

---

LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 25 August 2011

---

Present: Councillors Drake, Parnell and Thomas

Apologies: Councillor Carol Cunio

20. **ELECTION OF CHAIR**

**RESOLVED** that Councillor Parnell be appointed Chair for the purposes of the meeting.

COUNCILLOR PARNELL IN THE CHAIR

21. **APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)**

The Panel noted that Councillor Thomas was in attendance as a nominated substitute for Councillor Cunio in accordance with Council Procedure Rule 4.3.

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

**RESOLVED** that the minutes of the meetings held on the 28<sup>th</sup> July and 11<sup>th</sup> August 2011 be signed as a correct record. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

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

**RESOLVED** that in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 that the press and public be excluded at a predetermined point whilst the Sub-Committee reach its decisions.

24. **APPLICATION FOR A REVIEW OF A PREMISES LICENCE - CLUB ROSSO, TOWN QUAY, SOUTHAMPTON, SO14 2AQ**

The Sub-Committee considered the application by Hampshire Constabulary for a review of a premises licence in respect of Club Rosso, Town Quay, Southampton, SO14 2AQ. (Copy of report circulated with agenda and appended to signed minutes).

Mr Lee (Solicitor for Club Rosso), Miss Paull, Premises Manager, Mr Simpson, Designated Premises Supervisor, PC Prior and PS Marshman, Hampshire Constabulary and Mr Dent (Local Resident/Objector) were present and with the consent of the Chair, addressed the meeting.

The Sub-Committee considered the decision in confidential session in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

**RESOLVED**

- (i) that the following conditions be attached to the licence and as a matter of clarification, it must be stressed that where the conditions conflict with the existing ones, those now imposed shall prevail;
- (ii) that all policies and procedures requiring police approval shall be maintained at all times thereafter and shall be implemented within 21 days of formal notification of this decision.
  - 1. The Designated Premises Supervisor (DPS) shall hold the “Level 2” qualification or other such qualification as the police agree in writing.
  - 2. The premises shall operate a Challenge 25 policy in conjunction with an ID scanner. That policy (determining the procedures for both challenge and use of the scanning equipment) shall be agreed in writing in advance by the police.
  - 3. All glasses and bottles at the premises shall be polycarbonate or other such material as agreed in advance by the police in writing. Glass bottles must be decanted in such a way as to prevent customers at the premises having access to them. The only exception is bottles of champagne which ;may only be served within a defined V.I.P. area with accompanying glasses. All glassware is to remain within the V.I.P. area at all times except for conveyance by staff to and from that area.
  - 4. CCTV shall be in operation at the premises. All areas internally shall be covered by the CCTV as well as external areas. The CCTV system and procedures of operation shall be approved in advance, in writing, by the police. The written procedures shall detail the location of the cameras, the type and specification of cameras, the recording and retention of images, the procedures for access and retrieval on request and all other requirements that the police may specify.
  - 5. A written dispersal policy shall be provided and agreed in writing by the police. The policy shall include management of the smoking area.
  - 6. An incident book shall be used at the premises. A policy governing the use of such, shall be agreed in writing by the police in advance.
  - 7. Door staff shall be employed and on duty at the premises during those hours the premises are open. They shall remain on duty for at least 30 minutes thereafter. A register shall be maintained

recording the number, times and details of staff on duty. There shall be a minimum of 8 door staff on duty whilst the premises are open on a Saturday evening/early Sunday morning.

8. A drugs policy shall be submitted to and approved by the Police in advance, in writing.
9. The permitted hours of operation have been reduced as follows:-

**Friday and Saturday**

Sale of Alcohol	-	02h30
Closing	-	03h00
Last Entry	-	02h00

**Sunday to Thursday**

Sale of Alcohol	-	02h00
Closing	-	02h30
Last Entry	-	01h30

It should be noted that for the avoidance of doubt, days stated may in fact refer to the early hours of the following day.

**REASONS FOR DECISION**

The Sub-Committee considered carefully the application for a review of the premises licence and gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted statement of licensing policy and representations made, both written and given orally by all parties.

The Sub-Committee noted that the premises had now (albeit at a late stage), engaged with the police and had almost exclusively agreed to adopt the stipulated conditions, with the terminal hour being the only issue to be determined.

It was accepted that the new management and procedures had had little opportunity to establish whether they were sufficient to address all of the various issues raised, not least the nuisance witnessed and suffered by the residents. On careful consideration of all the evidence it was clear that this premises and others had operated in the location with more extensive hours than those to which the licence had now been reduced and therefore it was clear that the management of the premises was most likely the most significant factor.

In light of all the conditions now attached to the licence and the changes to management, **including the removal of the DPS, which had already occurred**, it was hoped that the issues and detrimental effects upon the licensing objectives, would now be prevented.

In conclusion, it was stressed to all parties that if the situation did not resolve itself a further review could be instigated by the police or residents.

25. **APPLICATION FOR A REVIEW OF A PREMISES LICENCE - GRAND CAFE,  
CANUTE ROAD, SOUTHAMPTON, SO14 3AA**

**RESOLVED** that agreement had been reached to adjourn this application for a review of a premises licence to 8<sup>th</sup> September 2011.