
SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 10 OCTOBER 2018

Present: Councillors J Baillie, B Harris and Parnell

14. **ELECTION OF CHAIR**

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

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

RESOLVED that the minutes of the Meeting held on 23 July 2018 be approved and signed as a correct record.

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

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.

17. **APPLICATION FOR A NEW PREMISES LICENCE - SNA NEWS, 11 MANOR FARM ROAD, SOUTHAMPTON, SO18 1NN**

The Sub-Committee considered the report for an application for a premises licence in respect of SNA News, 11 Manor Farm Road, Southampton, SO18 1NN.

Mrs Amin (Applicant), Mr Robert Jordan (Agent), Sharon Conway (Hampshire Constabulary) and Phil Bates (Licensing Manager) were present and with the consent of the Chair, addressed the meeting.

The Sub-Committee received some late information from Mr Jordan in the form of proposed conditions to be added to the operating schedule within the report.

The Sub-Committee considered the decision in confidential session in accordance with the Licensing Act (Hearings) Regulations 2005.

RESOLVED that the premises licence be refused.

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 SNA News, 11 Manor Farm Road, Southampton, SO18 1NN. 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 heard representations from the applicant and Mr Jordan, on her behalf, together with objections from Sharon Conway of Hampshire Constabulary and Phil Bates of the Licensing Authority.

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.

It was noted that the application was amended by the provision of proposed conditions and amendment of hours for the sale of alcohol to between 0900 and 2200 hours.

In light of all the above the Sub-Committee has determined that the application should be refused.

Reasons

The Sub-Committee strongly felt that the Licensing Objectives particularly with regard to crime and disorder and the protection of children from harm are paramount. Whilst the Sub-Committee noted the proposed conditions around keeping Mr Amin apart from the operation of the business, it was not convinced that the applicant would be robust enough to enforce these conditions.

It was noted that the applicant has been unable to demonstrate control of the business in the presence of Mr Amin.

The Sub-Committee heard evidence from Hampshire Police regarding Mr Amin's offending behaviour and more recent concerns around the premises. The point was also made that CCTV conditions did not prevent Mr Amin's crimes. Evidence from the applicant made it clear that Mr Amin will live above the premises on release. The Sub-Committee was not convinced that in such close proximity he would stay away from the business.

The Sub-Committee noted that Phil Bates referred to the vision statement in the Statement of Licensing Policy. The Sub-Committee agreed that granting this application would not fit within that vision statement.

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.