

HAVANT BOROUGH COUNCIL

At a meeting of the Licensing Sub Committee held on 21 June 2017

Present

Councillors:

Keast (Chairman), Shimbart and Weeks

Objectors:

PC J Pearce, Hampshire Constabulary

Mr S Lawford, Hampshire Senior Trading Standards Officer

Officers:

Mrs P Rogers, Licensing Officer

Mr G Thorne, Licensing Officer

Mr A Kirk, Assistant Solicitor

Mr M Gregory, Democratic Services Officer

Observers:

Councillor D Lloyd

Councillor L Quantrill

Mr A Bowden

Mr N Rogers, Democratic Services Assistant

1 Declarations of Interests

There were no declarations of interests relating to matters on the agenda.

2 Licensing Hearing - MilPol Ltd, 19 Greywell Shopping Centre, Greywell Road, Leigh Park

The Sub-Committee considered an application for the review of a Premises Licence in respect of MilPol Ltd, Unit 19, Greywell Shopping Centre, Greywell Road, Leigh Park, Havant.

The following documents were submitted to the Sub-Committee:

- (i) Report of Licensing Officer;
- (ii) Application for Review Submitted by the Police;
- (iii) Representation from Trading Standards; and
- (iv) Notice of Hearing.

PC Pearce confirmed that he wished to address the meeting on behalf of Hampshire Constabulary.

Mr Lawford confirmed that he wished to address the meeting on behalf of Hampshire Trading Standards.

The licence holder had not given notice that he wished to attend the hearing and there were no representatives of the licence holder present at the hearing. The Sub-Committee was assured that the notice of the hearing had been issued in accordance with the regulations and every effort had been made to ensure that the licence holder was aware of the review proceedings. In the light of this advice the Licensing Sub Committee decided to proceed with the hearing.

All parties agreed to the Democratic Services Assistant and Councillor Lloyd accompanying members of the sub committee when they retired to make a decision.

The Licensing Officer presented his report to the Sub-Committee and gave an outline of the application and representations received.

All parties were invited to make representations to the Sub-Committee in relation to the application. The parties responded to members' questions and were given an opportunity to ask questions of each other.

The appendices referred to in the application for review submitted by the Police was circulated during the hearing.

The Sub-Committee adjourned at 2.58pm to consider the application.

At 3.06pm the meeting reconvened and the Democratic Services Officer read the decision to the parties.

DECISION OF THE LICENSING SUB-COMMITTEE

RESOLVED that the premises licence be revoked on the grounds that the following licensing objectives had been breached, namely, the prevention of crime and disorder and the protection of children from harm. In making the decision the Sub-Committee had regard to:

- 1) the selling of alcohol without a designated DPS being present on the premises on 28 March 2017
- 2) a member of staff aged 16 working in the premises alone
- 3) the failure to provide CCTV for viewing as required by Annex 2 of the premises licence
- 4) A failed test purchase on 28 March 2017;
- 5) the display of illicit alcohol on the premises on 13 February 2017; and

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- 6) The fact that a suspension of the premises licence, or the addition of extra conditions, would not be appropriate as these would not promote the licensing objectives in the interests of the wider community.

In reaching its decision the Sub-Committee had regard to the amended guidance issued under section 182 of the Licensing Act 2003, in particular paragraphs 11.26 to 11.28, the Council's Licensing Policy and representations made by the police and trading standards.

(Although Councillor Lloyd and Mr Rogers accompanied the Sub Committee when it retired to make a decision they did not take part in the debate and vote)

The meeting commenced at 2.00 pm and concluded at 3.10 pm