

Minutes of the **Licensing Sub-Committee**
of the **Test Valley Borough Council**
held in Conference Room 1, Beech Hurst, Weyhill Road, Andover
on Monday, 13 November 2023 at 9.30 am

Attendance:

Councillor L Lashbrook
Councillor P Lashbrook

Councillor L Matthews

Also in attendance:

Councillor I Andersen

1 **Appointment of Chairman**

Councillor Matthews proposed and Councillor L Lashbrook seconded a motion to appoint Councillor P Lashbrook as Chairman for the duration of the meeting. Upon being put to the vote the motion was carried.

Resolved:

That Councillor P Lashbrook be appointed as Chairman for the duration of the meeting.

2 **Apologies**

There were no apologies for absence.

3 **Declarations of Interest**

There were no declarations of interest.

4 **Exclusion of the Public**

The Licensing Manager presented the report to consider a review of the Premises Licence in respect of the Rockhouse, 41 London Street, Andover SP10 2NU.

On the day of the meeting, additional information had been received from the applicant's Counsel and due to the sensitive nature of this information, the committee felt that the meeting should be held in confidential session.

Councillor L Lashbrook proposed and Councillor Matthews seconded a motion to exclude the public. Upon being put to the vote the motion was carried.

Resolved:

That pursuant to Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and also Regulation 14 of The Licensing Act 2003 (Hearings) Regulations 2005, the public be excluded from the meeting for the consideration of the report on the following matters on the grounds that they involve the likely disclosure of exempt information as defined in the following Paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, indicated below. The public interest in maintaining the exemption outweighs the public interest in disclosing the information for the reason given below:

**Review of a Premises Licence
Paragraphs 1, 2 & 7**

It was considered that the report contained exempt information within the meaning of paragraphs 1, 2 & 7 of Schedule 12A of the Local Government Act 1972, as amended. It was further considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information because the information related to a named individual, could reveal the identity of an individual and related to action taken in connection with the prevention, investigation, or prosecution of crime.

**5 Application for the Review of a Premises Licence -Rockhouse,
41 London Street, Andover SP10 2NU**

The application was by Hampshire and Isle of Wight Constabulary requesting a review of the existing Premises Licence on the basis that the Police considered the licensing objectives of the prevention of crime and disorder and public safety were being breached; specifically they sought the removal of the current Designated Premises Supervisor.

The applicant was invited to address the Sub-Committee. Members were given the opportunity to ask questions of the applicant.

The Licence holder was invited to address the Sub-Committee. Members were given the opportunity to ask questions.

All parties were given the opportunity to ask questions of each other.

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

On its return, the Sub Committee was minded to agree to the removal of the Designated Premises Supervisor for the following reasons:

1. The evidence heard from Mr Noakes does not significantly satisfy all of the points raised by the police, in particular the question of a lack of drugs found on persons and leads us to believe there is not a robust search facility in place.
2. We have concerns towards the number of incidents that have occurred outside the venue, which the Police say are attributable to the venue. On reaching this conclusion we have read the submissions by Mr Noakes, but we also take onboard PC Swallow's evidence that these could be directly attributed to the venue and on balance must consider public safety and prevention of crime and disorder. We also take onboard the statutory guidance at 11.21, which states that the removal of the Designated Premises Supervisor (DPS) may be sufficient to remedy a problem directly relating to poor management decisions made by that individual.
3. We found some of Mr Noakes' evidence in relation to intoxication in the venue and his inability to explain the operation of the CCTV equipment unsatisfactory. When asked what briefing security staff were given, the response was also not satisfactory, which leads us to conclude that this may be due to poor management.
4. Looking at all the proposals put forward by the Police, we have taken on board that the premises licence holder is a charity and some of the measures requested may result in additional expenditure. However, because of the information submitted we do feel the following conditions would serve the licencing principles of the prevention of crime and disorder and public safety and would therefore impose the additional conditions in relation to drugs, vulnerability and the Welfare Officer as listed in the police proposals:

Drugs

The Premises Licence Holder shall provide to the police licensing officer responsible for the area, a written drugs policy detailing the actions to be undertaken to minimize the opportunity to use or supply illegal substances within the premises. This policy shall include as a minimum:

- Searching
- Staff training
- Safe handling
- Retention
- Disposal

Vulnerability

A written policy on how the venue deals with vulnerability shall be implemented and as a minimum shall include the following:

- A definition of the different types of vulnerability that may present at the premises.
- How best to communicate with vulnerable people. For example, people who are drunk, people on their own, people behaving aggressively and people who are ill.

- How to safeguard vulnerable people, including information on first aid administration and referral to the ambulance service and police where relevant.
- Best practice for partnering with agencies, such as taxi companies, local authorities and other venues.
- What to do if you sense a vulnerable person is in danger, for example if they leave the venue alone or with people they didn't arrive with.

Welfare Officer

On Fridays, Saturdays and Sundays preceding UK Public Holidays, a member of staff shall be employed from 22:00 until the close of the venue as a welfare officer. They shall be identified by wearing a red pink high visibility tabard marked "welfare" on the reverse.

Their role shall be to be the liaison between the venue management, doorstaff (when on duty) and bar staff. They shall be able to spot signs of vulnerability, welfare and intoxication.

Welfare Officers shall not be engaged shall not be utilised as bar staff, glass collectors etc.

Resolved:

That the current Designated Premises Supervisor be removed from post and the additional conditions in relation to drugs, vulnerability and the Welfare Officer as listed in the Police proposals be included.

(The meeting terminated at 2.02 pm)