
SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 24 JULY 2024

Present: Councillors M Bunday, Kenny and Noon

7. **ELECTION OF CHAIR**

RESOLVED that Councillor M Bunday, as Chair of the Licensing Committee, would be Chair for the purposes of this meeting.

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

RESOLVED: that the minutes for the Sub- Committee meeting on 29 May 2024 be approved and signed as a correct record.

9. **EXCLUSION OF THE PRESS AND PUBLIC**

The Chair moved that in accordance with the Licensing Act 2003 (Hearings) Regulations 2005, the hearing should proceed with the press and public excluded. The information contained therein relates to allegations relating to criminal offences and personal details and the public interest in doing so outweighed the public interest in the hearing in accordance with Regulation 14.

RESOLVED that having applied the public interest test the hearing should proceed with the press and public excluded.

10. **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, the parties to the hearing press and the public unless otherwise excluded by the Licensing Act 2003 (Hearings Regulations 2005), would be invited to return immediately following that private session at which time the matter would be determined and decision of the Sub-Committee announced.

11. **APPLICATION FOR REVIEW OF PREMISES LICENCE - PUCCINIS 325-327 SHIRLEY ROAD SOUTHAMPTON SO15 3HW**

All parties will receive formal written confirmation of the decision and reasons.

The Sub-Committee determined that the hearing should proceed with the press and public excluded. This decision was made in accordance with the Licensing Act 2003 (Hearings) Regulations 2005. The papers contain personal details and details of an ongoing police investigation, and it was determined that the public interest in doing so outweighed the public interest in the hearing in accordance with Regulation 14.

The Sub-Committee has considered very carefully the application by Hampshire & Isle of Wight Constabulary for a review of a premises licence for Puccinis, 325-327 Shirley

Road Southampton SO15 3HW as submitted in the report of the Service Director - Place.

It has given due regard to the Licensing Act 2003, statutory guidance and the Licensing Objectives and the adopted statement of Licensing Policy.

The Human Rights Act 1998, The Equality Act 2010 and The Crime and Disorder Act 1998 Section 17 have been considered whilst making the decision.

The Sub-Committee considered the application as submitted and heard representations from PC Lee Scott and the new premises licence holder.

The Sub-Committee considered the representations, both written and given orally today, by all parties. The Sub-Committee noted that a transfer of the licence to the new premises licence holder was underway without objection. The new premises licence holder had agreed to conditions required by the police should the licence be allowed to remain.

RESOLVED In light of all the above the Sub-Committee decided that the premises licence should continue with the addition of the conditions as set out in the email from PC Mark Hawley to the new premises licence holder dated 26th June 2024 and timed at 11:42.

Reasons

The Sub-Committee considered very carefully the application of the police with regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted statement of Licensing Policy.

The Sub-Committee was very concerned as to the criminal activity that had been taking place at the premises. The start point with that level of criminality would be to revoke the licence.

However, the Sub-Committee noted the cooperation and steps that had been taken by the new premises licence holder and the police to reach a position of agreement. The conditions proposed ensure that all checks will be undertaken and in place prior to the premises re-opening.

The new premises licence holder satisfied the Sub-Committee that any future sub-letting will be done only after any prospective tenant has been approved by the police as to suitability to hold a licence.

No representations beyond those of the police had been received and on the basis that the police were not now seeking revocation the Sub-Committee felt able to allow the licence to continue with the agreed conditions as referred to above.

The Sub-Committee was satisfied that Licensing Objectives of prevention of Crime and Disorder and Public Safety would be protected and promoted with the conditions added to the licence.

There is a statutory right of appeal against this decision to the Magistrates' Court within 21 days of formal notification of the decision, which will set out that right in full.

