
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 18 NOVEMBER 2010

Present: Councillors Harris, Parnell and Thomas

39. **ELECTION OF CHAIR**

RESOLVED that Councillor Parnell be appointed Chair for the purposes of this meeting.

40. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

RESOLVED that the Minutes of the meeting held on 7th October 2010 be signed as a correct record. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

41. **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED that in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 that the press and public be excluded at a pre-determined point whilst the Sub-Committee reach its decision.

42. **APPLICATION FOR A PREMISES LICENCE IN RESPECT OF WOOLSTON SERVICE STATION, 170 PORTSMOUTH ROAD, SO19 9AQ**

The Sub-Committee considered the report of the Solicitor to the Council detailing an application for a premises licence in respect of Woolston Service Station, 170 Portsmouth Road, SO19 9AQ. (Copy of report circulated with agenda and appended to signed minutes).

Mr Navaratnam (Applicant), Mr Light (Advocate for Applicant) and Mr Baker (Retail Consultant to Applicant), Ms Palmer (Local Resident / Objector) and Councillor Payne (Ward Councillor) were present and, with the consent of the Chair, addressed the meeting.

The Panel noted that this item had been adjourned from 12th August 2010 on the basis that more established trading information for the premises be made available. The applicant was to provide statistics for an identical period of their choosing for September, October and November in order that further consideration be given on how the shop was being used and in support of the assertion that the premises were primarily used for non-garage purposes.

The Sub-Committee noted the amendment to the application made by the applicant's representative regarding hours for the sale of alcohol in addition to the conditions as agreed with Hampshire Constabulary prior to the hearing.

The Sub-Committee considered the decision in confidential session in accordance with Licensing Act 2003 (Hearings) Regulations 2005.

RESOLVED

- (i) that the application for a premises licence in respect of Woolston Service Station, 170 Portsmouth Road, SO19 9AQ, be granted as amended as follows:-
- (a) Section L – Late Night Refreshment - Monday to Sunday 23:00 – 05:00
 - (b) Section M – Supply of alcohol - Amended to Monday to Sunday 06.00 – 23.00;
 - (c) Section O – Hours Premises are open to the public - Monday to Sunday 00:00 – 00:00; and
 - (d) Sales between 23:00 and 06:00 will be through the Night Pay window only; and
- (ii) that the following conditions numbered 1 to 3 as agreed between the Applicant and Hampshire Constabulary be included in the license:
1. A CCTV system be installed and maintained on site to the satisfaction of Hampshire constabulary to enable surveillance of both external and internal areas of the premises including all public entrances and exits and be of evidential quality in a court of law and be retained on the premises for at least 30 days and made available to Hampshire constabulary upon reasonable request.
 2. The entrance door to the shop be closed to customers between the hours of 23.00 hours and 06.00 hours with any sales between those hours made through the night pay window.
 3. The premises adopt a "Challenge 25" proof of age scheme.

REASONS FOR DECISION

The Sub-Committee considered all representations made, both written and oral, including those heard at the previous meeting on the 12th August 2010, and granted the application for a Premises Licence as amended by the Applicant's representative at the previous meeting and subject to the conditions agreed with Hampshire Constabulary as set out above.

The Sub-Committee gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted Statement of Licensing Policy and were satisfied that the information supplied by the applicant's representatives regarding the primary use of the premises indicated that they were not primarily being used as a garage.

The Sub-Committee recommended that the Ward Councillors make local residents aware of their right to request a review of a premises licence in the event of any evidence of a breach of the operating schedule and / or conditions of that licence.