

Minutes of the **Licensing Sub-Committee**  
of the **Test Valley Borough Council**  
held in the Council Chamber, Duttons Road, Romsey  
on Thursday 26<sup>th</sup> January 2006 at 9.30 a.m.

Attendance:

Councillor J N S Anderdon	(P)
Councillor A Hope	(P)
Councillor Mrs A Tupper	(P)

Also in attendance:

Inspector P Funnell, Hampshire Constabulary  
Mr P Savill, Counsel, Hampshire Constabulary  
Ms Celina Colquhoun, Counsel for the White Horse

1

**Appointment of Chairman**

**Resolved:**

**That Councillor Hope be appointed Chairman for the duration of the meeting.**

2

**Minutes**

**Resolved:**

**That the minutes of the meeting held on 13<sup>th</sup> January 2006 be confirmed and signed as a correct record.**

3

**Review of Licence – The White Horse Hotel,  
Market Place, Romsey**

The Sub Committee was requested to consider a review of the Premises Licence following a closure order in respect of the White Horse Hotel, Market Place, Romsey.

The hearing was adjourned for 20 minutes in order to allow Counsel to negotiate an agreement suitable to all the parties.

When the meeting reconvened, the Chairman explained the procedure for the hearing.

He then invited the Licensing Manager to introduce the reports and the reason for the review.

The Licensing Manager informed the Sub Committee that the review was being held as a result of a police closure order being placed on the premises on 31<sup>st</sup> December 2005, in accordance with the provisions in Section 161 of the Licensing Act 2003. In accordance with Section 164 of the Act, New Forest Magistrate's Court held a hearing on 6<sup>th</sup> January 2006 to consider the closure order. At the hearing the court decided that, in accordance with Section 165 of the Act, the premises be ordered to remain closed until such time as the Licensing Authority determined the matter. The Licensing Manager confirmed that no written documentation had been received from the Court.

The Chairman requested that the Sub Committee be presented with relevant information leading up to the Closure Order. Mr Peter Savill, Counsel for the Hampshire Constabulary, gave a detailed account of a number of events leading up to the placing of the Closure Order.

The Chairman then invited Celina Colquhoun, Counsel for the Proprietor of the White Horse, to present her case. Ms Colquhoun informed the Sub Committee that despite the incident on 31<sup>st</sup> December 2005, to which the police were called, the premises was run with care and much work had been undertaken by the present proprietor to improve it. The bar area was considered ancillary to the main parts of the business, that being a hotel and restaurant. She reminded the Sub Committee that the Act did not require a designated Premises Supervisor on the premises at all time. However, she confirmed that in order to resolve the situation the proprietor had appointed a new bar manager who was to undertake sole responsibility for the White Horse Hotel as its designated Premises Supervisor.

Peter Savill confirmed that it was not the police's wish to see the premises closed or hours of operation curtailed. He maintained that suitable measures required to be put in place to prevent further occurrences of public nuisance.

The proposed modifications to the Premises License suggested were as follows:

- A new designated Premises Supervisor to be appointed with exclusive responsibility for the White Horse Hotel.
- In the absence of the designated Premises Supervisor, there will always be a Personal License Holder on the premises.
- A member of staff to be present in the bar area at all times.
- The police to be informed if there is a change in bar personnel.

In addition to this, the Sub Committee suggested that the White Horse Hotel join the Romsey Pub Watch.

The Chairman adjourned the meeting to enable the Sub Committee to consider the matter.

Upon return, the Chairman informed the meeting that the Sub Committee, in reaching its determination upon this matter, had regard to the National Licensing Guidance issued under Section 182 of the Licensing Act 2003, Test Valley Borough Council's own Licensing Policy together also with the representations made by the parties at the hearing.

**Decision:**

**Resolved:**

1. **The current Designated Premises Supervisor, Mr A R Gunavardhana, be removed from the Premises Licence.**
2. **The conditions of the Premises Licence be modified by the addition of the following conditions:**
  - (i) **Any Designated Premises Supervisor in respect of the premises shall be the Designated Premises Supervisor in respect of those premises only and for no other premises whatsoever.**
  - (ii) **At any time when the Designated Premises Supervisor is not present on the premises, there shall be at least one Personal Licence Holder present there.**
  - (iii) **Any bar within the premises shall at all times be manned.**
  - (iv) **Any changes in bar personnel employed at the premises shall be notified to the Officer in Charge at Romsey Police Station not later than 48 hours after such change has taken place.**

(The meeting ended at 11.16 a.m.)