

**NEW FOREST DISTRICT COUNCIL**

**LICENSING ACT 2003**

**APPLICATION: Lymington Car Terminal, Undershore Road, Lymington**

**Decision of the Licensing Sub-Committee hearing held at Appletree Court,  
Lyndhurst on Thursday, 22 January 2009 at 11.30am**

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

Councillor Hutchins  
Councillor Shotter - Chairman  
Councillor Mrs Smith

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

Mr G Cooper – Premises Supervisor, Wightlink – Applicant

Mr C Baldwick – Objector  
Mr C Jakes - Objector

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**3. Other Persons attending the Hearing**

Ms L Burgess – Wightlink

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**4. Parties not attending the Hearing**

Mr & Mrs McEwen – Objectors  
Mr M Beggs – Objector

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

Edward Williams – Legal Advisor  
Jan Debnam - 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:**

L: Late Night Refreshment (indoors and outdoors):

Monday 23.00 to 24.00  
Tuesday 23.00 to 24.00  
Wednesday 23.00 to 24.00  
Thursday 23.00 to 24.00  
Friday 23.00 to 24.00  
Saturday 23.00 to 24.00  
Sunday 23.00 to 24.00

M: Supply of Alcohol (on the premises and off the premises):

Monday 07.00 to 22.00  
Tuesday 07.00 to 22.00  
Wednesday 07.00 to 22.00  
Thursday 07.00 to 22.00  
Friday 07.00 to 22.00  
Saturday 07.00 to 22.00  
Sunday 07.00 to 22.00

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

Monday 00.00 to 24.00  
Tuesday 00.00 to 24.00  
Wednesday 00.00 to 24.00  
Thursday 00.00 to 24.00  
Friday 00.00 to 24.00  
Saturday 00.00 to 24.00  
Sunday 00.00 to 24.00

**Mandatory conditions:**

As provided in the Licensing Act 2003

**Other conditions:**

1. A written log shall be kept of all refusals including refusals to supply alcohol.
2. The Premises Supervisor shall ensure that the refusals log is properly maintained and this shall involve, but not be limited to, nominating in writing a responsible person to check and sign it on a weekly basis.
3. A "Challenge 21" policy shall be adopted whereby anybody attempting to buy alcohol that looks as if they are under 21 years of age shall be asked to produce an acceptable photo ID proving that they are over the age of 18 years, such as a passport, photo driving licence or PASS accredited photo ID
4. All staff shall receive regular training, at least within every 6 months, on Challenge 21 and a written record shall be kept of the training and all refresher training.

5. Challenge 21 and other deterrent signage shall be displayed on the premises.

## **7. Reasons for the Decision**

The Sub-Committee has carefully considered the application along with the evidence, both written and oral, supplied by the Applicant and Objectors.

The Sub-Committee is of the view that it has not been demonstrated that the supply of alcohol and late night refreshment would cause a public nuisance or would prejudice any of the other licensing objectives. Furthermore, the Sub-Committee was mindful that a number of the objections were in respect of potential issues that would fall outside the direct control of the Applicant and/or outside the scope of the licensing considerations.

The Sub-Committee took into account the representations of Mr Cooper on behalf of the Applicant that a licence for the supply of alcohol would, in fact, only be required for the hours of 07.00 to 22.00.

Accordingly, the Sub-Committee is prepared to grant a premises licence in the terms as set out in section 6 above.

**Date: 22 January 2009**

**Licensing Sub-Committee Chairman: Cllr A E J Shotter**

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**FOR OFFICE USE ONLY**

**Decision notified to interested parties on 23 January 2009**