

# Licensing (Licensing and Gambling) Sub-Committee

Thursday, 10th February 2011  
at 9.30 am

## PLEASE NOTE TIME OF MEETING

Committee Rooms 1 and 2 - Civic Centre

This meeting is open to the public

### Members

Councillor Drake  
Councillor Parnell  
Councillor Thomas

### Contacts

Democratic Support Officer  
Sue Lawrence  
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## PUBLIC INFORMATION

### Terms of Reference

The Sub-Committee deals with licences for which the Council is responsible under the Licensing Act, 2003 and Gambling Act 2005, including:-

- Personal licences for the sale of liquor Licensing Act 2003;
- Premises licences, various permits, variations and reviews (Licensing Act 2003 and Gambling Act 2005);
- Club certificates, variations and reviews Licensing Act 2003;
- Registration and deregistration of designated premises supervisors Licensing Act 2003;
- Determination of police objections to temporary event notices Licensing Act 2003

### Relevant Representations

Those who have made relevant representations may address the meeting about the matter in which they have an interest.

**When dealing with Licensing Act matters the Sub-Committee can only take into account the following statutory Licensing Objectives:-**

- prevention of crime and disorder
- public safety
- prevention of public nuisance
- protection of children from harm

**Likewise, when dealing with Gambling Act matters the Sub Committee can only take into account the statutory Licensing Objectives below:-**

- Preventing gambling being a source of crime
- That gambling is conducted in a fair and open way
- To protect children and other vulnerable children from harm

### Southampton City Council's Six Priorities

- Providing good value, high quality services
- Getting the City working
- Investing in education and training
- Keeping people safe
- Keeping the City clean and green
- Looking after people

### Smoking policy

The Council operates a no-smoking policy in all civic buildings.

### Mobile Telephones –

Please turn off your mobile telephone whilst in the meeting.

### Fire Procedure –

In the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

### Access –

Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

### Dates of Potential Meetings: Municipal Year 2010/11

|                     |                       |
|---------------------|-----------------------|
| <b>2010</b>         | <b>4 NOVEMBER</b>     |
| <b>20 MAY 2010</b>  | <b>18 NOVEMBER</b>    |
| <b>3 JUNE</b>       | <b>2 DECEMBER</b>     |
| <b>17 JUNE</b>      | <b>16 DECEMBER</b>    |
| <b>1 JULY</b>       | <b>2011</b>           |
| <b>15 JULY</b>      | <b>6 JANUARY 2011</b> |
| <b>29 JULY</b>      | <b>13 JANUARY</b>     |
| <b>12 AUGUST</b>    | <b>10 FEBRUARY</b>    |
| <b>26 AUGUST</b>    | <b>24 FEBRUARY</b>    |
| <b>9 SEPTEMBER</b>  | <b>10 MARCH</b>       |
| <b>23 SEPTEMBER</b> | <b>24 MARCH</b>       |
| <b>7 OCTOBER</b>    | <b>7 APRIL</b>        |
| <b>21 OCTOBER</b>   | <b>21 APRIL</b>       |

## CONDUCT OF MEETING

### **Terms of Reference**

The terms of reference are contained in the Council's Constitution.

### **Business to be discussed**

Only those items listed on the attached agenda may be considered at this meeting.

### **Rules of Procedure**

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

### **Quorum 3**

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

### **Disclosure of Interests**

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "personal" or "prejudicial" interests they may have in relation to matters for consideration on this Agenda.

### **Personal Interests**

A Member must regard himself or herself as having a personal interest in any matter

- (i) if the matter relates to an interest in the Member's register of interests; or
- (ii) if a decision upon a matter might reasonably be regarded as affecting to a greater extent than other Council Tax payers, ratepayers and inhabitants of the District, the wellbeing or financial position of himself or herself, a relative or a friend or:-
  - (a) any employment or business carried on by such person;
  - (b) any person who employs or has appointed such a person, any firm in which such a person is a partner, or any company of which such a person is a director;
  - (c) any corporate body in which such a person has a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
  - (d) any body listed in Article 14(a) to (e) in which such a person holds a position of general control or management.

A Member must disclose a personal interest.

Continued/.....

