

Minutes of the **Licensing Sub-Committee**
of the **Test Valley Borough Council**
held in Council Chamber, Guildhall, Andover
on Friday 6 August 2010 at 9.30 a.m.

Attendance:

Councillor Mrs A F Dyde (P) Councillor A Hope (P)
Councillor Mrs M H Kerley (P)

Also in attendance:

Sergeant T Adams, Hampshire Constabulary
Constable B Wood, Hampshire Constabulary

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 5th July 2010 be confirmed and signed as a correct record.

3 **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 Miss Amanda Jane Postle.

The Sub-Committee noted that the applicant had been notified of the police objection and sent a copy of the agenda but was not in attendance. The Licensing Manager had not received any communication or representation from her.

The Sub-Committee noted 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.

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.

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 or 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.

No evidence had been received from or on behalf of the applicant to demonstrate compelling or exceptional circumstances why a Personal Licence should be granted, so the request of the Hampshire Constabulary was upheld.

Resolved:

- 1. That the hearing proceed in the absence of the Applicant.**
- 2. That the application for a Personal Licence by Miss Amanda Jane Postle be refused.**

(Meeting terminated at 10.02 a.m.)