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SOUTHAMPTON CITY COUNCIL  
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 30 AUGUST 2017

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Present: Councillors Mrs Blatchford, Furnell and Painton

8. **ELECTION OF CHAIR**

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

9. **MINUTES OF THE PREVIOUS MEETINGS (INCLUDING MATTERS ARISING)**

**RESOLVED** that the minutes of the meetings held on 5 July 2017 and 12 July 2017 be approved and signed as a correct record.

10. **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.

11. **APPLICATION FOR A PREMISES LICENCE - THREE SISTERS, 1 PORTSMOUTH ROAD, SOUTHAMPTON, SO19 9BA**

The Sub-Committee considered the application for grant of a premises licence in respect of Three Sisters, 1 Portsmouth Road, Southampton SO19 9BA.

Mr K Joyce (Applicant) was 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 out 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 Three Sisters, 1 Portsmouth Road, Southampton, SO19 9BA. 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 the 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 has determined that the application should be granted subject to the following additional conditions:

- No drinks shall be taken for consumption outside the premises within the Smoking Area; and
- Any alcohol decanted for Off Sales shall be decanted into sealable plastic containers only, which are readily identifiable and marked as originating from the premises.

### Reasons

The Sub-Committee noted that no representation had been received from any of the responsible authorities and notably that agreement had been reached with Hampshire Constabulary. That agreement included the addition of detailed conditions relating to CCTV at the premises, written policies, refusals book, staff training, Challenge 25 Policy, children at the premises and Off Sales as detailed in full within the report.

The Sub-Committee was reassured by the fact that this was a very small premises, that there are no opening windows, that a new suspended ceiling has been installed to address noise issues as well as the conditions agreed with the Police.

Residents' objections raised concerns generally relating to Public Nuisance, Crime and Disorder, litter and anti-social behaviour. These concerns have been very carefully considered however given the size of the premises and the relatively specialist or niche offer of products (craft ciders etc), the likely impact and risk to the Licensing Objectives is assessed to be low. Concerns were raised in relation to the welfare of children, however the Sub-Committee could see no risk from the operation of the premises sufficient to warrant the imposition of any condition or refusal of the licence. In relation to noise at the premises the applicant confirmed that amplified music, as a primary source of entertainment, would not be provided at the premises and that recorded music would only be very low level background music.

In addition the applicant indicated that Monday to Thursday hours would likely see the premises closing at around 10pm although the hours applied for do allow some flexibility.

The Sub-Committee noted the lack of objection from any of the responsible authorities and in particular the agreement reached with the Police who are, in accordance with the statutory guidance, the lead authority with regards to crime and disorder.

In light of all the circumstances, the Sub-Committee could see no reason, based on the Licensing Objectives, to refuse a Premises Licence in this location.

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.

The Sub-Committee accepted legal advice that issues relating to demand or commercial need cannot be taken into consideration.

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.

NOTE: At the commencement of the meeting, Councillor Painton declared a minor interest and with the consent of all parties remained in the meeting and took part in the decision making.