
SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 21 November 2013

Present: Councillors Parnell, Pope and Thomas

Apologies: Councillor Councillor Carol Cunio

45. **ELECTION OF CHAIR**

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

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

The Sub-Committee noted the apologies of Councillor Cunio and that Councillor Pope was in attendance as a nominated substitute in accordance with Procedure Rule 4.3.

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

RESOLVED that the minutes of the meeting held on 7 November 2013 be approved and signed as a correct record.

48. **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

49. **APPLICATION FOR REVIEW OF PREMISES LICENCE - VOODOO LOUNGE, VINCENTS WALK, SOUTHAMPTON SO14 1JY**

The Sub-Committee considered the application for a review of premises licence in respect of Voodoo Lounge, Vincents Walk, Southampton SO14 1JY.

PS Wood, PC Harris (Hampshire Constabulary), Mr Wood (Premises Licence Holder – Voodoo Lounge) and Ms Ferra (Trade Inn Licences Consultants on behalf of Voodoo Lounge) 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 (Hearings) Regulations 2005.

RESOLVED that the premises licence be amended to include the revised condition relating to an ID scanner at the premises and an amended condition relating to the club nanny / floor walker.

After private deliberation the Sub-Committee reconvened and the Chair read the following decision:-

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

The Sub-Committee has considered very carefully the application for review of the premises licence at Voodoo Lounge, Vincents Walk by Hampshire Constabulary. It has given due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted statement of Licensing Policy. Human Rights Legislation has been borne in mind whilst making this decision.

All the evidence presented both written and given orally today, has been carefully considered and taken into account, including the additional information submitted today.

The Sub-Committee determined that the premises licence shall be amended to include the revised condition relating to an ID scanner at the premises, as set out in the report and as amended, in part, as follows:

The provision, maintenance and use of "ID scan" / "Visitor" equipment or other such equipment previously approved by the Police in writing, to scan all customers identification upon entry to the premises at all times during licensable activities.

In all circumstances of a breakdown or fault in the system the police must be notified immediately and the fault rectified within 48 hours or a replacement would need to be installed / loaned in its place. The police may approve an extension to these timescales, where they may consider appropriate.

And further to the amendment of the condition relating to the club nanny / floor walker:

After "anyone suspected of consuming excess amounts of alcohol will be taken to a welfare / first aid room" the following shall be added;

The welfare / first aid room shall be a room to be identified upon a plan produced to the police and licensing authority and shall be open for inspection, by the police or licensing authority during hours licensable activities are taking place.

REASONS

The Sub-Committee considered carefully all the evidence and the options available in accordance with Section 52. It considered carefully whether it ought to revoke the licence as requested by the police in this instance. In light of the seriousness of the breaches of licence conditions and the length of those breaches, as well as an apparent lack of training, and breach of conditions on the night of the particular incident referenced in the police evidence, the Sub-Committee very seriously considered the option. However, due to the adoption of an alternative system, which now meets the police requirements, along with improved training and the medic provision at the premises, the Sub-Committee is satisfied that the premises licence holder acknowledges the seriousness of the issues raised and has taken steps to address the cause of concern. Accordingly, the Sub-Committee ruled out revocation at this time.

The Sub-Committee went on to consider imposing an earlier closing time but was mindful of the financial implications of doing so. The Sub-Committee accepted legal advice on this point and were referred to paragraph 11.23 of the statutory guidance. In light of the steps already taken the Sub-Committee decided that a restriction of hours would not be appropriate.

The Sub-Committee considered all other options including suspension of licence, but likewise did not consider this appropriate.

The Sub-Committee felt that a condition was appropriate to ensure the first aid room was clearly identified and open to inspection.

The Sub-Committee would strongly warn the premises licence holder that it expects those steps implemented to be genuinely adopted and maintained at the premises at all times. In the event of a further review, it must be made clear that matters will be taken more seriously. The Sub-Committee also expects ongoing compliance with all of the conditions attached to the premises licence as well as an improvement in relation to cooperation and relationship with the police.

There is a right of appeal for all parties to the Magistrates' Court. Formal notification of the decision will set out that right in full.