
SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 5 April 2012

Present: Councillors Cunio, Osmond and Parnell

Apologies: Councillor Councillor Thomas

108. **ELECTION OF CHAIR**

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

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

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

110. **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 decisions.

111. **APPLICATION FOR REVIEW OF PREMISES LICENCE - LONDIS NEWS, 48 LODGE ROAD, SOUTHAMPTON, SO14 6RJ**

The Sub-Committee considered the application for review of a premises licence in respect of Londis News, 48 Lodge Road, Southampton, SO14 6RJ. (Copy of report circulated with the agenda and appended to the signed minutes).

Mr Patel, Premises Licence Holder, Mr Gray (Solicitor for Mr Patel) and Mrs Hill, Trading Standards 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

- (i) that the following agreed conditions be attached to the licence:-
- Hampshire Constabulary's condition relating to CCTV as set out on page 55 and 56 of the application; and
 - Trading Standard's condition relating to record keeping, subject to an agreed amendment as set out below:

“The premises licence holder must keep complete records such as invoices, receipts and delivery notes relating to alcohol and cigarettes obtained by him for sale from his shop. Records must include the name, address and telephone number of the supplier, the date of supply, the products supplied and their prices. Where items have been delivered to his shop by a supplier other than Booker or Londis by a vehicle, details of the vehicle registration, the name of the delivery person and contact details including the name, address and telephone number of the business must be kept. These details must be available on request to responsible authorities within 24 hours. The premises licence holder must be able to identify who supplied alcohol and cigarettes present at his premises.”; and

- (ii) that the licence be suspended for a period of 7 days.

REASONS

The Sub-Committee considered carefully the application for review of the premises licence and gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted statement of Licensing Policy, Human Rights legislation, representations, both written and given orally today by Hampshire Constabulary, Trading Standards and the premises licence holder and the additional evidence produced at the hearing with the consent of all parties.

As the conditions had been agreed by all parties, the Sub-Committee saw no reason to deviate from that agreement.

It was noted that the premises licence holder had fully co-operated with Hampshire Constabulary and Trading Standards and had spent considerable sums of money improving systems within the store. Had these actions not been taken, the Sub-Committee would have seriously considered a substantially longer suspension. The Sub-Committee however, felt unable not to impose a suspension, bearing in mind the substantial amount of counterfeit items found at the store, the lack of record keeping which prevented the authorities from establishing how many items passed through the store and tracing the source of the items. In addition, the Sub-Committee felt that someone with the experience of this premises licence holder should have been better able to avoid these failings.

The Sub-Committee therefore felt a 7 day suspension was appropriate and proportionate.