

NOTICE OF HEARING
BY THE LICENSING SUB-COMMITTEE
under the
LICENSING ACT 2003

APPLICATION: PERSONAL LICENCE : MISS V GENTLE

Date and Time: THURSDAY, 3 JUNE 2010 AT 10.00 A.M.

Place: COUNCIL CHAMBER, APPLETREE COURT, LYNDHURST

Telephone enquiries to: Lyndhurst (023) 8028 5000
Direct Line (023) 8028 5379
E-mail: melanie.stephens@nfdc.gov.uk

These papers are also available on audio tape, in Braille, large print and digital format

THE RELEVANT PAPERS ARE ATTACHED

To: Members of the Sub-Committee:
G C Beck
J Penwarden
S S Wade

Parties to the Hearing:
Miss V Gentle - Applicant
Hampshire Constabulary – Objector

Copies for Information:
Licensing - P Weston
Legal Services - E Williams

Application for a personal licence

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals.
 In all cases ensure that your answers are inside the boxes and written or typed
 in black ink. Use additional sheets if necessary.
 You may wish to keep a copy of the completed form for your records.

TITLE Please tick	
Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input checked="" type="checkbox"/> Ms <input type="checkbox"/> Other (please state)	
Surname	GENTLE
Forenames	VICTORIA LOUISE
PREVIOUS NAMES (if relevant) please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary.	
TITLE Please tick	
Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input checked="" type="checkbox"/> Ms <input type="checkbox"/> Other (please state)	
Surname	COOK
Forenames	VICTORIA LOUISE
I am 18 years old or over. Please tick	
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
ADDRESS WHERE ORDINARILY RESIDENT (We will use this address to correspond with you unless you complete the separate correspondence box below).	
82 ASHDENE ROAD ASHURST	
Post town	Post code
SOUTHAMPTON	SO40 7BT
TELEPHONE NUMBERS	
Daytime	
Evening	
Mobile	
FAX NUMBER	
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)	

LICENSING
SERVICES
- 7 APR 2010
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Address for correspondence associated with this application (if different to the address above)	
Post town	Post code
TELEPHONE NUMBERS	
Daytime	
Evening	
Mobile	
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)	

Please indicate below which one of these statements applies to you:		
1. I hold an accredited licensing qualification	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. I hold a certified qualification	<input type="checkbox"/>	<input type="checkbox"/>
3. I hold an equivalent qualification	<input type="checkbox"/>	<input type="checkbox"/>
4. I am a person of prescribed description	<input type="checkbox"/>	<input type="checkbox"/>
<p>If you have ticked either of statements 1, 2 or 3 please provide details of your qualification in the box below (name of qualification, date of issue, issuing body) and please enclose your qualification with your application.</p> <p>If you have ticked statement 4, please provide evidence that you are a person of prescribed description.</p>		
<p>BIIAB LEVEL 2 NATIONAL CERTIFICATE FOR PERSONAL LICENCE HOLDERS 21 FEB 2008</p>		

Do you currently hold a personal licence?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Do you currently have any outstanding applications for a personal licence, with this or any other licensing authority?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Has any personal licence held by you been forfeited in the last 5 years?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Licensing Authority			
Licence number			
Date of issue			
Date of expiry			
Any further details			

<ul style="list-style-type: none"> enclosed two photographs of myself, one of which is endorsed as a true likeness of me by a solicitor or notary, a person of standing in the community or any individual with a professional qualification enclosed any licensing qualification I hold or proof that I am a person of prescribed description enclosed a criminal conviction certificate or a criminal record certificate or the results of a subject access search of the police national computer by the National Identification Service enclosed a completed disclosure of criminal convictions and declaration form (Schedule 3) made or enclosed payment of the fee for the application 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
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The information contained in this form is correct to the best of my knowledge and belief.

It is an offence knowingly or recklessly to make a false statement in or in connection with an application for the grant or renewal of a personal licence. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

SIGNATURE		DATE	06/04/10
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NOTES

Information on the Licensing Act 2003 is available on the website of the Department for Culture, Media and Sport http://www.culture.gov.uk/alcohol_and_entertainment/default.htm or from your local licensing authority.

1. Licensing qualifications

Licensing qualifications are dealt with in section 120(8) and (9) of the Licensing Act 2003.

Data Protection Act 1998
The information you provide will be held in accordance with the Data Protection Act 1998, and statutory requirements including the Licensing Act 2003 and the Gambling Act 2005. It will not be used for any purpose that is not compatible with the purpose for which it was collected.
New Forest District Council is under a duty to protect the public funds it administers, and to this end may share information collected internally, and with other councils and governments agencies including other bodies responsible for auditing or administering public funds, for the prevention and detection of fraud.
For further information, see <http://www.newforest.gov.uk/index.cfm?articleid=7655> or contact the Council's Senior Investigations officer (023 8028 5780)

Disclosure of convictions and declaration

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

TITLE Please tick	
Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input checked="" type="checkbox"/> Ms <input type="checkbox"/> Other (please state)	
Surname	GENTLE
Forenames	VICTORIA LOUISE
PREVIOUS NAMES (if relevant) please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary.	
TITLE Please tick	
Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input checked="" type="checkbox"/> Ms <input type="checkbox"/> Other (please state)	
Surname	COOK
Forenames	VICTORIA LOUISE