## **Prejudicial Interests**

Having identified a personal interest, a Member must consider whether a member of the public with knowledge of the relevant facts would reasonably think that the interest was so significant and particular that it could prejudice that Member's judgement of the public interest. If that is the case, the interest must be regarded as "prejudicial" and the Member must disclose the interest and withdraw from the meeting room during discussion on the item.

It should be noted that a prejudicial interest may apply to part or the whole of an item.

Where there are a series of inter-related financial or resource matters, with a limited resource available, under consideration a prejudicial interest in one matter relating to that resource may lead to a member being excluded from considering the other matters relating to that same limited resource.

There are some limited exceptions.

Note: Members are encouraged to seek advice from the Monitoring Officer or his staff in Democratic Services if they have any problems or concerns in relation to the above.

## **Principles of Decision Making**

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

## AGENDA

Agendas and papers are available via the Council's website.

### **1 ELECTION OF CHAIR**

To appoint a Chair for the purposes of this meeting.

### **2 APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)**

To note any changes in the membership of the Sub-Committee made in accordance with the Licensing Act 2003.

### **3 DISCLOSURE OF PERSONAL AND PREJUDICIAL INTERESTS**

In accordance with the Local Government Act 2000, and the Council's Code of Conduct adopted on 16th May 2007, Members to disclose any personal or prejudicial interests in any matter included on the agenda for this meeting.

NOTE: Members are reminded that, where applicable, they must complete the appropriate form recording details of any such interests and hand it to the Democratic Support Officer prior to the commencement of this meeting.

### **4 STATEMENT FROM THE CHAIR**

### **5 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

To approve and sign as a correct record the Minutes of the meetings held on 6<sup>th</sup> and 13<sup>th</sup> January 2011 and to deal with any matters arising, attached.

### **6 EXCLUSION OF THE PRESS AND PUBLIC**

At a predetermined point during the consideration of all items the Sub-Committee may move into private session in order to receive legal advice when determining issues. The press and the public, unless otherwise excluded by the Licensing Act 2003 (Hearings) Regulations 2005, will be invited to return immediately following that private session at which time the matter will be determined and the decision of the Sub-Committee will be announced.

### **7 APPLICATION TO VARY A PREMISES LICENCE - NIGHT REFRESHMENT, UNIT K5, LINERS INDUSTRIAL ESTATE, PITT ROAD, SO15 3FQ**

Report of the Solicitor to the Council detailing an application to vary a premises licence to specify an individual as designated premises supervisor in respect of Night Refreshment - Unit K5, Liners Industrial Estate, Pitt Road, SO15 3FQ, attached.

NOTE: This item was adjourned from the meeting held on 27<sup>th</sup> January 2011.

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# Agenda Item 5

To approve and sign as a correct record the Minutes of the meetings held on 6<sup>th</sup> January 2011 and 13<sup>th</sup> January 2011 and to deal with any matters arising, attached.

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LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 6 JANUARY 2011

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Present: Councillors Drake and Parnell (Chair) and Thomas.

48. **ELECTION OF CHAIR**

**RESOLVED** that Councillor Parnell be appointed Chair for the purposes of this meeting.

49. **EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED** that in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 that the press and public be excluded at a pre-determined point whilst the Sub-Committee reach its decision.

50. **APPLICATION FOR REVIEW OF PREMISES LICENCE - DABS CASH AND CARRY, 19 ADDIS SQUARE, PORTSWOOD ROAD, SOUTHAMPTON, SO17 2NE**

The Sub-Committee considered the report of the Solicitor to the Council detailing an application from Hampshire Constabulary to review the premises licence in respect of Dabs Cash and Carry, 19 Addis Square, Portswood Road, Southampton, SO17 2NE. (Copy of report circulated with agenda and appended to signed minutes).

Mr Newport Counsel for DABs Cash and Carry and Mr Ojo owner of DABs Cash and Carry were present and, with the consent of the Chair, addressed the meeting.

The Sub-Committee considered the decision in confidential session in accordance with Licensing Act 2003 (Hearings) Regulations 2005.

