



Notification of decision

Issued by the Director of Community & Communication

15 February 2018

If you want to know more about a proposal, please contact the officer indicated. You can also see the report(s) on the Council's web site at www.portsmouth.gov.uk

	WARD	DECISION	OFFICER CONTACT
		<p>Licensing Sub-committee Decision Meeting - 14 February</p> <p>The cabinet Member has made the following decisions:-</p>	<p>Joanne Wildsmith, Democratic Services Tel: 9283 4057 Democratic@Portsmouthcc.gov.uk</p>
3		<p>Licensing Act 2003 - Application for grant of a premises licence - Southsea Lounge, 36-38 Palmerston Road, Southsea, PO5 3QH</p> <p>DECISION:</p> <p>(Granting of Premises Licence)</p> <p>The Committee heard from the Licensing Officer presenting the report and the representations of the applicant.</p> <p>In addition the Committee considered all the papers put before them along with the annexes attached to each document and the Committee have read the written submission made by the objector which is included within the papers (at Appendix C).</p> <p>This Committee was engaged by reason of referral to the Committee following receipt of a relevant representation from a local resident objecting to the grant of this premises licence.</p> <p>The licensing objectives that were said by the objector not to be promoted are: the prevention of crime and disorder; the prevention of public nuisance and public safety.</p>	<p>Derek Stone Principal Licensing Officer Tel: 9268 8462</p>

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		<p>The Committee look to all the Responsible Authorities including the Police and Licensing Authority for guidance and assistance in determining the effect of a licensing activity in terms of all the licensing objectives. In this case, no objections had been raised by the Responsible Authorities.</p> <p>The above stated the Committee members had balanced within their consideration the representations made by the applicant at the hearing and the objector's written submission. This Committee look at each case upon its own merits and within the context of its own facts. The Committee is not bound by earlier decisions made by any alternative Committee.</p> <p>In considering the application for a grant of a premises licence the Committee was mindful of the following facts as having been established upon a balance of probability and further that they have been specifically taken to the relevant parts of the Statutory Guidance under section 182 of the Licensing Act 2003:</p> <ol style="list-style-type: none"> 1. That none of the relevant Responsible Authorities had made objections to any aspect of the application. 2. The premises is not in an area of special policy or cumulative impact and there is no evidence that the application sought would be inconsistent with the Licensing Act 2003, the statutory guidance or the applicable policy considerations. 3. It was further noted that the Act assumes a grant of an application absent the finding of relevant premises specific evidence to rebut this presumption. 4. The Committee was in addition satisfied that the applicant's model of business is consistent with considering safety promotion with respect to patrons and residents. 	

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		<p data-bbox="501 248 1161 315">5. The grounds for objection are not evidence based and are generic.</p> <p data-bbox="451 371 1198 880">Whilst the Committee take note of the objector's concerns and fears in relation to principally three of the statutory licensing objectives: potentially prevention of public nuisance; potentially the prevention of crime and disorder and the promotion of public safety; the committee heard no direct evidence that the grant of a premises licence would cause any of the licensing objectives to be undermined and the mere likelihood of such behaviour occurring in the future is not such as to enable the application to be rejected. The objector's concerns in relation to issues with parking were not matters which this committee was able to take account of.</p> <p data-bbox="451 925 1193 1137">The committee considered that the imposition of the comprehensive conditions agreed between the Relevant Authorities and the Applicant together with the general power of review under the Licensing Act 2003 sections 51-53 are consistent in promoting the licensing objectives.</p> <p data-bbox="451 1182 1206 1395">The Licensing Committee was further aware that any Responsible Authority, indeed anyone, can ask that the Committee review the licence currently held which would of course engage the Committee in being able to consider the full range of evidence including matters that are currently being considered.</p> <p data-bbox="451 1440 1102 1541">The application for the grant of a premises licence in the terms sought was therefore granted.</p>	