

Minutes of the **Licensing Sub-Committee**
of the **Test Valley Borough Council**
held in Council Chamber, Guildhall, Andover
on Monday 20th March 2006 at 9.30 a.m.

Attendance:

Councillor A. Hope (P) Councillor Mrs J.H.I Msonthi (P)
Councillor Mrs P.A. West (P)

Also in attendance:

Councillor P. Mutton
Sergeant I. Whyton, Hampshire Constabulary
Mr R. Le Masurier, Solicitor of Parker Bullen (representing Chickoland)
Mr S. Bilgic and Mr M. Bilgic, Chicoland

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 27th February 2006 be confirmed and signed as a correct record.

3 **Review of a Premises Licence – Chickoland, 7 Winchester Street, Andover SP10 2EA**

The Sub-Committee was requested to consider an application for a review of a Premises Licence for Chickoland, 7 Winchester Street, Andover. The application was requested in accordance with the provisions of Section 51 of the Licensing Act 2003.

The Licensing Manager informed the Sub-Committee that the application to review the licence had been made by the Hampshire Constabulary. The review related to the licensing objective for the prevention of crime and disorder.

Sergeant Whyton of the Hampshire Constabulary was invited to address the Sub-Committee. Sergeant Whyton outlined the reasons for the review of the premises licence. His main concern centred upon a number of breaches of the conditions of the premises licence. The breaches of conditions related, in the main, to trading beyond the licensed hours and the failure of door security staff to wear reflective jackets, together with several other minor breaches including the removal of refuse from the premises.

Sergeant Whyton gave the Sub-Committee detailed information concerning the breaches of the licence conditions between the period 23rd December 2005 and 24th January 2006.

The Sub-Committee then adjourned to view video evidence provided by the Police and the town CCTV cameras.

Sergeant Whyton informed the Sub-Committee that the Police had made every effort to ensure the premises had complied with the licence conditions. He suggested that a reduction in the operating hours, finishing at 1.00 a.m. on Thursday, Friday and Saturday evenings might assist the premises to adhere to the conditions.

The Sub-Committee was then addressed by the Solicitor acting for the premises, Mr Le Masurier. Mr Le Masurier contended that the premises owner was intending to apply for a variation to the existing licence to enable the premises to remain until 4.00 a.m. on the morning following Thursday, Friday and Saturday evening. This would enable the premises to take advantage of the increased trade when the night clubs in the town closed. This proposal was expected to resolve the problems of breaches of condition and should result in a reduction in crime and disorder. The Sub-Committee noted that the variation to the licence would also include the change of premises holder to that of Ramazan Bilgic, the owner of the premises.

The Sub-Committee was given the opportunity to question the parties on their respective representations.

The Chairman then 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 the matter, had 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 and by the evidence heard at the hearing.

Whilst deciding to take no action, the Sub-Committee was, nevertheless, concerned at the evidence of breaches of the terms of the Premises Licence and Conditions of Licence, notably trading beyond the licensed hours and failing to ensure that registered door supervisors were readily identifiable as such at the appropriate times.

The Sub-Committee noted, however, that there had been an improvement in the conduct of the premises during the six weeks preceding the hearing, and trusted that that improvement would be maintained. Any application to extend the licensed hours would be unlikely to be regarded with favour if further matters were brought to the attention of the Sub-Committee which demonstrated that the Premises Licence holders were unable satisfactorily to manage the premises in accordance with the terms of their licence.

DECISION

Resolved:

That no action be taken on the basis that it is unnecessary to take any of the steps set out in Section 52(4) of the Licensing Act 2003 to promote the Licensing objectives.

(Meeting terminated at 12.55 p.m.)