

NEW FOREST DISTRICT COUNCIL

LICENSING ACT 2003

APPLICATION: Café Aroma, Southampton Road, Ringwood

**Decision of the Licensing Sub-Committee hearing held at Appletree Court,
Lyndhurst on Tuesday, 2 August 2011 at 10.00am**

1. Members of the Licensing Sub-Committee

Councillor P R Woods- Chairman
Councillor S Clarke
Councillor Mrs Wyeth

2. Parties and their Representatives attending the Hearing

Mr Ramsey – Licensing Consultant for the Applicant
Ms C Deardon – Manageress

Objectors:
Mrs Rice
Ms Sullivan

3. Other Persons attending the Hearing

Cllr J Heron - Ringwood Town Council

4. Parties not attending the Hearing

Mrs Oller-Lees
Ms Smith - Supporter
Mr & Mrs Cherrett - Supporters

5. Officers attending to assist the Sub-Committee

Tory Putnam – Legal Advisor
Melanie Stephens - Clerk

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 23.00
Tuesday 12.00 to 23.00
Wednesday 12.00 to 23.00
Thursday 12.00 to 23.00
Friday 12.00 to 23.00
Saturday 12.00 to 23.00
Sunday 12.00 to 23.00

Hours premises to be open to the public

Monday 08.00 to 23.00
Tuesday 08.00 to 23.00
Wednesday 08.00 to 23.00
Thursday 08.00 to 23.00
Friday 08.00 to 23.00
Saturday 08.00 to 23.00
Sunday 08.00 to 23.00

Mandatory conditions:

As provided in the Licensing Act 2003

Other conditions:

1. A CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
2. The CCTV system will be capable of producing immediate copies of recordings on site. Copies of recordings will either be recorded on good quality video tape or digitally on to CD/DVD or other equivalent medium.
3. Any recordings will be retained and stored in a suitable and secure manner for a minimum of 30 days and will be made available, subject to compliance with Data Protection legislation, to the Police for inspection on request.
4. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the Police from time to time.
5. The system will display, on any recording, the correct time and date of the recording.
6. The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
7. Off sales of alcohol will be restricted to those drinks purchased and not finished as part of a meal.

7. Reasons for the Decision

The Sub-Committee carefully considered the application along with the evidence, both written and oral, supplied by the applicant, supporters, objectors and Ringwood Town Council, who after withdrawing their objection to the application at the hearing, supported the application and wished the Applicant success with his business.

The Sub-Committee noted that, subject to the applicant agreeing to certain conditions (as set out in section 6 above), the Police and other responsible authorities did not raise any objections to the application.

The Sub-Committee acknowledged that there was no evidence to support objectors' fears that the sale of alcohol at the premises would increase anti-social behaviour within the vicinity of the premises.

In considering one objector's concerns as to potential for public nuisance occurring with regard to the use of the pavement area to the front of the premises, the Sub-Committee were not satisfied that this had been adequately demonstrated. Furthermore, this was a matter for Hampshire County Council as the Highways Authority.

The Sub-Committee was satisfied with the steps the Applicant had taken to ensure that all four of the Licensing Objectives be met including the extensive training given to staff.

The Sub-Committee would however suggest to the Applicant that no food orders be allowed after 10.00pm in order to provide sufficient time for the premises to close promptly at 11.00pm.

Additionally, the Sub-Committee would remind residents that there were statutory regimes, such as the Environmental Protection Act, that could be invoked should a statutory nuisance occur in the future.

Accordingly, the Sub-Committee was prepared to grant a premises licence for the supply of alcohol in the terms set out at section 6 above.

Date: 2 August 2011

Licensing Sub-Committee Chairman: Cllr P R Woods

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Decision notified to interested parties on 3 August 2011