



**MINUTES of
LICENSING SUB-COMMITTEE
13 JULY 2016**

PRESENT

Purpose of the Hearing:	Licensing Act 2003 – Application to Review a Premises Licence
Premises:	The Stone Inn, 101 Main Road, St Lawrence, Essex, CM0 7NA
Chairman (Presiding)	Councillor Mrs M E Thompson
Councillors	Councillors B S Beale MBE and R G Boyce MBE, CC
Representing the Licensing Authority:	Ms Alex Maschas, Licensing Officer Ms Nicola Myers, Licensing Officer Mr Lee Wilcockson, Principle Solicitor Mrs Carla Bailey, Committee Services
Applicant:	Mr Nigel Dermott, Licensing Officer, Essex Police
Interested Parties:	Mrs Maguire-Holt – Designated Premises Supervisor, The Stone Inn, 101 Main Road, St Lawrence Ms Lorraine Bevis – Niece of Mrs Maguire-Holt
Responsible Authorities:	None
Members of the Public:	None
Members of the Press:	None

295. ELECTION OF CHAIRMAN

RESOLVED that Councillor Mrs M E Thompson be elected Chairman of the Licensing Sub-Committee for this meeting.

IN THE CHAIR: COUNCILLOR MRS M E THOMPSON

296. LICENSING ACT 2003: APPLICATION TO REVIEW A PREMISES LICENCE - STONE INN, 101 MAIN ROAD, ST. LAWRENCE, ESSEX, CM0 7NA

The Chairman asked those present to introduce themselves.

Confirmation was sought that all those present were in possession of and had read the report of the Director of Planning and Regulatory Services and Appendices A to D. It was noted that Appendix C to the report was a restricted document and therefore not publicly available.

The Licensing Officer outlined the application submitted for the Review of a Premises Licence for The Stone Inn, 101 Main Road, St Lawrence, Essex, CM0 7NA.

The Chairman invited the applicant, Mr Nigel Dermott, Licensing Officer, Essex Police to make his opening statement to the Committee. Mr Dermott outlined the series of events as detailed in Appendix B to the report. Mr Dermott commented that he had visited the premises and discussed a number of potential solutions, however received no further communications from Mrs Maguire-Holt or her family.

Mr Dermott clarified that the Magistrate's Court were satisfied that Mrs Maguire-Holt could keep her Personal Licence, however this is a different matter to the Designated Premises Supervisor (DPS).

The Chairman then then called on Mrs Maguire-Holt, the Designated Premises Supervisor, to speak. Mrs Maguire-Holt remarked that she had attempted to contact Mr Dermott however did not receive a response. Mrs Maguire-Holt added that she would never knowingly drive a vehicle whilst under the influence of alcohol.

Ms Lorraine Bevis, Mrs Maguire-Holt's niece, added that the phone call from the hospital regarding Mr Maguire-Holt's deterioration in health was received at 4.00am and that there were no public transport options available at that time.

In response to a question raised Mr Dermott confirmed that Mrs Maguire-Holt was taken to the police station first, and then to the hospital to visit her husband. Mrs Maguire-Holt also confirmed this was correct.

In response to a further question, Mr Dermott confirmed that it was the machine at the police station that was used to record the reading of 98 micrograms of alcohol in 100 millilitres of breath.

The Chairman invited those present to make their closing statements.

Mrs Maguire-Holt indicated that she had nothing further to add. The Council's Legal Advisor, Mr Wilcockson summarised the comments previously made by Mrs Maquire-Hold and Ms Bevis.

In his closing statement to the Sub-Committee, Mr Dermott briefly recapped on his previous statement made.

297. ADJOURNMENT OF MEETING

RESOLVED that the meeting be adjourned at 3:05pm to allow Members to determine the application.

298. RESUMPTION OF BUSINESS

RESOLVED that the meeting resumes in open session at 3:53pm.

299. TO DETERMINE THE ABOVE APPLICATION

The Chairman reported that the Council's Legal Advisor had been asked to assist Members during the adjournment to give clarification on the law on the connection between the drink-driving conviction and its relevance to the removal of the Designated Premises Supervisor.

The Chairman advised that having heard the submissions from both parties and having particular regard to the licensing objectives for the prevention of crime and disorder, and public safety, the Committee hereby determined that the application for the review of a Premises Licence is to remove the Designated Premises Supervisor from the Premises Licence. The Committee felt that the evidence put before them was sufficient to support the application.

RESOLVED that the Designated Premises Supervisor be **REMOVED** from the Premises Licence at The Stone Inn, 101 Main Road, St Lawrence, Essex, CM0 7NA

There being no further items of business the Chairman closed the meeting at 3.55 pm

MRS M E THOMPSON
CHAIRMAN