**RESOLVED**

- (i). that the licence allowing the sale of alcohol at the premises be suspended for a period of one month as a deterrent and to allow time to instigate the additional conditions as set out in (ii) below; and
- (ii). that the following additional conditions as requested by Trading Standards be attached to the licence:-

- 1. The holder of the premises licence shall ensure that every individual who appears to be under 25 years of age seeking to purchase or be supplied with alcohol at or from the premises shall produce means of identification acceptable to the Licensing Authority proving that the individual to be 18 years of age or older. If the person seeking alcohol is unable to produce acceptable means of identification no sale or supply of alcohol will be made to

or for that person. Notices regarding the stores 'Challenge 25 Policy' must be displayed;

2. All staff who sell alcohol will be trained to NCPLH (National Certificate of Personal Licence Holder) level. All sales of alcohol must be directly supervised and authorised by a personal licence holder until such staff have achieved training to NCPLH level;
3. That staff are trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18; that records are kept of such training, which are signed and dated by the member of staff who has received the training; that staff receive refresher training every six months as a minimum and that records, signed and dated by the member of staff, are kept of this refresher training. Records of training will be available for inspection by Hampshire Constabulary, the Licensing Authority, Trading Standards and other Responsible Authorities on request;
4. The holder of the premises licence shall keep a written record of those incidents where a person who a member of staff believes to be under the age of 18, and is unable to produce acceptable means of identification proving that they are of 18 years or more, attempts to purchase alcohol and is refused. The record shall include details, in English, of the date, time, a brief description, including estimated age, of the person who attempted to purchase the alcohol, the type of alcohol and the name of the person who refused the sale. Staff shall be trained in the use of the 'refusals book' and it should be kept in a readily accessible place known by all members of staff. The record will be regularly checked by the premises licence holder or the designated premises supervisor to ensure that all staff are completing records and, this person will sign and date the record as evidence that they have checked it. The refusals book will be available for inspection by Hampshire Constabulary, the Licensing Authority, Trading Standards and other relevant authorities on request;
5. The holder of the premises licence must ensure that all alcohol is marked in a way that will identify its place of purchase for a period to be agreed with the police and Trading Standards which shall not be less than 3 months; and
6. A CCTV system shall be installed and maintained in the licensed premises to the satisfaction of the Licensing Authority, Hampshire Constabulary and Trading Standards. As a minimum, it shall enable surveillance of both external and internal areas of the premises including entrances and exits. Recordings from the system shall be of a quality acceptable as evidence in a court of law and shall be securely retained at the licensed premises for a minimum period of 30 days after the recording, and shall be surrendered to Hampshire Constabulary, the Licensing Authority or Trading Standards immediately on request.

## REASON FOR DECISION

The Sub-Committee gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted Statement of Licensing Policy and considered fully all representations made by all the parties and were of the view that the imposition of the conditions as requested by Trading Standards and as amended and set out above be attached to the licence to ensure the City Council's licensing objectives were fulfilled.

With regard the suspension of the licence the Sub-Committee were of the view that it would enable sufficient time to ensure that the above conditions were instigated to the satisfaction of Hampshire Constabulary and Trading Standards and act as a deterrent as it was clear that the changes and improvements in the operation of the premises that had taken place to date were as a result of this pending review.

51. **APPLICATION FOR REVIEW OF PREMISES LICENCE - POUND XTRA, 106 ST. MARYS ROAD, SOUTHAMPTON, SO14 0AN**

The Sub-Committee considered the report of the Solicitor to the Council detailing an application from Trading Standards to review the premises licence in respect of Pound Xtra, 106 St. Marys Road, Southampton, SO14 0AN. (Copy of report circulated with agenda and appended to signed minutes).

Mr Alen, premises licence holder and owner was present and, with the consent of the Chair, addressed the meeting.

The Sub-Committee considered the decision in confidential session in accordance with Licensing Act 2003 (Hearings) Regulations 2005.

