
SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 11 JULY 2013

Present: Councillors Cunio, Lewzey and Thomas

8. **ELECTION OF CHAIR**

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

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

RESOLVED that the minutes of the meeting held on 13th June 2013 be signed as a correct record. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

10. **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 predetermined point whilst the Sub-Committee reached its decision.

11. **APPLICATION FOR PREMISES LICENCE - TESCO, 1-5 THORNHILL PARK ROAD, SOUTHAMPTON, SO18 5TP**

The Sub-Committee considered the application for a premises licence in respect of Tesco, 1-5 Thornhill Park Road, Southampton, SO18 5TP. (Copy of the report circulated with the agenda and appended to the signed minutes).

Mr Bark, Solicitor for Applicant, Ms Reid and Mr Colenutt Store Managers and Ms Halford, Resident, representing Mr and Mrs Green, 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 2003 (Hearings) Regulations 2005.

RESOLVED that the application for a premises licence be granted in the terms sought and subject to the operation schedule and the conditions agreed with the police.

After private deliberation the Sub-Committee reconvened and the Chair read the following decision with reasons:

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

The Sub-Committee considered carefully the application for a premises licence at Tesco Stores, Thornhill Park Road and gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted statement of Licensing Policy,

Human Rights legislation and representations, both written and given orally today by the residents and the applicant.

It noted that the premises licence holder had agreed conditions with the police in relation to CCTV, Incident book, Refusals book, Challenge 25 and Staff training and that on this basis the Police effectively had no objection. Further, no other responsible authority had made a representation.

In consideration of all the above, the Sub-Committee has determined to grant the application in the terms sought and subject to the operating schedule and the conditions agreed with the police.

REASONS

The Sub-Committee considered very carefully the evidence of the residents relating to the licensing objectives and the potential for problems caused by the premises in this location, but were satisfied that the steps proposed by the operating schedule and the conditions agreed with the police, would be sufficient to address the four licensing objectives. It was further noted that there had been no representations from any of the responsible authorities.

Residents can be reassured by the fact that the Licensing Act 2003 does allow for significant steps to be taken in the event that a premises does cause issues and undermines the licensing objectives in the future. Evidence showing a clear causal link to the premises when operating may be considered and any responsible authority or local residents may initiate a review in the event that issues arise.

The Sub-Committee was impressed by the detail of the application and in particular the fact that tills would be age-prompted, comprehensive training would be provided and the extent of the applicant's alcohol policy generally, along with the number of staff at the premises. Whilst the residential concerns were noted, after careful consideration it was felt that the combination of these measures would address those issues relating to the licensing objectives.

The Sub-Committee were pleased to hear that the applicant was willing to work with the local residents and engage in ongoing dialogue in the future.

The Sub-Committee noted and accepted legal advice given prior to the confidential session.

There is a right of appeal for all parties to the Magistrates' Court. The formal notification of the decision will set out that right.