
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 7 OCTOBER 2010

Present: Councillors Drake, Parnell and Thomas

30. **ELECTION OF CHAIR**

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

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

RESOLVED that the Minutes of the meetings held on 12th August 2010 and 24th August 2010 be signed as a correct record. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

32. **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.

33. **APPLICATION TO VARY A PREMISES LICENCE AT WESTGATE HALL, WESTGATE STREET, SOUTHAMPTON SO14 2AY**

The Sub-Committee considered the report of the Solicitor to the Council detailing an application to vary a premises licence in respect of Westgate Hall, Westgate Street, Southampton SO14 2AY. (Copy of report circulated with agenda and appended to signed minutes).

Ms Cassy, Dr Hale and Mr Comben (Local Residents) 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 amendment to the operating schedule submitted by the applicant at the hearing: Section O (Hours premises are open) - amended to Monday to Sunday 09:00 to 23:00.

RESOLVED that the application to vary a premises licence in respect of Westgate Hall, Westgate Street, Southampton SO14 2AY be granted as set out in the report, subject to the mandatory conditions contained within the Licensing Act 2003 and such conditions relating to the statutory licensing objectives as are deemed necessary and consistent with the operating schedule subject to the following amendments:-

- (i) the permitted hours of operation in respect of Section A (Performance of plays), Section B (Exhibition of films), Section E (Performance of live music), Section F (Recorded music), Section G (Performance of dance), Section H (Anything of a similar description to that falling within E, F or G), Section I (Provision of facilities for making music) and Section J (Provision of facilities for dancing), Section K (Provision of facilities for entertainment of a similar description to that falling within I or J), Section) be 09:00 to 22:30;
- (ii) the permitted hours of operation in respect of Section M (supply of alcohol) be 10:30 to 22:00 Monday to Sunday; and
- (iii) the permitted hours of operation in respect of Section O (Hours premises are open) be amended to Monday to Sunday 09:00 to 22:30.

REASONS FOR DECISION

After careful consideration of all representations made, both written and oral, giving due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted Statement of Licensing Policy, with particular regard to the potential for noise nuisance resultant from the extension of hours for the provision of regulated entertainment, the introduction of the sale of alcohol and the provision of facilities for dancing; the Sub-Committee was satisfied that the proposed licensable activities would lead to an increase in public nuisance if the application were granted as applied for.

The Sub-Committee had particularly noted the close proximity of residents and the potential for disturbance from those entering and leaving the premises in order to smoke and generally access the premises and was satisfied in the light of residential objections that the premises were located within a predominantly residential area.

Human Rights legislation had been taken into account whilst making the decision and it was felt that the licence as granted represented a fair balance between the applicant and interested parties.