

LICENSING PANEL

FRIDAY, 23 MARCH 2012

PRESENT:- Councillors Andrew Bennett, Wayne Crabbe, Vera Tomlinson and Andrew Bennett

An apology for absence was received from Councillor David Wood.

88. Appointment of Chair

Resolved – That Councillor Andrew Bennett Chair this meeting of the Panel.
(Councillor Bennett took the Chair.)

89. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

90. Minutes

Resolved – That the minutes of the meeting held on 25th and 27th January, 3rd, 10th and 14th February 2012, be confirmed and signed.

91. Exempt Items - Exclusion of Press and Public

Resolved - That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred in Agenda Item 6 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 92 refers.)

92. Application to transfer the premises licence and to nominate a designated premises supervisor for the premises known as 80 William Street, Swindon

The Panel considered (a) a report of the Council's Licensing Officer setting out an application for the transfer of a Premises Licence and the appointment of a Designated Premises Supervisor for the premises known as 80 William Street, Swindon, (b) an objection from Wiltshire Constabulary to the transfer of the Premises Licence and the appointment of the person named in the report as the Designated Premises Supervisor, (c) oral representations from Wiltshire Constabulary in support of their objection, (c) representations from the nominated Designated Premises Supervisor, (d) questions from Members and the answers received, and (e) the Council's procedure for licensing hearings, Government Guidance and the Council's Licensing Policy.

Resolved – That this Panel having listened to and carefully considered all of the evidence and submissions put forward by the Police and the person named in the report, and having regard to the Licensing Act and, Secretary of State's

Guidance determined that the application to transfer the Premises Licence and the application for Designated Premises Supervisor be approved.

Reason

Whilst the Panel had concerns arising from the evidence before it felt that it did not meet the test of exceptional circumstances laid down in the Secretary of State's Guidance under Paragraph 4.28 to 4.31 and therefore could not refuse the application.

The Chair reminded both parties that they had the right of appeal to the Magistrates' Court against the determination of the Panel and that any such an appeal, must be commenced within 21 days of this determination.