondon.police.uk](mailto:Caroline.Hay@cityoflondon.police.uk)>  
**Sent:** Friday, May 26, 2023 8:15 PM  
**To:** Paul Holmes <[Paul.Holmes@cityoflondon.police.uk](mailto:Paul.Holmes@cityoflondon.police.uk)>  
**Cc:** Licensing Office <[licensingoffice@cityoflondon.police.uk](mailto:licensingoffice@cityoflondon.police.uk)>  
**Subject:** RE: LETTER FAO CHIEF OFFICER OF POLICE - Conviction of Personal Licence Holder - Representation Required

I am minded to revoke, based on not only the conviction but the fail to notify. The mitigation is also pretty weak. I am also concerned about the link to alcohol and his responsibilities as a license holder. However, the act makes clear that to grant/renew, the offence must be SERIOUS in nature. Whilst I acknowledge drink drive is an extremely serious matter and the consequences can be catastrophic, in terms of CPS charging standards, home office guidance, the gravity matrix, I do not consider this offence to fall within the categories below.

*Convictions for offences which are relevant for the purposes of the determination of applications for the grant or renewal of a personal licence include:*

- *those involving serious crime*
- *those involving serious dishonesty*
- *those involving the supply of drugs*
- *certain sexual offences*

As noted by the Corporation, he has been convicted and is suffering the consequences of that suspension. Therefore, I agree with the Corporation, that a revocation is not necessary in these circumstances.

I have noted a similar case in Lincolnshire, however, there is a significance difference in that the licence holder sought to blatantly deceive the licensing authority. Although this holder has not satisfied the requirements of him, it cannot be shown that this was malicious or intentional. [South Kesteven District Council - Agenda item - Licensing Act 2003: Suspension or revocation of a personal licence](#)

I note that this decision could be interpreted differently with differing rationale. However, we are given this responsibility and should be clear with our rationale. I have applied the PLAN scale, proportionality/legality/accountability/necessity and have used the NDM to come to my decision.

Kind regards,

Caroline



[caroline.hay@cityoflondon.pnn.police.uk](mailto:caroline.hay@cityoflondon.pnn.police.uk)  
[www.cityoflondon.police.uk](http://www.cityoflondon.police.uk) †  
[www.twitter.com/WeCopsCaroline](https://www.twitter.com/WeCopsCaroline)

**From:** South Devon MC <Southdevonmc@Justice.gov.uk>  
**Sent:** 08 March 2023 12:46  
**To:** Breese, Robert <Robert.Breese@cityoflondon.gov.uk>  
**Subject:** RE: Jason Ward - charged February 3rd 2023

THIS IS AN EXTERNAL EMAIL

Good Afternoon Robert

The court has not been made aware that the above is a personal licence holder. We have not received an application to appeal from Mr Ward.

An appeal application must be received within 21 day from the date of hearing. If a defendant wishes to appeal outside this time, they must do so directly to the Crown Court as an application to appeal out of time.

Regards


**Amanda Tozer**

**Criminal Business Administration**

Criminal Business Team | HMCTS | Torquay & Plymouth | Torquay | TQ2 7AZ

TEL: 01803 617880

[gov.uk/hmcts](https://www.gov.uk/hmcts)

 HM Courts & Tribunals Service

[Here is how HMCTS uses personal data about you](#)

[Coronavirus \(COVID-19\): courts and tribunals planning and preparation](#)

We must  
keep on protecting  
each other.



HANDS



FACE



SPACE

This page is intentionally left blank