

LICENSING SUB-COMMITTEE

13 July 2007

Attendance:

Councillors:

Mather (Chairman) (P)

Berry (P)

Jackson (P)

Officers in Attendance:

Mr J Myall (Licensing and Registration Manager)

Mrs C Tetstall (Property and Licensing Solicitor)

1. **LITTLE CHEF, SUTTON SCOTNEY SERVICES SOUTHBOUND, A34**
(Report LR238 refers)

The Sub-Committee met to consider an application by Riverside Restaurants for a new Premises Licence to enable the showing of films via DVD and pre-recorded music videos throughout the premises and the sale of alcohol for consumption on and off the premises.

The Parties (in accordance with the Licensing Act 2003 (Hearings) Regulations 2005) present at the meeting were Mr Nick Landells (representative from Poppleston Allen Solicitors) and Mr Roger Pearce and Ms Rebecca Phillips (Riverside Restaurants). There was no representative of the Interested Party, Wonston Parish Council, in attendance at the meeting.

Mr Myall presented the application as set out in the Report. He explained that there had been a mistake in the report and that the application was for the southbound premises, not the northbound. The previous licence holder had gone into liquidation in December 2006 and, due to some miscommunication, the licence for the premises had lapsed. An application to transfer the licence had been made but this had been received outside the seven day time limit of the insolvency. Mr Myall added that there had been one representation made by Wonston Parish Council, who objected to the transfer of the licence, but that they were unable to attend the meeting.

Responding to a question from the Sub-Committee, Mr Myall explained that the licence would have been automatically transferred had the application been received within the required timescales.

Mr Landell spoke in support of the application. He began by addressing the drink driving issue as outlined in the representation from the Interested Party. Riverside Restaurants owned the Little Chef brand and took very seriously its duty towards its customers. Despite there being no reports of drink driving being linked to any Little Chef premises, all staff were trained in licensing law and that they should not serve customers who were drunk. This training was refreshed every six months. The Designated Premises Supervisor for the Sutton Scotney branch also held a Personal Licence. He added that there were prominent notes on driver safety on the Little Chef website and that the company were actively involved in any road safety campaigns that the police ran.

Mr Landell continued that nationally Riverside Restaurants were only applying for premises licences for those Little Chefs that were situated on the same site as a Travelodge, to cater for those guests staying overnight. He provided the Sub-Committee with an example menu, which outlined the three alcoholic products available for purchase. It was brought to the attention of Members that the products were served in personal bottles and that this was merely an extra service that could be offered to customers, rather than as a way of attracting more custom. Mr Landell added that liquor sales only contributed to a small percentage of total sales for the premises.

The Sub-Committee retired to deliberate in camera.

In her closing remarks, the Chairman stated that the Sub-Committee had carefully considered the application and the representations made by Interested Party. It had taken into account the duties under the Crime and Disorder Act 1998, and the rights set out in the Human Rights Act 1998.

RESOLVED:

That the application be granted, subject to:

Mandatory Conditions

Under the Licensing Act 2003, the following conditions must be imposed on the Premises Licence:-

1. No supply of alcohol may be made under the Premises Licence (a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence, or (b) at a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

2. Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.

Other Conditions

Operating Hours

1. The hours the premises may be used for regulated entertainment shall be:

Films

(i) Monday to Sunday 0600 to 2300

2. The hours the premises may be used for the sale of alcohol shall be:

(i) Monday to Sunday 0600 to 2300

3. The hours the premises may open for other than Licensable Activities shall be:

(i) Monday to Sunday 0600 to 2330

Crime and Disorder

None

Public Safety

None

Public Nuisance

None

Protection of Children

1. The premises shall adopt and implement the Hampshire Constabulary's Challenge 21 Scheme or other accredited proof of age scheme.

2. Signs shall be prominently displayed in the premises stating that any person who appears to be under the age of 21 will be asked for proof of age.

Reasons for Decision: The Sub-Committee considered that in the light of the conditions imposed, and the practices and procedures which the applicant had put in place, there was no evidence the licensing objectives would be undermined.

The meeting commenced at 9.30am and concluded at 10.20am.

Chairman