### **RESOLVED**

- (iii). that the licence allowing the sale of alcohol at the premises be suspended for a period of three months as a deterrent and to allow time to instigate the additional conditions as set out in (ii) below; and
- (iv). that the following additional conditions as requested by Trading Standards be attached to the licence:-
  1. A CCTV system shall be installed and maintained in the licensed premises to the satisfaction of the Licensing Authority, Hampshire Constabulary and Trading Standards. As a minimum, it shall enable surveillance of both external and internal areas of the premises including entrances and exits. Recordings from the system shall be of a quality acceptable as evidence in a court of law and shall be securely retained at the licensed premises for a minimum period of 30 days after the recording, and shall be surrendered to Hampshire Constabulary, the Licensing Authority or Trading Standards immediately on request. The premises licence holder and staff must be capable of operating the CCTV system;
  2. The premises licence holder must keep complete records, such as invoices, receipts and delivery notes, relating to alcohol and

cigarettes obtained by him for sale from his shop. Records must include the name, address and telephone number of the supplier, the date of supply, the product supplied, and their prices. Where items have been delivered to his shop from a vehicle details of the vehicle registration, the name of the delivery person and contact details including the name, address and telephone number, for the business must be kept. These details must be available on request to responsible authorities within 24 hours. The premises licence holder must be able to identify who supplied alcohol and cigarettes present at his premises;

3. The holder of the premises licence shall ensure that every individual who appears to be under 25 years of age seeking to purchase or be supplied with alcohol at or from the premises shall produce a means of identification acceptable to the Licensing Authority proving that the individual to be 18 years of age or older. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person. Notices regarding the stores 'Challenge 25 Policy must be displayed;
4. All staff who sell alcohol will be trained to NCPLH (National Certificate of Personnel Licence Holder) level. All sales of alcohol must be directly supervised and authorised by a personal licence holder until such staff have achieved training to NCPLH level;
5. That staff are trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18; that are kept of such training, which are signed and dated by the member of staff who has received the training; that staff receive refresher training every six months as a minimum and that records, signed and dated by the member of staff, are kept of this refresher training. Records of training will be available for inspection by Hampshire Constabulary, the Licensing Authority, Trading Standards and other Responsible Authorities on request; and
6. The holder of the premises licence shall keep a written record of those incidents where a person who a member of staff believes to be under the age of 18, and is unable to produce acceptable means of identification proving they are of 18 years or more, attempts to purchase alcohol and is refused. The record shall include details, in English, of the date, time, a brief description, including estimated age, of the person who attempted to purchase the alcohol, the type of alcohol and the name of the person who refused the sale. Staff shall be trained in the use of the 'refusals book' and it should be kept in a readily accessible place known by all members of staff. The record will be regularly checked by the premises licence holder or designated premises supervisor to ensure that all staff are completing records and, and this person will sign and date the record as evidence that they have checked it. The refusals book will be available for inspection by Hampshire Constabulary, the Licensing Authority, Trading Standards and other relevant authorities on request.

## REASON FOR DECISION

The Sub-Committee gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted Statement of Licensing Policy and considered fully all representations made by all the parties and were of the view that the imposition of the conditions as requested by Trading Standards and as amended and set out above be attached to the licence to ensure the City Council's licensing objectives were fulfilled.

With regard the suspension of the licence the Sub-Committee were of the view that the explanation by the licence holder of what had occurred was totally unsatisfactory and the Sub-Committee had grave concerns. The Sub-Committee were of the view that it was fortunate that the implications of the sale of the counterfeit vodka could have resulted in more serious consequences. The Sub-Committee noted that revocation of the licence had not been requested by Trading Standards, although they had seriously consider that course of action. The Sub-Committee, however, were of the view that the three month suspension would act as a deterrent.

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LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 13 JANUARY 2011

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Present: Councillors Drake, Parnell and Osmond

Apologies: Councillor Thomas

53. **ELECTION OF CHAIR**

**RESOLVED** that Councillor Parnell be appointed Chair for the purposes of this meeting.

54. **APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)**

The Panel noted that Councillor Osmond was in attendance as a nominated substitute for Councillor Thomas in accordance with Council Procedure Rule 4.3.

55. **EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED** that in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 that the press and public be excluded at a pre-determined point whilst the Sub-Committee reach its decision.

56. **APPLICATION FOR A PREMISES LICENCE - HOLLYOAK STORES, 25-33 HOLLYOAK ROAD, SOUTHAMPTON SO16 5GB**

The Sub-Committee considered the report of the Solicitor to the Council detailing an application from Hampshire Constabulary to review the premises licence in respect of Hollyoak Stores, 25-33 Hollyoak Road, Southampton SO16 5GB. (Copy of report circulated with agenda and appended to signed minutes).

