
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE

MINUTES OF THE MEETING HELD ON 19 May 2011

Present: Councillors Drake, Osmond and Parnell

Apologies: Councillor Don Thomas

1. **ELECTION OF CHAIR**

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

COUNCILLOR PARNELL IN THE CHAIR

2. **APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)**

The Panel noted that Councillor Osmond was in attendance as a nominated substitute for Councillor Thomas in accordance with Council Procedure Rule 4.3.

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

RESOLVED that the Minutes of the meeting held on 7th April 2011 be signed as a correct record. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

4. **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 decisions.

5. **APPLICATION FOR A PREMISES LICENCE - PREMIER ALDERMOOR CONVENIENCE STORE, 237-239 ALDERMOOR ROAD, SO16 5NU**

The Sub-Committee considered the application for a premises licence in respect of Premier Alder Moor Convenience Store, 237-239 Alder Moor Road, Southampton, SO16 5NU. (Copy of report circulated with agenda and appended to signed minutes).

Mr B Pottival, Owner, Mr Spink, Counsel for Premier Aldermoor Convenience Store, PC T Prior, PC J Harris and PCSO B Woods, Hampshire Constabulary and Councillor Thomas, Ward Councillor representing objectors 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 carefully considered all representations made by the applicant, Hampshire Constabulary and local residents, both written and given orally, and gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted Statement of Licensing Policy and was satisfied that in order to promote the licensing objectives, the application for a Premises Licence should not be granted.

RESOLVED that the application be refused.

REASONS FOR DECISION

The Sub-Committee noted that all parties had accepted that there were difficulties and issues within the locality relating to anti-social behaviour, which was enforced by the professional evidence of the Police showing issues both whilst the premises previously had a licence permitting the sale of alcohol and recently, prior to a licence being granted. The number of residential representations also outlined the strength of feeling on the issue.

The Sub-Committee noted that the applicant had shown a willingness to amend the application and operating schedule if required and considered all of the proposed methods of dealing with such issues as put forward by the applicant and whether anything additional could successfully address them. The Sub-Committee determined that in this instance, the issues relating to crime and disorder and the protection of children would likely significantly increase if alcohol was sold at this location and on balance, decided to accept the Police's evidence that these issues could not be resolved by conditions.

The Sub-Committee considered whether the refusal of the application was necessary and proportionate and felt that in this instance it was necessary to promote the licensing objectives of crime and disorder, the prevention of public nuisance and the protection of children from harm.