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SOUTHAMPTON CITY COUNCIL  
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 27 NOVEMBER 2019

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Present: Councillors Mrs Blatchford, B Harris and Noon

27. **ELECTION OF CHAIR**

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

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

**RESOLVED** that the minutes of the meeting held on 30 October 2019 be approved and signed as a correct record.

29. **EXCLUSION OF THE PRESS AND PUBLIC - LEGAL ADVICE**

**RESOLVED** that the Sub-Committee move into private session in order to receive legal advice when determining issues. The parties to the hearing, press and the public, unless otherwise excluded by Category 4 of paragraph 10.4 of the Council's Access to Information Procedure Rules, would be invited to return immediately following that private session at which time the matter would be determined and the decision of the Sub-Committee announced.

30. **APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE - LIDL, 73 THE AVENUE, SOUTHAMPTON SO17 1XS**

The Sub-Committee considered the report of the Service Director of Transactions and Universal Services for an application for a premises licence in respect of Lidl, 73 The Avenue, Southampton, SO17 1XS.

Amanda Pillinger and Raheela Andres on behalf of the applicant and a local resident, Urszula Ciupka who had made written representation 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 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 Lidl, 73 The Avenue, Southampton SO17 1XS. 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 noted that representation had been made by the Police but was withdrawn following negotiation with the applicant and subsequent amendment to the application. Following withdrawal of the Police representation, no representations were received from Responsible Authorities.

One residential representation had been received leading to the hearing.

The applicant was represented by Amanda Pillinger and Raheela Andres and a local resident, Urszula Ciupka who had made written representation both addressed the Sub-Committee.

In light of all the above, the Sub-Committee has determined to grant the application subject to the agreement reached with the Police.

#### Reasons

The Sub-Committee heard evidence from a local resident both orally at the hearing and in written representations relating to general issues of crime and disorder and nuisance in the area. Issues raised included (but were not limited to):

- Late night noise (for example shouting)
- Street drinking and drug taking
- Fighting

Generally, the resident was concerned that any additional premises or extension to licensable activities (the sale of alcohol) will necessarily lead to an increase in drunkenness and the associated issues arising. The Sub-Committee does acknowledge these concerns and can fully understand the fears of residents given the blight caused by alcohol abuse, drug abuse and general anti-social behaviour in the area. However, the Sub-Committee has had to determine the application that is before it and had to focus its mind upon the extent to which the issues reported are created by the premises in question and perhaps, more importantly, the extent, if any, the application will affect those issues if granted.

The Sub-Committee was not satisfied that there was sufficient evidence to reduce the hours sought and were satisfied that the store was happy to pass on its contact details to the objector should any incidents arise.

Whilst the Sub-Committee acknowledges the wider concerns of the resident, it would not be appropriate or proportionate to refuse the application at this time on the basis of the evidence presented.

Residents can be reassured that where the grant of any application leads to an adverse impact upon the licensing objectives a review of the licence can be brought and appropriate steps taken at that time.

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.