

Minutes of the **Licensing Sub-Committee**  
of the **Test Valley Borough Council**  
held in Council Chamber, Duttons Road, Romsey  
on Thursday 12th June 2008 at 9.30 a.m.

Attendance:

Councillor Mrs A.F. Dyde (P) Councillor A. Hope (P)  
Councillor Mrs J. Lovell (P)

Also in attendance:

Mr A Ivins Mr Bamforth  
Sgt T Adams, Hampshire Constabulary Ms G Fice, Hampshire Constabulary

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**Minutes**

**Resolved:**

**That the minutes of the meeting held on 15th January 2008 be confirmed and signed as a correct record.**

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**Application for a Personal Licence – Police objection as applicant has a relevant offence**

The Sub-Committee considered an application for a Personal Licence under section 117 of the Licensing Act 2003 by Mr Alexander Ivins.

The Licensing Manager introduced the report and explained to the Sub-Committee that as part of the application the applicant had provided a criminal records disclosure which showed a conviction for a “relevant offence”. The Hampshire Constabulary, the only persons able to object to such an application, had made objections so a hearing was required to determine the matter.

Mr Bamforth presented the case on behalf of Mr Ivins. He referred to the conviction for the offence in question and informed the sub-Committee that the applicant was extremely remorseful of his actions and had since been of good character and had not re-offended. The applicant was in full time employment in the licensed trade in Southampton and his employer was supportive of his application. Mr Ivins had been offered a promotion to manager of the establishment, subject to the granting of a personal licence.

A letter of support for the application from the applicant’s employer was tabled for the Sub-Committee’s information, with the consent of the Hampshire Constabulary.

Sgt Adams presented the case on behalf of the Hampshire Constabulary. Sgt Adams outlined the nature of the offence committed by the applicant disclosed as a result of the criminal records disclosure. He reminded the Sub-Committee that the licensed trade was expected to set a good example to the public by upholding the licensing objectives, as set out in the Government guidance and the Council’s own licensing objectives.

The Sub-Committee noted that the guidance issued by the Secretary of State in cases of this nature recommended refusal of a Personal Licence, unless exceptional and compelling circumstances could be presented.

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

### **Decision**

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 with the representations made at the Hearing and in writing.

The Sub-Committee recognised that the applicant had demonstrated compelling and exceptional circumstances why a Personal Licence should be granted as follows:

- The offence in question was committed at a time when the applicant was under great stress and he had shown remorse for his actions.
- He had not re-offended since and had been of good character and conduct.
- He had held down a job successfully and his employer was very supportive of his application.

### **Resolved:**

**That the request for a Personal Licence by Mr Alexander Ivins be granted.**

(Meeting terminated at 11.16 am)