

---

SOUTHAMPTON CITY COUNCIL  
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 12 JUNE 2019

---

Present: Councillors Mrs Blatchford, McEwing and B Harris

1. **ELECTION OF CHAIR**

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

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

**RESOLVED** that the minutes of the meetings held on 28 November 2018 and 30 November 2018 be approved and signed as a correct record.

3. **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. The parties to the hearing, press and the public, unless otherwise excluded by Category 4 of paragraph 10.4 of the Council's Access to Information Procedure Rules, would be invited to return immediately following that private session at which time the matter would be determined and the decision of the Sub-Committee announced.

4. **APPLICATION FOR GRANT OF A VARIATION OF A PREMISES LICENCE -THE REGENTS PARK,35 REGENTS PARKS,SOUTHAMPTON SO15 8PG**

The Sub-Committee considered the report of the Service Director of Transactions and Universal Services for grant of a variation of a premises licence in respect of the Regents Park, 35 Regents Park Road, Southampton SO15 8PG

The Licensees, Kevin and Marion Healy, their representative George Domleo and Councillor S Galton were present 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** that the variation of premises licence be granted, save for the extension of the terminal hour for the sale of alcohol on Sunday, which shall remain at 23:00. In view of this the application for late night refreshment on Sunday was also 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 variation of a premises licence at The Regents Park, 35 Regents Park Road, Southampton SO15 8PG. It has given due regard to the Licensing Act 2003, the Licensing Objectives,

statutory guidance and the adopted statement of Licensing Policy. Human Rights legislation was borne in mind whilst making the decision.

The Sub-Committee noted that representations had been made by one resident and a Councillor. No responsible authority had made representations and no other residents had objected.

The Sub-Committee also noted that the application was amended so that when regulated entertainment, including live and recorded music was taking place inside the premises, all external windows and doors shall be kept closed from 21:00.

In light of all the above, the Sub-Committee has determined to grant the application, save for the extension of the terminal hour for the sale of alcohol on Sunday, which shall remain at 23:00. In view of this the application for late night refreshment on Sunday is also refused.

### Reasons

The Sub-Committee heard from the applicant's representative and evidence from the premises licence holder. The Sub-Committee also heard from Councillor S Galton in person at the hearing and considered both written objections.

Generally, the objectors are concerned that any additional extension to licensable activities will lead to an increase in public nuisance. The Sub-Committee accepted legal advice provided during the course of the hearing confirming that the scope of the Sub-Committee's remit is limited to determination of the variation application and not a wider review of the premises generally. Accordingly, the Sub-Committee had to determine to what extent, if at all, the proposed variation would lead to additional issues at the premises. In this case the Sub-Committee specifically looked at the increased hours on Sundays, and felt that this would adversely impact on the licensing objective of the prevention of public nuisance.

There is a general right to review a premises licence which can be brought by residents or responsible authorities. In the event that the premises causes issues of concern the licence, in its entirety, can be considered at that stage where the evidence supports it.

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.