
SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 1 FEBRUARY 2023

Present: Councillors M Bunday, G Galton and Furnell

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

RESOLVED: that the minutes for the Sub-Committee meeting on 30 November 2022 be approved and signed as a correct record.

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

RESOLVED: That at a predetermined point during the consideration of all items the Sub-Committee would move into private session in order to receive legal advice when determining issues.

10. **NEW PREMISES APPLICATION - THE BUGLE, 1A BUGLE STREET SOUTHAMPTON SO14 2AL**

The Sub-Committee considered an application for a premises licence in respect of a New Premises Licence - The Bugle, 1a Bugle Street Southampton SO14 2AL.

Charlotte Heyes (representing the applicant), Councillor Bogle, Mr and Mrs Elia, Ron Williamson and Ros Cassy were present in the meeting 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 The Sub-Committee has considered very carefully the application as submitted. Representations by all the parties present at the hearing as well as written representations were also fully taken into consideration.

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. The Human Rights Act 1998, The Equality Act 2010 and The Crime and Disorder Act 1998 Section 17 have been considered whilst making the decision.

The Sub-Committee also took into account that neither Hampshire Constabulary nor any other Responsible Authorities had made representations to the Sub-Committee Hearing.

The Sub-Committee had very serious concerns about the apparent inexperience of the applicant, the corporate arrangements with several different companies involved and the arrangements for security at events. However, these concerns amounted to

speculation and the security issue is addressed by the conditions agreed with the police.

Having considered all of the above the Sub-Committee agreed to grant the licence in accordance with the application but subject to the conditions agreed with the police and set out in the email from Mark Hawley dated 21st December 2022. The terminal hour for New Year's Eve will be 2-00 a.m.

Reasons:

The Sub-Committee heard from Cllr Bogle, Mr Williamson, Mr & Mrs Elia and Ms Cassy opposing the application and Ms Hayes for the applicant.

The Sub-Committee noted that conditions had been agreed with Hampshire Constabulary and so no responsible authorities made representations.

The Sub-Committee has listened to the concerns of the local residents which related to noise, security and road safety. However, as this is a new application the concerns amount to speculation as to what might happen at the premises.

The Sub-Committee received legal advice that speculation as to what may happen cannot be considered. Advice was also given that the legislation had a presumption of grant so that they can only refuse the application if concerns raised cannot be met by conditions. The conditions agreed with the police do meet concerns that do not amount to speculation. Advice was also received that the responsible authorities are regarded as experts in their respective fields.

The Sub-Committee noted that the application referred to a number for residents to contact the premises with any concerns and all parties are recommended to utilise this and any other method of dialogue.

Residents should be assured that if they cannot resolve issues through dialogue and the concerns raised do materialise they have the right to seek a review of the licence which would be heard by the Sub-Committee.

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.