

Minutes of the **Licensing Sub-Committee**
of the **Test Valley Borough Council**
held in Council Chamber, Duttons Road, Romsey
on Thursday 4 February 2010 at 9.30 a.m.

Attendance:

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

Also in attendance:

Sgt. T Adams, Hampshire Constabulary
Georgina Fice, Hampshire Constabulary
Mr P Langran

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 November 2009 be confirmed and signed as a correct record.

3 **Application for Variation of a Premises Licence to specify a new Designated Premises Supervisor – Five Bells, Nether Wallop, Stockbridge SO20 8HA**

This application was withdrawn.

4 **Application for Variation of a Premises Licence to specify a new Designated Premises Supervisor – Tudor Rose, Cornmarket, Romsey SO51 8GB**

The Sub-Committee considered an application for variation of a premises licence by the premises licence holder, Admiral Taverns (Relax) Ltd. The applicant had applied under section 37 of the Act to vary the licence to specify a new Designated Premises Supervisor, Mr Peter Langran, for the premises known as the Tudor Rose, Cornmarket, Romsey.

The Licensing Manager explained that this application had attracted a representation from Hampshire Constabulary, the only persons able to object to such an application thus requiring the matter to be determined by a hearing.

The Licensing Manager reminded the Sub Committee that The Licensing Act 2003 states that in the case of this type of application, if the chief officer of Police is “satisfied that the exceptional circumstances of the case are such that granting the application would undermine the crime prevention objective, he must give the relevant licensing authority a notice stating the reasons why he is so satisfied”. The Act further states that where such a notice is given the licensing authority must hold a hearing (unless all parties agree a hearing is unnecessary) and having regard to the notice, reject the application if it considers it necessary for the promotion of the crime prevention objective to do so.

Sergeant Adams presented the case for the Hampshire Constabulary outlining the reasons for the objection to the application to specify Mr P Langran as the Designated Premises Supervisor. Mr Langran was employed as the DPS of licenced premises in the Eastleigh area and as such would be unable to be involved with the premises on a daily basis. The Police expressed concern that in this capacity he would be unable to adequately undertake the duties expected of a designated premises supervisor as defined under the Licensing Act and the licensing objective for the prevention of crime and disorder would be in jeopardy.

The Chairman invited Mr Langran to address the Sub-Committee. He outlined the reasons for the application and explained that he did not believe that the licensing objective for the prevention of crime and disorder had been compromised and would continue be upheld.

The Sub Committee was given the opportunity to ask questions of the parties and then adjourned 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 with the representations made at the Hearing and in writing.

Decision

Resolved:

That the variation to the Premises Licence for the premises known as the Tudor Rose, Cornmarket, Romsey, SO51 8GB be refused. The Sub Committee was not satisfied that the level of management control, whilst Mr Langran had been the Designated Premises Supervisor, had been sufficient to ensure that the prevention of crime and disorder objective was satisfied.

(Meeting terminated at 10.37 am)