

**NEW FOREST DISTRICT COUNCIL**

**LICENSING ACT 2003**

**APPLICATION: Britannia Thai Indian Cuisine, 1 High Street, Milford on Sea**

**Decision of the Licensing Sub-Committee hearing held at Appletree Court,  
Lyndhurst on 11 March 2008 at 2.00pm**

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**1. Members of the Licensing Sub-Committee**

Councillor Beck - Chairman  
Councillor Shotter  
Councillor Mrs Smith

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**2. Parties and their Representatives attending the Hearing**

Mr Ershad Meah – Applicant  
Mr D Lee, Eric Robinson Solicitors – Solicitors for the Applicant

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**3. Other Persons attending the Hearing**

Mr E Vandyck – Environmental Health Officer  
  
Mr Chaudhury – Observer  
Miss S Cole - Observer  
Miss G Fice – Observer  
Mr Miah – Observer

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**4. Parties not attending the Hearing**

Mr & Mrs Steadman – Objectors  
Mr Bown – Objector  
Mr & Mrs Albert – Objectors  
Mr & Mrs Toemig - Obejctors

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**5. Officers attending to assist the Sub-Committee**

Natalie Heaseldon – Legal Advisor  
Melanie Dunsmore - Clerk

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## 6. Decision of the Sub-Committee

The application is granted on the following terms and conditions.

### **Licensable activities and times permitted:**

M: Supply of Alcohol

Monday 12:00 to 22:30  
Tuesday 12:00 to 22:30  
Wednesday 12:00 to 22:30  
Thursday 12:00 to 22:30  
Friday 12:00 to 23:00  
Saturday 12:00 to 23:00  
Sunday 12:00 to 22:30

### **Hours premises to be open to the public**

Monday 12:00 to 22:30  
Tuesday 12:00 to 22:30  
Wednesday 12:00 to 22:30  
Thursday 12:00 to 22:30  
Friday 12:00 to 23:00  
Saturday 12:00 to 23:00  
Sunday 12:00 to 22:30

### **Mandatory conditions:**

As provided in the Licensing Act 2003

### **Other conditions:**

1. Any CCTV should be installed and maintained at the premises to the satisfaction of the Police. As a minimum it shall enable surveillance of both internal and external areas of the premises including all entrances and exits. Recordings from the system shall be to a standard acceptable as evidence in a court of law and shall be securely retained for a minimum of 30 days after the recording and shall be surrendered to Hampshire Constabulary immediately on request;
2. A 'zero' tolerance to drugs will be taken; any person(s) found using, or in a possession of suspected illegal drugs or substances must, as soon as reasonably practicable, be reported to the police;
3. The holder of the premises licence shall ensure that every individual who appears to be under 21 years of age seeking to purchase or be supplied with alcohol, at or from the premises, shall produce means of identification of a category to type previously agreed and acceptable to the Licensing Authority, providing that individual to be 18 years of age or older. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person;
4. All alcohol sales will be ancillary with food sales from the premises;
5. No customers to use the driveway. The parking at the rear of the premises will be reserved for staff only and signs will be displayed to that effect; and

6. A suitable filter extraction system will be fitted. This will be approved by the New Forest District Council's Environmental Health Department.

**7. Reasons for the Decision**

The Sub-Committee carefully considered the evidence, both written and oral, supplied by the parties.

The Sub-Committee paid particular regard to the letter submitted by the Applicant's Solicitors dated 28 February 2008, in particular to the new closing times which were considered to be very reasonable and took into account the objections previously raised in relation to the prevention of public nuisance and crime and disorder.

The Members also took into account that parking to the rear of the premises would be reserved for staff members only and this allayed the concerns of the objectors on this issue.

Members took into account the evidence given by the Council's Environmental Health Officer in relation to the filter extraction system and felt that a condition requiring approval of this would satisfy all concerns raised.

**Date: 11.03.2008**

**Licensing Sub-Committee Chairman: Cllr G C Beck**

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**FOR OFFICE USE ONLY**

**Decision notified to interested parties on 12.03.2008**