

NEW FOREST DISTRICT COUNCIL

LICENSING ACT 2003

APPLICATION: Personal Licence: Miss V Gentle

**Decision of the Licensing Sub-Committee hearing held at Appletree Court,
Lyndhurst on Thursday, 3 June 2010 at 10.00 am.**

1. Members of the Licensing Sub-Committee

Councillor G C Beck - Chairman
Councillor J Penwarden
Councillor S S Wade

2. Parties and their Representatives attending the Hearing

Miss V Gentle – Applicant
Mr C Van Hagen– Representing the Applicant

Objectors:
Sgt T Adams
Miss G Fice

3. Other Persons attending the Hearing

Observers:
Miss V Putnam
PC Woods

4. Parties not attending the Hearing

None.

5. Officers attending to assist the Sub-Committee

Edward Williams – Legal Advisor
Melanie Stephens- Clerk

6. Decision of the Sub-Committee

That the application for a personal licence be refused.

7. Reasons for the Decision

The Licensing Sub-Committee carefully considered the written and oral evidence presented to it.

The Sub-Committee was mindful that it should adhere to the Guidance that accompanies the Licensing Act 2003 unless there are good reasons to deviate from it.

The Guidance (at paragraph 4.9) recommends that, where the police object to the granting of a personal licence, the application for the licence should normally be refused unless there are exceptional and compelling circumstances which justify granting it.

The offence committed by the Applicant was a serious alcohol-related one. Furthermore, she was convicted less than two years ago and the rehabilitation period runs until 2013.

Despite submissions as to the good character of the Applicant, the Sub-Committee was of the view that, taking account of the seriousness, relevance and recentness of the conviction, the Applicant's circumstances are not exceptional and compelling enough to justify granting the licence.

The Sub-Committee has therefore decided to refuse to grant the Personal Licence.

Date: 3 June 2010

Licensing Sub-Committee Chairman: Cllr G C Beck

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Decision notified to interested parties on 4 June 2010