

---

SOUTHAMPTON CITY COUNCIL  
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 30 MARCH 2016

---

Present: Councillors Furnell, Parnell and Tucker

34. **ELECTION OF CHAIR**

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

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

**RESOLVED:** that the Minutes of the meeting held on 2<sup>nd</sup> March 2016 be approved and signed as a correct record.

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

**RESOLVED** that in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 that the parties to the hearing, press and public be excluded at a predetermined point whilst the Sub-Committee reaches its decision.

37. **APPLICATION FOR A PREMISES LICENCE - CHUNKY CHIPS, 105 ST MARY'S ROAD SO14 0AN**

The Sub-Committee considered an application for a premises licence in respect of Chunky Chips, 105 St Mary's Road SO14 0AN.

Ali Mohammed (Applicant) and Sunday Oshikoya (Agent) 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 application for a premises licence be granted.

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 a premises licence at Chunky Chips, 105 St Marys Road, SO14 0AN. It has given due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted statement of Licensing Policy.

The Sub-Committee considered representations, both written and given orally today, by all parties. Human rights legislation has been borne in mind whilst making the decision.

The Sub-Committee noted that the residential objectors were not in attendance and determined that the hearing should continue in their absence.

The written representations were carefully considered and taken into account and it was noted that this raised potential issues in relation to public nuisance.

It was noted that the Police had agreed conditions and were accordingly happy with the application and that no representation had been received from Environmental Health in relation to any potential for noise nuisance or associated disorder at the premises.

The Sub-Committee has determined that the application should be granted subject to conditions agreed with the police.

### Reasons

The Sub-Committee noted that no representation had been received from any of the responsible authorities. The Police had agreed extensive conditions to be added to the operating schedule and in turn the premises licence, if granted. Those additional conditions related to: CCTV, Incident Book, SIA Door Staff/ Risk Assessment, Dispersal Policy and Litter.

Whilst the Committee considered the residents' objections there was no evidence before the Committee that the issues raised amounted to any more than speculation that the opening hours would lead to increased levels of nuisance, particularly in consideration of the opening hours of other premises already trading nearby. As a result the Sub-Committee were satisfied that it was appropriate to grant the licence based on the evidence.

However, local residents can be reassured that in the event that the grant of the licence does in fact lead to issues of concern, relevant to the licensing objectives, a review may be initiated where evidence of the same can be considered and may result in appropriate steps being taken to address them at that stage.

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.