
SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 6 JANUARY 2021

Present: Councillors G Galton, McEwing and Noon

29. **ELECTION OF CHAIR**

In accordance with S.14 (2) of the Licensing Act 2003 (Hearings) Regulations 2005, the hearing was held using video conferencing and the public were able to view a live stream of the proceedings using a web link published on the council website. 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 held remotely with parties to the hearing participating by way of conference call.

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

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

RESOLVED that the minutes of the meeting held on 16 December 2020 be approved and signed as a correct record.

31. **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 would be distributed to all parties to the hearing.

32. **APPLICATION FOR NEW PREMISES LICENCE-ONE OXFORD, 1 OXFORD STREET, SOUTHAMPTON SO14 3DJ**

The Sub-Committee considered the report of the Service Director – Communities, Culture and Homes for an application for grant of a premises licence in respect of One Oxford, 1 Oxford Street, Southampton SO14 3DJ. It gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted statement of Licensing Policy.

The Sub-Committee considered the representations, both written and given orally by all parties. Human rights and equality legislation was borne in mind whilst making the decision.

The Sub-Committee noted that conditions to be imposed on any licence granted had been agreed between the applicant and the police prior to the hearing. It was also noted that seven objections had been received from local residents. All of these objections were considered.

Manoj Kumar, Applicant and Owner of One Oxford and Local Residents were present and with the consent of the Chair, addressed the meeting.

The Sub-Committee noted that no further representations or comments had been received from the any of the other Responsible Authorities.

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

RESOLVED that the premises licence be granted subject to the conditions agreed between the applicant and the police but with limited hours.

Following that private session, it was noted that written confirmation of the decision of the Sub-Committee would be distributed to all parties to the hearing.

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

The Sub-Committee having considered all of the above determined to grant the application subject to the conditions agreed between the applicant and the police but with limited hours as follows:

Live Music	12:00 to 23:00
Recorded Music	12:00 to 00:00
Performances of Dance	12:00 to 23:00
Late Night Refreshment	23:00 to 00:00
Supply of alcohol	12:00 to 00:00
Premises open to the public	12:00 to 00:00

Reasons

The Sub-Committee heard evidence from local residents regarding concerns as to noise disturbance from the premises including, but not limited to, recorded music within the premises and from smokers outside the premises. Concerns were also raised about public nuisance and safety late at night.

The Sub-Committee considered the Applicant's representations as to the type of establishment he intended should be run from the premises and took this into account.

The Sub-Committee noted that the premises are in a primarily residential area and surrounded immediately by residences. The Sub-Committee does not consider it would be appropriate or proportionate to refuse the application in whole on the basis of these objections but felt it would be proportionate to limit the hours as set out above.

This was a proportionate means of meeting the licensing objectives of prevention of public nuisance and public safety.

Residents can be assured that where the grant of any application leads to an adverse impact upon the licensing objectives a review of the licence can be brought by them, and appropriate steps taken at that time.

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.