
SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 1 APRIL 2020

Present: Councillors McEwing, Renyard and Spicer

In accordance with S.14 (2) of the Licensing Act 2003 (Hearings) Regulations 2005, the public were excluded from the hearing. This was in the interest of public safety given the isolation restrictions imposed by the Prime Minister as a result of the public health risks due to the Coronavirus or Covid-19. As a result the Council offices were closed to the public and this licensing sub-committee was being held remotely with parties to the hearing participating by way of conference call.

54. **ELECTION OF CHAIR**

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

55. **EXCLUSION OF THE PRESS AND PUBLIC**

The Chair moved that in accordance with the Council's Constitution, specifically the Access to Information Procedure Rules contained within the Constitution, the press and public be excluded from the meeting in respect of item 7 based on Categories 1 and 2 of paragraph 10.4 of the Access to Information Procedure Rules. The information contained therein is potentially exempt as it relates to individual personal details and information held under data protection legislation.

RESOLVED that having applied the public interest test the hearing should proceed with the press and public excluded.

56. **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. Following that private session, at which time the matter would be determined, written confirmation of the decision of the Sub-Committee will be distributed to all parties to the hearing.

57. **APPLICATION FOR REVIEW OF PREMISES LICENCE - PRE BAR, 16 BEVOIS VALLEY ROAD, BEVOIS VALLEY, SOUTHAMPTON SO14 0JP**

The Sub-Committee considered the report of the Service Director – Communities, Culture and Homes for an application for review of a premises licence in respect of Pre Bar 16 Bevois Valley Road Bevois Valley Southampton SO14 0JP

Representatives of the premises licence holder, Hampshire Constabulary and the Licensing Manager 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 conditions would be imposed on the Premises Licence as proposed by the police in Appendix F of the review application.

Following that private session, at which time the matter would be determined, written confirmation of the decision of the Sub-Committee will be distributed to all parties to the hearing.

After private deliberation the Sub-Committee had determined the matter and all parties to the hearing were notified of the following decision:

All parties will receive formal written confirmation of the decision and reasons.

The Sub-Committee determined that in accordance with S.14 (2) of the Licensing Act 2003 (Hearings) Regulations 2005, the public were excluded from all of the hearing. This was in the interest of public safety given the isolation restrictions imposed by the Prime Minister as a result of the public health risks due to the Coronavirus or Covid-19. As a result the Council offices were closed to the public and this licensing sub-committee was being held remotely with parties to the hearing participating by way of conference call.

The Sub-Committee determined that the hearing should proceed with the press and public excluded. This decision was made in accordance with the Licensing Act 2003 (Hearings) Regulations 2005. The papers contain allegations relating to criminal offences and personal details and it was determined that the public interest in doing so outweighed the public interest in the hearing in accordance with Regulation 14.

The Sub-Committee has considered very carefully the application of Hampshire Constabulary for review of the Premises Licence. In addition, the representations by all the parties present at the hearing as well as written representations were also fully taken into consideration.

The application for summary review brought by the Police was supported by representations from Safeguarding Children.

Due regard has been given to the provisions of the Licensing Act 2003, including the statutory licensing objectives, the statutory guidance and the City Council's adopted statement of licensing policy. Human rights legislation has been borne in mind.

In light of all of the above the Sub-Committee has determined to impose conditions on the Premises Licence as proposed by the police in Appendix F of the review application.

Reasons:

The Sub-Committee heard evidence from Hampshire Constabulary of serious offences in and around the premises that raised concern in respect of the Licensing Objectives of the prevention of crime and disorder, public nuisance and the protection of children

from harm. This was of concern to the Sub-Committee as was the fact that the Premises Licence Holder did not initially engage with the police when contacted by them.

However, the Sub-Committee paid very careful attention to all of these points and noted that the premises licence holder had begun engaging with the police and was prepared to fully accept the conditions proposed by them. The Sub-Committee also noted that following a change in management there had been no further incidents. The Sub-Committee was therefore satisfied with the new management and felt that this together with the conditions proposed by the police would be sufficient to meet the licensing objectives.

There is a right of appeal for any party to the Magistrates' Court. All parties will receive written notification of the decision with reasons which will set out that right in full.