Has any personal licence held by you been forfeited in the last 5 years?			Yes	No
If yes, please provide details below:			<input type="checkbox"/>	<input checked="" type="checkbox"/>
Name of court				
Address of court				
Date of forfeiture				
Offence which resulted in the forfeiture				
Any additional details				

Have you been convicted of any relevant offence or foreign offence?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If you have been convicted of any relevant offences you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed:			
DRIVING A MOTOR VEHICLE WITH EXCESS ALCOHOL 03/07/2008 NEW FOREST MAGISTRATES DISQUALIFICATION FROM DRIVING 2 YRS REDUCED BY 6 MONTHS IF BY 02/11/09 COMPLETES DRINK DRIVE COURSE DRIVING LICENCE ENDORSED FINE 450.00 COSTS 70.00			
If you have been convicted of any foreign offences you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed:			
N/A			

I declare that I have not been convicted of any relevant offence or any foreign offence			
SIGNATURE		DATE	

<p>The information contained in this form is correct to the best of my knowledge and belief.</p> <p>It is an offence knowingly or recklessly to make a false statement in or in connection with an application for the grant or renewal of a personal licence. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.</p>			
SIGNATURE		DATE	06/04/10



**New grant or variation of premises licence
Or club premises certificate
Form for representations from Hampshire Constabulary**

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

Hampshire Constabulary is a responsible authority and wish to make a representation regarding under the Licensing Act 2003, regarding the:

<input checked="" type="checkbox"/> 1: Grant for a personal licence	(Object within 14 days)
<input type="checkbox"/> 2: Grant for a temporary event notice (TEN)	(Object within 48 Hours)
<input type="checkbox"/> 3: Transfer of a premises licence	(Object within 14 days)
<input type="checkbox"/> 4: Variation of designated premises supervisor	(Object within 14 days)
<input type="checkbox"/> 5: Grant/Variation of a premises licence/club prem' certificate	(Object within 28 days)

Name of Applicant:	Victoria Louise GENTLE
Name of Proposed DPS:	

Details of relevant conviction (Personal Licence Applications ONLY)
03/07/2008 at New Forest Magistrates Court. Driving a motor vehicle with excess alcohol. Disqualification from driving 2 years, Fine £450.00, Costs £70.00

Postal address of premises:	LICENSING SERVICES 12 APR 2010 RECEIVED
Postcode:	

Details of responsible authority applicant

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input checked="" type="checkbox"/> Ms <input type="checkbox"/> Other title / Rank:	Licensing Administrator
Surname: Fice	First Names: Georgie
Current postal address :	6 OCU Licensing Unit Romsey Police Station 111 The Hundred Romsey
Postcode:	SO51 8BZ
Daytime telephone number:	023 8067 0904
E-mail address: (optional)	western.licensing@hampshire.pnn.police.uk

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003



**New grant or variation of premises licence
Or club premises certificate
Form for representations from Hampshire Constabulary**

This application to object relates to the following licensing objective(s)

- | | | |
|---|-------------------------------------|--|
| 1) The prevention of crime and disorder | <input checked="" type="checkbox"/> | <i>Please select
one or more
boxes</i> |
| 2) Public safety | <input type="checkbox"/> | |
| 3) The prevention of public nuisance | <input type="checkbox"/> | |
| 4) The protection of children from harm | <input type="checkbox"/> | |

Please state the ground(s) for representation:

Hampshire Constabulary has an objection to the granting of a personal licence to Victoria Louise Gentle under the prevention of crime and disorder objective of the Licensing Act 2003. On 03 July 2008 Miss Gentle appeared before New Forest Magistrates Court and was charged of driving a motor vehicle with excess alcohol. Miss Gentle provided a breath specimen of 95mg, which is over twice the legal limit of 35mg and was banned from driving for 2 years.

The Licensing Act 2003 imposes a duty to sell alcohol in a responsible manner. Offences involving violence, dishonesty, misuse of drugs or alcohol and the breach or abuse of a position trust will be of particular importance to crime prevention in the licensed trade. Drink driving is viewed as a very serious offence and demonstrates an irresponsible attitude towards alcohol intake.

We question the ability of the applicant to supervise the intake of others when she has demonstrably failed to control her own. The Rehabilitation of Offenders Act means the offence is current and unspent until July 2013, only after this time when the conviction is spent would it be appropriate for a personal licence to be issued.

Personal licence holders should be seen as role models and the granting of a licence would be in conflict of the police's drink drive strategy.

The Secretary of State recommends that, where the police have issued an objection notice, the licensing authority should normally refuse the application unless there are exceptional and compelling circumstances which justify granting it.

It is an offence, under section 158 of the Licensing Act 2003 to make a false statement in or in connection with this representation

Police recommendations (including any conditions)

Reject the application



**New grant or variation of premises licence
Or club premises certificate
Form for representations from Hampshire Constabulary**

Signature of Officer Completing

Name G.Fice Collar Number: 13085
Signature: Date: 08/04/2010

Signature of Authorising Officer

Name T.Adams Collar Number: 1634
Signature: Date: 08/04/2010