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SOUTHAMPTON CITY COUNCIL  
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 22 JULY 2019

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Present: Councillors Mrs Blatchford, G Galton and B Harris

5. **ELECTION OF CHAIR**

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

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

**RESOLVED** that the minutes of the meeting held on 12 June 2019 be approved and signed as a correct record.

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

**RESOLVED** that in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 that the parties to the hearing, press and public be excluded at a predetermined point whilst the Sub-Committee reaches its decision.

8. **APPLICATION FOR A GRANT OF A PREMISES LICENCE - BEARDS AND BOARDS, 33 BEDFORD PLACE, SOUTHAMPTON SO15 2DG**

The Sub-Committee considered the report of the Service Director of Transactions and Universal Services for the grant of a premises licence in respect of Beards and Boards, 33 Bedford Place, Southampton SO15 2DG.

Philip Maggs (Applicant), Toby Jackson (Designated Premises Supervisor), Ms Costello (local resident) and Ms Joynes (Thorner's Homes) 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 premises licence be granted, as amended so that the terminal hour for serving alcohol would be 2200 hours every day.

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 a premises licence at Beards and Boards, 33 Bedford Place, Southampton SO15 2DG. It has given due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted statement of Licensing Policy. It was noted that these premises fall within the Bedford Place stress area and therefore the Cumulative Impact Policy applies.

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

The Sub-Committee was made aware that the application had been amended so that the terminal hour for serving alcohol would be 2200 hours every day. Amended conditions were submitted to the satisfaction of the police by email dated 10 June 2019. On that basis there were no representations from any of the responsible authorities.

Residential representations had been received leading to the hearing. The Sub-Committee accepted legal advice provided during the course of the hearing that those parts of the representation relating to planning issues and/or breaches of the planning consent cannot be taken into consideration when making the decision relating to the premises licence. The Sub-Committee therefore had to concentrate its mind upon the four licensing objectives.

The applicant was represented by Philip Maggs and Toby Jackson and they both addressed the Sub-Committee. One resident and a representative on behalf of the others were in attendance, and also addressed the Sub-Committee.

Having heard all the above evidence, the Sub-Committee determined to grant the application as amended so that the terminal hour for serving alcohol would be 2200 hours every day and the licence would be subject to the amended conditions contained in the applicant's representative's email of 10 June 2019.

### Reasons

The Sub-Committee heard that the intention of the applicant is to run a premises for a different clientele than would be the norm in Bedford Place. They seek to attract an older customer who appreciates a drink and does not aim to get drunk. It was also noted that the intention is to open for young families in the mornings.

Whilst the Sub-Committee acknowledged the concerns raised by the objectors, these related to existing premises which are not of a like nature. The Sub-Committee felt it could justify departing from the Cumulative Impact Policy on the basis that the premises as described by the applicant would not add to the cumulative impact already being experienced.

Should the premises fail to operate in the way described and this leads to issues impacting upon the licensing objectives, a review may be initiated by residents as well as responsible authorities. This may result in appropriate steps being taken to address the issues of concern at that stage.

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.