

HAVANT BOROUGH COUNCIL

At a meeting of the Licensing Sub Committee held on 20 June 2014

Present

Councillor Shimbart (Chairman)

Councillors Tarrant and Pierce Jones

Officers:	Tristan Fieldsend	Democratic Services Officer
	Hannah Newbury	Council's Senior Solicitor
	Hilary Smith	Licensing Officer
	Gerry Thorne	Licensing Officer
	Richard Hudson	Mr and Mrs Patel's Agent
	Mr Patel	Part Owner of the Licensed Premises
	Mrs Patel	Designated Premises Supervisor
	PC1148 P Barron	Licensing Officer
	Stephen Lawford	Hampshire Trading Standards Officer

1 Declarations of Interests

There were no declarations of interests from any members present in respect of the following item on the agenda.

Introduction and Procedure

Prior to hearing the application for review the Chairman outlined the procedure for the hearing (Minute 2) and confirmed that a permanent record of the proceedings would be kept. The Chairman asked if anyone wished to withdraw their representations. No representations were withdrawn.

2 Review of Premises Licence for Stop and Shop, 407 Middle Park Way, Leigh Park

The following documents were submitted to the Sub-Committee:

- (i) Report of Licensing Officer;
- (ii) Notice of Hearing;
- (iii) Application for Review;
- (iv) Representation form the Police;
- (v) Representation from the Licence Holder;
- (vi) Information to Accompany Notice;
- (vii) Relevant Regulations Relating to Hearings;
- (viii) Hearings Procedure; and

(ix) Additional Information Supplied by Trading Standards.

The Chairman explained the procedure to be followed at the meeting and confirmed that a permanent record of the proceedings would be kept.

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

Mr Hudson confirmed that he wished to address the meeting on behalf of the Applicant.

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

The Licensing Officer presented his report to the Sub-Committee and gave an outline of the Application for a review of the premises licence in this case.

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 Sub-Committee adjourned from 11.30am until 12.52pm to consider the Application

At 12.52pm the meeting reconvened and the Democratic Services Officer read the decision to the parties.

DECISION OF THE LICENSING SUB-COMMITTEE

RESOLVED that

- 1) A three month suspension preventing the sale of alcohol on the premises be imposed commencing:
 - (a) On the first day after expiry of the statutory period given for appealing against the decision, or;
 - (b) If the decision is appealed against, on the day after the appeal is disposed of.
- 2) Condition 1 of Annex 3 of the conditions attached after the hearing on 12 April 2013 be amended to "Any member of staff who is authorised to sell alcohol at the premises will pass the Level 2 BIIAB Award for personal licence holders course or the equivalent course before being allowed to sell alcohol; and deletion of the following "within 3 months of the commencement of their employment, or within such other period of time

agreed by Hampshire County Council Trading Standards Department"; and

- 3) Condition 2 of Annex 3 of the conditions attached after the hearing on 12 April 2013 be amended to "The designated premises supervisor will pass the Level 1 BIIAB Designated Premises Supervisor course or equivalent prior to their appointment".

The Sub-Committee took a very serious view of the selling of alcohol to persons under the age of 18 and had seriously considered the revocation of the licence but had decided to impose a three month suspension due to the efforts made to comply with the extra conditions previously imposed by the Sub-Committee. The Sub-Committee took the view on this occasion that making it obligatory for staff to complete mandatory training should prevent future breaches of conditions.

The meeting commenced at 9.30 am and concluded at 12.54 pm

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Chairman