Mr Bhakar (Applicant), Mr Kirk (Counsel for Applicant) and Mrs Brazil (Objector / Local Resident) and PC Harris, PC Prior and PC Dawson (Hants Constabulary) were present and, with the consent of the Chair, addressed the meeting.

The Sub-Committee noted the additional evidence submitted by the applicant and by Hampshire Constabulary.

The Sub-Committee considered the decision in confidential session in accordance with Licensing Act 2003 (Hearings) Regulations 2005.

After carefully considering all representations made by the applicant, Hampshire Constabulary and local residents, both written and oral, and giving due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted Statement of Licensing Policy; the Sub-Committee was satisfied that the application for a Premises Licence should not be granted.

**RESOLVED** that the application be refused.

### REASON FOR DECISION

The Sub-Committee was satisfied that a grant of the premises licence would likely lead to the Licensing Objectives being undermined, particularly crime and disorder and public nuisance and the prevention thereof.

It attached due weight to all of the evidence and accepted that the Police evidence relating to the previous licence was now dated and applied to another individual. Nonetheless it was not satisfied that the current proposals would be sufficient to prevent a likely recurrence of past problems and an extension of the existing issues. Likewise due weight was attached to the survey produced by the applicant which showed a commercial demand but was limited by those signing failing to provide an address.

The evidence of residents was clearly that the position had improved since the previous licence was surrendered. The location of other premises and their operating methods was carefully borne in mind whilst making the decision. However, the Sub-Committee found that an additional premises, and more particularly in this location, would lead to an increase in the issues evidenced irrespective of whether the controls put in place were greater than those exercised elsewhere. It was the Sub-Committee's view that the evidence of the Police and residents has established that no condition or restriction could satisfactorily cover or mitigate the risk posed to the Licensing Objectives.

Human Rights legislation was taken into account with regards to the impact upon all parties of the decision.



# Agenda Item 7



Reference: 2010/02495/01SPRD

Hearing:

