



Licensing Act Sub-Committee - Record of Hearing held on Wednesday 16 April 2008 at 6.00pm

MEMBERS: Councillor Mrs MORRIS (Chairman); Councillors Mrs GOODALL and Mrs SALSBURY.

1 Declarations of Interest.

None were received.

2 Exclusion of the Public.

RESOLVED: That the public be excluded from the meeting in respect of item 3 as otherwise there was a likelihood of disclosure to them of exempt information defined in paragraph 1 of Schedule 12A of the Local Government Act 1972.

3 Designated Premises Supervisor.

Summary of application and representations received.

The Chairman introduced members and officers present and detailed the procedure to be followed. The Licensing Manager outlined the report detailing the Police Objection notice that had been received in respect of an application to specify an individual as a designated premises supervisor.

An application had been submitted for a new premises licence for Trident Stores and had specified that Mr Photiou was proposed as designated premises supervisor for the site.

The Police are able to object to the designation of a new premises supervisor where, in exceptional circumstances, they believe that the appointment would undermine the crime prevention objective.

An objection notice had been submitted by Sussex Police and Inspector T Wakefield addressed the Sub-Committee and explained the reasons why there were exceptional circumstances in this case, and provided the Committee with an overview of the exceptional circumstances.. He argued that if the application was granted, it would undermine the crime prevention objective.

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Mr J Stebbing addressed the Sub-Committee on behalf of the applicant and responded to the police representations.

Inspector Wakefield, Mr Stebbings and the applicant responded to questions from Members of the Sub-Committee and the Licensing Manager.

The Sub-Committee then retired to consider and determine the application having regard to the representations submitted and the further evidence presented at the meeting, guidance under Section 182 of the Licensing Act 2003, the Council's Statement of Licensing Policy and the crime and disorder licensing objective.

When the Sub-Committee reconvened the Legal Advisor indicated that he had been called in to provide advice regarding the relevant considerations under Section 182 Guidance.

Having taken into account all the relevant considerations the Sub-Committee announced the decision as follows.

RESOLVED: That the application to specify Mr Photiou as Designated Premises Supervisor is refused.

(NOTE: A full record of this hearing is being kept in accordance with the Licensing Hearing Regulations 2003).

4 Application for New Premises Licence – Trident Stores, 45-47 Green Street.

The Chairman reported that an application had been made for an adjournment of the proceedings following the decision of the Sub-Committee to refuse the application to specify Mr Photiou as designated premises supervisor.

The Legal Advisor reported that although the Sub-Committee could proceed and determine the premises licence application as submitted, the Sub-Committee had an option to adjourn the proceedings to a future specified date.

The Sub-Committee withdrew with the legal advisor to consider the issues further. When the Sub-Committee reconvened the Legal Advisor indicated that he had been called in to provide clarification regarding the provisions under the hearing regulations to adjourn proceedings.

The Chairman advised that having considered the representations made on behalf of the applicant from Mr Stebbing and Mr Hall and also the comments made by the Licensing Manager, the Sub-Committee took the view that it was in the interests of a fair hearing to adjourn the proceedings to a future specified date.

RESOLVED: That consideration of the new premises licence application in respect of Trident Stores be adjourned until 22 July 2008 at 6.00pm.

The meeting closed at 8.25p.m.

**Mrs S Morris
Chairman**