
SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 9 APRIL 2015

Present: Councillors Spicer, Tucker and Vassiliou

55. **ELECTION OF CHAIR**

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

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

RESOLVED that the minutes of the meeting held on 19 March 2015 be approved and signed as a correct record.

57. **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.

58. **APPLICATION FOR A PREMISES LICENCE - OBELISK FOOD AND WINE, 127 OBELISK ROAD, SOUTHAMPTON SO19 9DN**

The Sub-Committee considered an application for a premises licence in respect of Obelisk Food and Wine, 127 Obelisk Road, Southampton SO19 9DN.

In accordance with Regulation 20 of the Licensing Act 2003 (Hearings) Regulations 2005 the Sub-Committee determined to proceed with the hearing in the absence of the residential objectors.

Mr R Baker (agent), Mr M Clarke (advocate) and Mr P Sithamparananthar (Designated Premises Supervisor for the applicant) 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 application for a premises licence be approved as applied for and in accordance with conditions agreed with Hampshire Constabulary and Conditions 5, 9, 10 and 11 in the Operating Schedule.

After private deliberation the Sub-Committee reconvened and the Chair read 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 Obelisk Food and Wine, 127 Obelisk Road. 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 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 the residential objectors were not in attendance and determined that the hearing should continue in their absence. The written representations were carefully considered and taken into account and it was noted that this raised issues in relation to parking issues and public nuisance issues.

The Sub-Committee has determined that the application should be approved, as applied for and in accordance with conditions agreed with Hampshire Constabulary and Conditions 5, 9, 10 and 11 in the Operating Schedule.

Reasons

The Sub-Committee noted that no representation had been received from any of the responsible authorities. The police had agreed extensive conditions to be added to the operating schedule and in turn the premises licence, if granted. Those additional conditions related to: CCTV, training, Challenge 25 policy, refusals book, incident book, sales of single cans of alcohol and high strength beers, ciders or lager above 6.5% ABV being prohibited.

The Sub-Committee noted the considerable detail and depth of conditions agreed by the applicant with Hampshire Constabulary, in particular those relating to the sale of single cans and high strength alcohol products. The Sub-Committee were pleased to see such measures adopted by agreement and from the outset.

Whilst the Committee considered the residents' objections there was no evidence before the Committee that the issues raised amounted to any more than speculation.

However, 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.

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.