
SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 4 NOVEMBER 2021

Present: Councillors G Galton, Leggett and Streets

29. **ELECTION OF CHAIR**

RESOLVED that Councillor Galton be elected as Chair for the purposes of this meeting.

30. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

RESOLVED that the minutes of the meetings held on 6 October 2021 and 13 October 2021, be approved and signed as a correct record.

31. **EXCLUSION OF THE PRESS AND PUBLIC - LEGAL ADVICE**

RESOLVED that the Sub-Committee move into private session in order to receive legal advice when determining issues. Following that private session, at which time the matter would be determined, written confirmation of the decision of the Sub-Committee will be distributed to all parties to the hearing.

32. **APPLICATION FOR VARIATION OF PREMISES LICENCE - BRIDGE ROAD OFF LICENCE, 53 BRIDGE ROAD, SOUTHAMPTON SO19 7GR**

The hearing was held as a virtual meeting using Microsoft Teams and was streamed live online for the press and public to view via the Live Events platform.

Due regard was given to the provisions of the Licensing Act 2003, including the statutory licensing objectives, the statutory guidance, and the City Council's adopted statement of licensing policy. The Human Rights Act 1998, The Equality Act 2010 and The Crime and Disorder Act 1998 Section 17 were borne in mind by the Panel whilst making the decision.

The Sub-Committee considered very carefully the report of the Service Director – Communities, Culture and Homes and all representations given orally at the hearing, as well as written submissions received from all parties prior to the hearing.

The Sub-Committee duly noted responses received from the Responsible Authorities, including Hampshire Constabulary's Agreed Conditions, Trading Standards' objection and four written public representations.

During the course of the Hearing, the applicant offered to reduce the hours applied for in the original variation application from 2.00am on Friday and Saturday to 11pm. This meant that the premises would close at 11pm throughout the week and there would be no need for a night time hatch as applied for in the application.

In light of all of the above, the Sub-Committee:

RESOLVED to grant the amended variation to the licence for the following reasons:

Reasons

The application was to increase the hours for the Sale of Alcohol Sunday – Thursday 8am to 11pm and Friday and Saturday 8am to 2am. Given the applicant's amendment to the application, the shop will close at 11pm all week with no night hatch put in place at this time.

Hampshire Constabulary had agreed conditions with the applicant prior to the hearing and was satisfied with those conditions, providing the following precise wording was included in the variation to the licence, should it be granted: *'When the premises is open after 2300, the shop will be locked, and customers will not be permitted access. All orders and service will be made via the night service hatch.'*

As the premises would be closing at 11pm, this condition was no longer required. The application received a representation from Trading Standards and four public representations.

Trading Standards' written representation evidenced details where Licensing Objectives had not been upheld and where a number of Licensing Act regulations had been contravened.

The Applicant failed to adhere to several rules and regulations protecting the public and allegedly claimed incompetence as a reason not to have upheld the laws governing his business.

Four written representations were received detailing local residents' concerns that additional night time licensable activity, for the sale of alcohol, in an area that already had issues with crime and public safety, would not be prudent and would add to the concerns of nearby residents.

The Applicant's agent advised that she had provided him with the required log books, and he had booked five days training with the agent on his obligations as a licence holder, which satisfied the Sub-Committee that the applicant would undertake the necessary training needed to implement steps to properly uphold the Licensing Objectives.

The Sub-Committee was satisfied that the amended variation of licensing hours to extend the hours for sale of alcohol, along with the training that would be provided, adequately addressed the concerns raised in the objectors' representations.

Local residents should be assured that following any grant of a license, they can request a review of the license if they experience any issues with noise or anti-social behaviour.

There is a right of appeal for any party to the Magistrates' Court. All parties were to receive written notification of the decision with reasons, which set out that right in full.