
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. **DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS**

RESOLVED that none were noted.

31. **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.

32. **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.

33. **APPLICATION FOR A PREMISES LICENCE – ONE OXFORD, 1 OXFORD STREET, SOUTHAMPTON SO14 3DJ**

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

The hearing was held as a virtual meeting using Microsoft Teams and was streamed live online for the press and public to view via the Live Events platform.

The Sub-Committee has considered very carefully the application for a premises licence at ONE OXFORD, 1 OXFORD STREET, SOUTHAMPTON SO14 3DJ. 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 the representations, both written and given orally today, by all parties. Human rights and equality legislation has been 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 7 objections had been received from local residents. All of these objections were considered, and the objectors attended and addressed the meeting.

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

The applicant, Mr Kumar attended the hearing and addressed the Sub-Committee, no Responsible Authorities attended the hearing.

The Sub-Committee having considered all of the above has 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 feel it would be proportionate to limit the hours as set out above.

This is 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.