
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 9 SEPTEMBER 2010

Present: Councillors Drake, Parnell and Thomas

27. **ELECTION OF CHAIR**

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

28. **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 pre-determined point whilst the Sub-Committee reach its decision.

29. **APPLICATION TO VARY A PREMISES LICENCE - LA TAVERNETTA, 1-3 CIVIC CENTRE ROAD, SOUTHAMPTON SO14 7FJ**

The Sub-Committee considered the report of the Solicitor to the Council for the variation of a Premises Licence in respect of La Tavernetta, 1-3 Civic Centre Road, Southampton SO14 7FJ. (Copy of report circulated with agenda and appended to signed minutes).

Mr Soverna (Applicant) and Sergeant Marshman, PC Boxall and Holly Cleaton (Hampshire Constabulary) were present and, with the consent of the Chair, addressed the meeting.

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

The Sub-Committee noted the following amendments to the operating schedule submitted by the applicant prior to the hearing:-

Section F – Recorded Music - Amended to Sunday to Thursday 12.00 – 1.00
Friday – Saturday 12.00 – 03.00

Section I – Provision of facilities for making music - Amended to Sunday to Thursday 12.00 – 1.00 and Friday – Saturday 12.00 – 03.00;

Section J – Provision of facilities for dancing – (not currently licensed) Amended to Sunday to Thursday 12.00 – 1.00 and Friday – Saturday 12.00 – 03.00;

Section L – Late night refreshment - Amended to Sunday to Thursday 23.00 – 00.30 and Friday – Saturday 23.00 – 03.00 be rejected;

Section M – Supply of alcohol by retail - Amended to Sunday to Thursday 12.00 – 00.30 and Friday – Saturday 12.00 – 03.00;

Section O – Hours premises are open- Amended to Sunday to Thursday 12.00 – 1.00 and Friday – Saturday 12.00 – 03.00

RESOLVED that the application to vary a premises licence in respect of La Tavernetta, 1-3 Civic Centre Road, Southampton SO14 7FJ, be granted in part as follows:-

- (i) the permitted hours of operation in respect of Section F – Recorded Music, Section I – Provision of facilities for making music and Section J – Provision of facilities for dancing - be Sunday to Saturday 12.00 – 01.00;
- (ii) that the request for the extension of hours in respect of Section L – Late night refreshment - Amended to Sunday to Thursday 23.00 – 00.30 and Friday – Saturday 23.00 – 03.00, be rejected;
- (iii) that the request for the extension of hours in respect of Section M – Supply of alcohol by retail - Amended to Sunday to Thursday 12.00 – 00.30 and Friday – Saturday 12.00 – 03.00, be rejected;
- (iv) that the request for the extension of hours in respect of Section O – Hours premises are open- Amended to Sunday to Thursday 12.00 – 1.00 and Friday – Saturday 12.00 – 03.00, be rejected; and
- (v) the condition currently requiring restaurant use be implemented as follows:-
 - the provision of facilities for dancing be permitted from 10.00pm, until 1 00am Monday to Saturday;
 - the provision of at least one member of door staff on duty from 10.00pm irrespective of the time that the above activity commences; and
 - the premises being used as a restaurant only until 10.00pm at least.

REASONS FOR DECISION

The Sub-Committee accepted that the premises were located within a stress area and had applied the rebuttable presumption. It noted that the Police stated there was no objection to allowing dancing until 01.00 hours but later hours would lead to an impact upon crime and disorder already experienced in the area. In consideration of all the statistical evidence this was accepted. The Sub- Committee were aware that the policy required the applicant to show that additional impact would not be caused and accepted legal advice that their discretion is not fettered by the policy and that departure from the policy would be possible. However, sufficient evidence was not presented to allow such a departure in this case.