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LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 16 DECEMBER 2010

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Present: Councillors Drake, Thomas and Willacy

Apologies: Councillor Brian Parnell

43. **ELECTION OF CHAIR**

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

44. **APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)**

The Panel noted that Councillor Willacy was in attendance as a nominated substitute for Councillor Parnell in accordance with Council Procedure Rule 4.3.

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

**RESOLVED** that the Minutes of the meetings held on 4<sup>th</sup> and 18<sup>th</sup> November 2010 be signed as a correct record. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

46. **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.

47. **APPLICATION FOR REVIEW OF PREMISES LICENCE - WHITEHOUSE, 194 ABOVE BAR STREET SO14 7DW**

The Sub-Committee considered the report of the Solicitor to the Council detailing an application from Hampshire Constabulary to review the premises licence in respect of Whitehouse, 194 Above Bar Street, Bargate, SO14 7DW. (Copy of report circulated with agenda and appended to signed minutes).

WPC Conway, Sergeant McWilliams, PC Harris, Sergeant Marshman, PC Prior and PC Spencer (Hampshire Constabulary) and Mr Gilbert (Proprietor) Mrs Gilbert (Proprietor / Proprietor's mother) Mr Grimsey (Proprietor's Solicitor) Mr Hett, Mr Sims, Mr Scott (Whitehouse Staff) were present and, with the consent of the Chair, addressed the meeting.

The Sub-Committee noted the additional evidence submitted by the proprietor and the additional evidence submitted by Hampshire Constabulary.

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

### **RESOLVED**

- (i) that the premises licence be suspended until such time as the closed circuit television recording system at the premises meets a standard to the satisfaction of Hampshire Constabulary and the Licensing Authority;
- (ii) that the premises licence be subject to the additional conditions:-
  1. that polycarbonate glasses and bottles will be used throughout the premises; or alternatively glass bottles may be used provided the contents are decanted into polycarbonate glasses for consumption;
  2. that the Designated Premises Supervisor undertakes the NVQ Level 2 qualification training as soon as is reasonably practicable;
- (iii) that the existing conditions relating to the identification system be amended to ensure that the system is used for all entrants / patrons to the premises;

### **RECOMMENDATION**

The Sub-Committee recommended that all staff at the premises receive training on the new, revised and existing conditions to the licence as soon as practicable.

### **REASON FOR DECISION**

In making the above decision, the Sub-Committee took into account all the late / additional evidence presented by both parties and had given careful consideration of all representations made, both written and oral,

The Sub-Committee found that there had been breaches of the licence conditions and took this very seriously. The Sub-Committee also took into account the need to address the Licensing Objectives of Crime and Disorder and Public Nuisance in a reasonable and proportionate manner.

The Sub-Committee emphasised that the Council's Licensing Enforcement Officers, in liaison with Hampshire Constabulary, would ensure that the licence conditions were complied with.