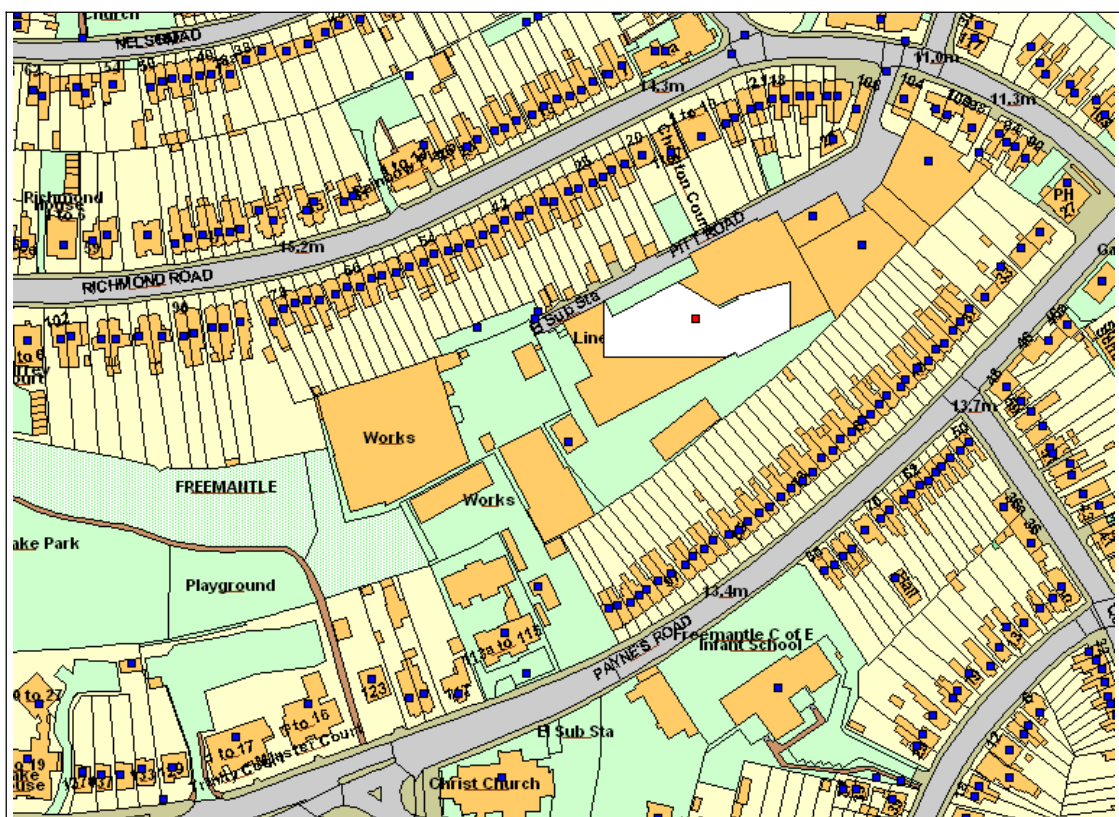
10<sup>th</sup> February 2011

## Variation Application for Premises Licence - DPS Variation

Premises Name: Night Refreshments  
 Premises Address: Unit K5  
 Liners Industrial Estate  
 Pitt Road  
 Southampton  
 SO15 3FQ

Application Date: 21st December 2010  
 Application Received Date: 21st December 2010

Application Valid Date: 21st December 2010



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### Representations From Responsible Authorities

| Responsible Authority              | Satisfactory? | Comments                    |
|------------------------------------|---------------|-----------------------------|
| Hampshire Constabulary - Licensing | No            | See attached representation |

## ***Legal Implications***

1. Where the Police give notice (stating that the Chief Officer of Police is satisfied that the exceptional circumstances of the case are such that granting the application would undermine the crime prevention objective and stating their reasons) the authority must –
  - (a) hold a hearing to consider it, unless the authority, the applicant and the Chief Officer of Police who gave the notice agree that a hearing is unnecessary, and
  - (b) having regard to the notice, reject the application if it considers it necessary for the promotion of the crime prevention objective to do so.
2. The decision making panel, in considering an application, must have regard to the notice, adopted Statement of Licensing Policy and any relevant representations of the applicant.
3. An applicant, whose application has been rejected, may appeal against the decision to the Magistrates' Court. Likewise the Chief Officer of Police may appeal against a decision to grant the application.
4. Where an application is granted or rejected, the relevant licensing authority must give a notice to that effect to –
  - (a) the applicant,
  - (b) the proposed individual and
  - (c) the Chief Officer of Police for the police area (or each police area) in which the premises are situated.The notice must state the authority's reasons for granting or rejecting the application. Where the application is granted, the notice must specify the time when the variation takes effect.
5. In considering this application the panel will sit in a quasi-judicial capacity and is thus obliged to consider applications in accordance with both the Licensing Act 2003 (Hearings) Regulations 2005, and amending secondary legislation and the rules of natural justice. The practical effect of this is that the panel must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.

The panel must also have regard to:-

6. *Crime and Disorder Act 1998*  
Section 17 of the Crime and Disorder Act 1998 places the Council under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.
7. *Human Rights Act 1998*  
The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon another person's Human Rights must be taken having regard to the principle of Proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the Council which affects another's rights must be no more onerous than is necessary in a democratic society. The matter set out in this report must be considered in light of the above obligations.

# Southampton City Council

Application to vary a premises licence to specify an individual as designated premises supervisor under the Licensing Act 2003

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I / we AHMAD JAVED KHUSHDIL  
(full name(s) of premises licence holder)

being the premises licence holder, apply to vary a premises licence to specify the individual named in this application as the premises supervisor under section 37 of the Licensing Act 2003

Premises licence number

2010/01877/01SPRN

### Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description NIGHT REFRESHMENTS  
UNIT 5 K, LINERS INDUSTRIAL ESTATE  
PITT ROAD, SOUTHAMPTON

|           |                      |
|-----------|----------------------|
| Post town | Post code (if known) |
|           | <u>S015 3FQ</u>      |

Telephone number (if any)

Description of premises (please read guidance note 1)  
Week Night Drinks Delivery



23-10  
26-10  
30-10

Part 2

Full name of proposed designated premises supervisor

Oqy2han Suray

Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any)

