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**SOUTHAMPTON CITY COUNCIL**  
**LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE**  
**MINUTES OF THE MEETING HELD ON 2 JUNE 2021**

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Present: Councillors G Galton, B Harris and Noon

4. **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 Galton be elected as Chair for the purposes of this meeting.

5. **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.

6. **NEW PREMISES APPLICATION - PORTERS STEAKHOUSE, UNIT 2, HAVELOCK CHAMBERS, SOUTHAMPTON SO14 3BQ**

This 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 considered very carefully the report of the Service Director – Communities, Culture and Homes. Representations by all the parties present at the hearing as well as written representations were also fully taken into consideration. The panel also viewed camera footage that was made available ahead of the hearing.

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 at the hearing by all parties. The Human Rights Act 1998, The Equality Act 2010 and The Crime and Disorder Act 1998 Section 17 were considered whilst making the decision.

Due regard was given to the provisions of the Licensing Act 2003, including the statutory licensing objectives, the statutory guidance and the City Council's adopted statement of licensing policy. Human rights legislation was borne in mind.

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

**RESOLVED** that having considered all of the above the Sub-Committee agreed to grant the licence in accordance with the application save that the terminal hour for the supply of alcohol will be 2300 every day; the premises would be closed to the public every day at that time. There would be an additional condition that the emergency exit only be used, other than in an emergency, by staff serving Council approved outdoor tables.

### Reasons

The Sub-Committee heard from Nial Casey, Maria Gherda, and Diogo Cerqueira, who were local residents of Havelock Chambers. The Sub-Committee was also addressed by the applicant, Christopher Lawbuary.

The Sub-Committee noted that some of the objections were irrelevant to the licensing objectives such as cooking and other planning issues. Whilst some of the public nuisance issues were historic and related to other premises the Sub-Committee noted that some issues arose from these premises.

The Sub-Committee listened to the concerns of the local residents regarding issues of noise, and with this in mind to address the licensing objective of prevention of public nuisance, decided to limit the opening hours of the premises and the hours for sale of alcohol and other licensable activities.

The additional condition relating to the emergency exit would also address concerns around the licensing objective of public nuisance as raised by the residents.

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.