

LICENSING PANEL

Tuesday, 8 January 2013 (10:00 am – 10:50 am)

PRESENT:

Councillor Mrs Welsh (Chairman); Councillors Airey and Mrs Fraser

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1. THE APPLICATION

The Legal Officer advised that considerable negotiations had taken place between both parties and they had come to the Hearing in agreement of the conditions outlined by the Police. He noted that Members had read all the papers and the proposed conditions. Accordingly the Chair asked that parties note this fact when making their presentation.

2. REPRESENTATIONS FROM THE POLICE

PC Gavin Smith attended on behalf of Hampshire Constabulary and presented their representation, previously submitted in writing.

3. REPRESENTATIONS FROM TRADING STANDARDS

Stephen Lawford was representing Trading Standards and endorsed the Police evidence and reiterated the seriousness of the current position.

4. REPRESENTATIONS FROM THE AGEAS BOWL

The Operations Director for the Ageas Bowl thanked the Police for their help in this matter and advised the Panel that they agreed entirely with the proposed conditions set out by the Police. He also confirmed that there was a new Designated Premises Supervisor in post and he was currently undertaking the recommended qualifications set out by the Police in the proposed conditions.

5. SUMMATION

All parties were given an opportunity to briefly sum up their case. PC Smith confirmed that the application for the suspension of the licence and removal of Designated Premises Supervisor had been withdrawn from the application. Trading Standards confirmed that further issues would lead to additional steps being taken. The Premises Licence Holder confirmed they would work with the Police to ensure they need not be brought before the Committee again.

## 6. THE DECISION

The Panel withdrew from the meeting to make their decision and invited the Clerk and Legal Adviser to join them.

The following decision was read out to the hearing when the Panel reconvened:

The Panel have considered the representations, the evidence given today, the statements provided in the application, the Eastleigh Borough Council Licensing Policy, statutory guidance, the Licensing Act 2003 and the licensing objectives and the decision of the Panel is to amend the premises licence/impose the conditions agreed between the parties and presented to the Panel (attached to the Minutes for reference).

Reasons:

The Panel considered carefully the evidence relating to the repeated underage sale of alcohol at the premises, proxy sales and recognising drunkenness. In light of this evidence the Panel concluded that the imposition of the agreed conditions was appropriate in all the circumstances and accepted Police evidence that they would form part of a robust set of guidelines aimed at addressing the issues.

It was noted that the main issue appeared to be the fact that sub-contractors were responsible for the sale of alcohol at large scale events and that the proposed and agreed measures would, in the premises licence holders evidence, tackle those concerns in the future.

The Panel would stress that underage sales in particular are taken very seriously and that future issues may lead to a further review where additional steps may be taken.

The full details of the decision together with reasons for amending and all the conditions imposed will be forwarded to all the parties and posted on the Council's website as soon as possible.

There is a right of appeal to the Magistrates Court for all parties. Formal notification of the decision will set out that right in full.