2008/00476/06666N

Full name of existing designated premises supervisor (if any)

Serajit Kaur Mandar

Please tick yes

I would like this application to have immediate effect under section 38 of the Licensing Act 2003

I have enclosed the premises licence or relevant part of it

(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

Reasons why I have failed to enclose the premises licence or relevant part of it

N/A

Please tick yes

- I have made or enclosed payment of the fee
- I will give a copy of this application to the chief officer of police
- I have enclosed the consent form completed by the proposed premises supervisor
- I have enclosed the premises licence, or relevant part of it or explanation
- I will give a copy of this form to the existing premises supervisor, if any
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 2)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (See guidance note 3). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date

..... 21/12/10 .....

Capacity

..... Licence Holder .....

**For joint applicants signature of 2<sup>nd</sup> applicant 2<sup>nd</sup> applicant's solicitor or other authorised agent** (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date

.....

Capacity

.....

|   |                  |
|---|------------------|
| <b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 5) |                  |
|   |                  |
| <b>Post town</b>  | <b>Post Code</b> |
| <b>Telephone number (if any)</b>  |                  |
| <b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>   |                  |

**Guidance notes**

1. Describe the premises. For example the type of premises it is.
2. The application form must be signed.
3. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application.



**New grant or variation of premises licence  
Or club premises certificate  
Form for representations from Hampshire Constabulary**

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

**Hampshire Constabulary is a responsible authority and wish to make a representation regarding under the Licensing Act 2003, regarding the:**

|  |                          |
|--|--------------------------|
| <input type="checkbox"/> 1: Grant for a personal licence                                 | (Object within 14 days)  |
| <input type="checkbox"/> 2: Grant for a temporary event notice (TEN)                     | (Object within 48 Hours) |
| <input type="checkbox"/> 3: Transfer of a premises licence                               | (Object within 14 days)  |
| <input checked="" type="checkbox"/> 4: Variation of designated premises supervisor       | (Object within 14 days)  |
| <input type="checkbox"/> 5: Grant/Variation of a premises licence/club prem' certificate | (Object within 28 days)  |

|                       |                |
|-----------------------|----------------|
| Name of Applicant:    | Ahmed KHUSHDIL |
| Name of Proposed DPS: | Oghuzan SUNAY  |

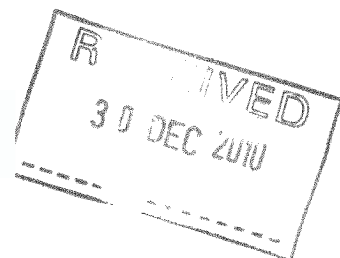
|  |
|--|
| Details of relevant conviction ( Personal Licence Applications ONLY) |
|  |

|                             |   |
|-----------------------------|---|
| Postal address of premises: | Night Refreshments<br>Unit K5, Liners Industrial Estate<br>Pitt Road, Southampton |
| Postcode:                   | SO15 3FQ  |

**Details of responsible authority applicant**

|  |  |
|--|--|
| Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title / Rank: | PC   |
| Surname: HARRIS  | First Names: JON   |
| Current postal address :   | Southampton Police Station<br>Havelock Road<br>Southampton |
| Postcode:  | SO14 7LG   |
| Daytime telephone number:  |  |
| E-mail address:<br>(optional)  |  |

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003





**New grant or variation of premises licence  
Or club premises certificate  
Form for representations from Hampshire Constabulary**

This application to object relates to the following licensing objective(s)

- 1) The prevention of crime and disorder
- 2) Public safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

*Please select  
one or more  
boxes*

Please state the ground(s) for representation:

The proposed DPS received a police adult caution in 2009 for 2 assaults and possession of an offensive weapon. The police believe that the circumstances that lead to the proposed DPS receiving these cautions undermine the licensing objectives with regards to the prevention of crime and disorder and public safety.

**It is an offence, under section 158 of the Licensing Act 2003 to make a false statement  
in or in connection with this representation**

Police recommendations (including any conditions)

Application is refused.

Signature of Officer Completing

Name Jon Harris

Collar Number: 24288

Signature: \_\_\_\_\_

Date: 30/12/2010

Signature of Authorising Officer

Name \_\_\_\_\_

Collar Number: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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