
SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 9 May 2013

Present: Councillors Cunio, Lewzey and Thomas

108. **ELECTION OF CHAIR**

RESOLVED that Councillor Cunio be elected Chair for the purposes of this meeting.

109. **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 predetermined point whilst the Sub-Committee reached its decision.

110. **APPLICATION FOR REVIEW OF PREMISES LICENCE - BARGAIN BOOZE (QUICK TRIP), 290 SHIRLEY ROAD, FREEMANTLE, SO15 3TR**

The Sub-Committee considered the application for review of a premises licence in respect of Bargain Booze (Quick Trip), 290 Shirley Road, Freemantle, SO15 3TR. (Copy of the report circulated with the agenda and appended to the signed minutes).

Mr Mitchener, Licensing Agent for Bargain Booze, Mr and Mrs Ali, Owners and Mr Z Ali, DPS, Bargain Booze, Ms Hill, Trading Standards Representative and PC Smith, Hampshire Constabulary were present and with the consent of the Chair, addressed the meeting.

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

RESOLVED that :-

- i. the agreed conditions submitted today, relating to CCTV, Training, Refusals Book, Challenge 25 and the EPOS Till System be attached to the licence; and
- ii. the licence be suspended until written confirmation was provided to the Licensing Authority and Trading Standards, that the training scheduled for the following week had been completed. The Sub-Committee was aware that if the training was completed earlier, then the suspension period would be reduced.

REASONS

The Sub-Committee considered the application for review of the premises licence at Bargain Booze (Quick Trip) by Hampshire Constabulary and supported by Trading Standards and gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted statement of Licensing Policy, Human Rights

Legislation and all the evidence presented both written and given orally, including the additional information submitted today.

The Sub-Committee listened carefully to all that had been said today, including the proposed steps to be enforced by way of the agreed conditions and was satisfied that when implemented to the satisfaction of Hampshire Constabulary and Trading Standards, these would prevent the issue of underage sales.

Accordingly the Sub-Committee felt that the suspension imposed was appropriate and necessary to enable the premises licence holder to ensure that all staff were appropriately trained.

In reaching this view the Sub-Committee noted that Hampshire Constabulary had been working with the premises management since February 2012 and although steps had been taken to improve the operating practices, they had lapsed over time, which had contributed to the two failed test purchase operations in December 2012 and February 2013 and which the Sub-Committee took extremely seriously. There was guidance which stated that the Sub-Committee should consider revocation in these circumstances and therefore the suspension imposed was felt to be appropriate.

111. **APPLICATION FOR PREMISES LICENCE TRANSFER - PREMIER QUICK SHOP (PREVIOUSLY QUICK TRIP), 290 SHIRLEY ROAD, FREEMANTLE, SO15 3TR**

The Sub-Committee noted that with regard to the application to transfer a premises licence in respect of Premier Quick Shop, the police objection had been withdrawn on the basis that conditions had been agreed on the review and therefore the transfer would be granted.

112. **APPLICATION FOR REVIEW OF A PREMISES LICENCE - COXFORD STORES, 2 COXFORD DROVE, SOUTHAMPTON, SO16 5FD**

The Sub-Committee considered the application for review of a premises licence in respect of Coxford Stores, 2 Coxford Drove, Southampton, SO16 5FD. (Copy of report circulated with the agenda and appended to the signed minutes).

Mrs J Fuge and Mr Harding, Owners, Coxford Stores, Mr Crier, Solicitor for Coxford Stores, PS Plascott and PC Williams, Hampshire Constabulary and Ms C Hill, Trading Standards Representative were present and with the consent of the Chair, addressed the meeting.

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

RESOLVED that:-

- i. the following agreed conditions submitted today (as amended) relating to CCTV, Training, Refusals Book and Challenge 25 be attached to the licence ; and
- ii. that the following condition replace the wording on page 10 of the bundle relating to a personal licence holder **“all members of staff engaged in the sale of**

alcohol shall have a qualification that was the equivalent of Level 1 BIIAB standard; and

- iii. the licence be suspended for a period of 3 consecutive days to take place immediately after the expiry of the usual 21 day period for appeal.

REASONS

The Sub-Committee considered the application for review of a premises licence at Cxford Stores and gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted statement of Licensing Policy, Human Rights legislation and representations, both written and given orally today by Hampshire Constabulary, Trading Standards and the premises licence holder.

There was guidance which stated that the Sub-Committee should consider revocation in these circumstances and the suspension imposed was therefore felt to be appropriate.

The Sub-Committee considered underage sales of alcohol to be an extremely serious matter and in this case it was considered necessary and proportionate to implement the conditions as agreed, as well as a suspension of the premises licence for a period of 3 days in order that the agreed conditions could be implemented to the satisfaction of Hampshire Constabulary and Trading Standards to deter future conduct of a similar nature.