

Licensing (Licensing and Gambling) Sub-Committee

Thursday, 10th March, 2011
at 9.30 am

PLEASE NOTE TIME OF MEETING

Committee Room 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
Tel: 023 8083 3569
Email: susan.lawrence@southampton.gov.uk

Assistant Solicitor to the Council
Richard Ivory
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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

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

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 6th and 13th 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 FOR A PREMISES LICENCE - CRE8 LEISURE LIIMITED, 1ST AND 2ND FLOOR, 15-17 HIGH STREET, S014 2DF

Report of the Solicitor to the Council detailing an application for a premises licence in respect of Cre8 Leisure Limited, 1st and 2nd Floor, 15-17 High Street, Southampton, S014 2DF, attached.

Agenda Item 5

To approve and sign as a correct record the Minutes of the meetings held on 6th January 2011 and 13th 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

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

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: 2010/02328/01SPRN

Hearing:

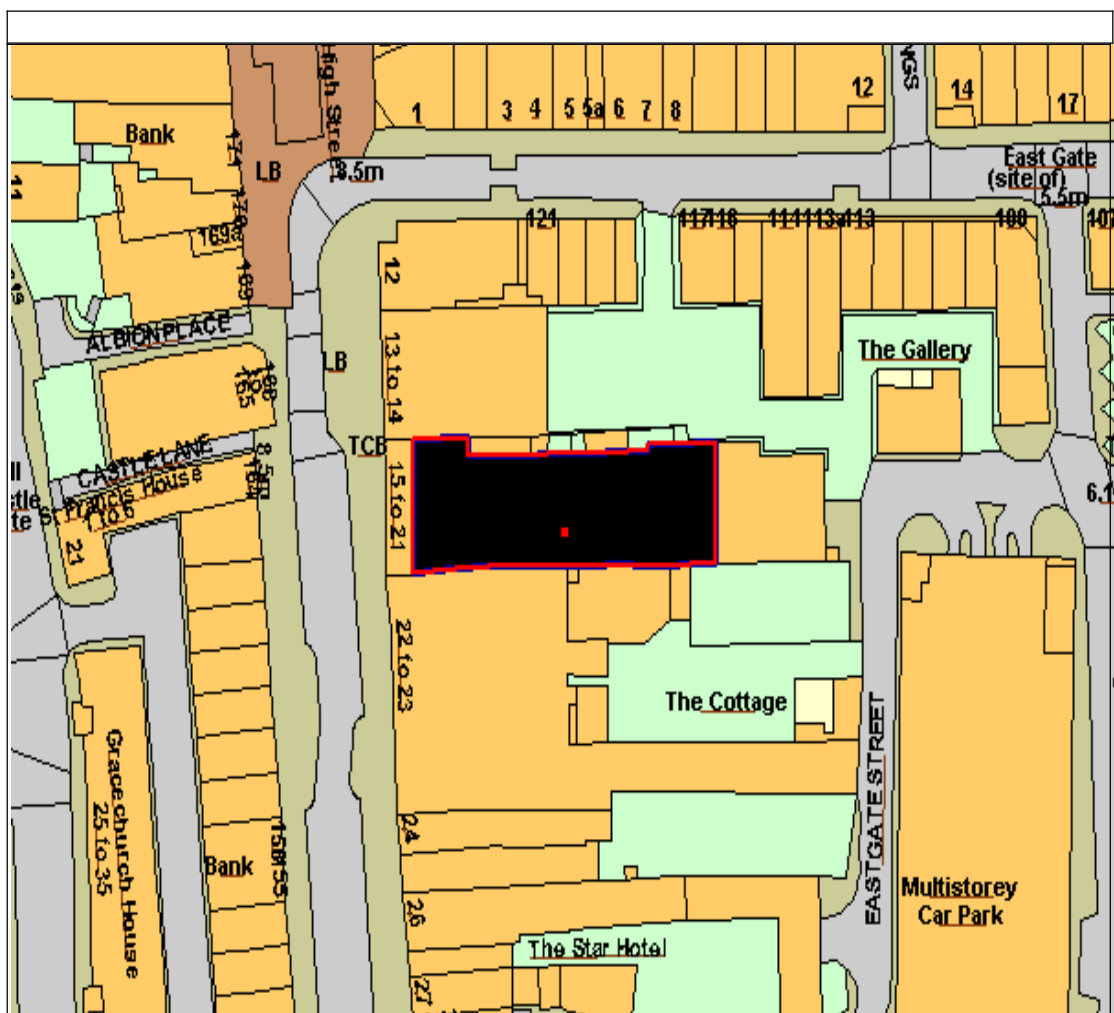
10th March 2011

Application for Premises Licence

Premises Name: Cre8 Leisure
Premises Address: 1st And 2nd Floor
15 - 17 High Street
Southampton
SO14 2DF

Application Date: 25th November 2010
Application Received Date: 29th November 2010

Application Valid Date: 17th January 2011



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Representation From Responsible Authorities

Responsible Authority	Satisfactory?	Comments
Child Protection Services - Licensing	No response received	
Hampshire Fire And Rescue - Licensing	No	
Environmental Health - Licensing	No	
Planning & Sustainability - Building Control - Licensing	No response received	
Planning & Sustainability - Development Control - Licensing	No response received	
Hampshire Constabulary - Licensing	Yes	
Trading Standards - Licensing	Yes	

Other Representations

Name	Address	Contributor Type
None		

Legal Implications

1. The Licensing Act 2003 specifically restricts the grounds on which the Council, as Licensing Authority (LA), may refuse an application for a new Premises Licence, or impose conditions. Where relevant representations are made, the LA may refuse on the grounds that the licensing objectives are not met or the operating schedule is inadequate. Equally, conditions may be imposed where relevant and necessary. The LA may also refuse an application in part and thereby only permit some of the licensable activities sought.
2. The decision making committee, in considering an application, must have regard to the adopted Statement of Licensing Policy and any relevant representations made by those directly affected.
3. An applicant for a new Premises Licence whose application has been refused, or who is aggrieved by conditions imposed, may appeal against the decision to the Magistrates' Court.
4. In considering this application the committee 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 committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.

The committee must also have regard to:-

5. *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.
6. *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.

Licensing Team
Southampton City Council
PO Box 1344
Southampton
Hampshire
SO15 1WQ

Our ref CGM/mcm/98192/1
Your ref
Date 25 November 2010
Direct line 023 8048 2482
Direct fax
Email

BY RECORDED DELIVERY

Dear Sirs

Our Client: Cre8 Leisure Limited
Premises: 1st and 2nd Floor, 15 - 17 High Street, Southampton
Application for a Premises Licence

We are instructed by Cre8 Leisure Limited in relation to the premises at 15 - 17 High Street, Southampton the ground floor of which is now a supermarket.

Our clients have a wish to utilise the 1st and 2nd Floor of the premises as Licensed premises, we understand that the application for change of Planning Permission is currently proceeding.

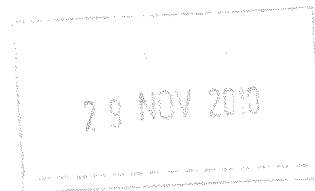
We therefore enclose our client's Application and accompanying documentation, along with our cheque for being the fee.

We confirm that we have lodged the application with the responsible authorities.

We are awaiting the return of the Consent of the DPS, Ms Powell, but believe it appropriate to lodge the application in any event.

Should you wish to discuss matters, then please do not hesitate to contact us.

Encs



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Number 1 London Road Southampton Hampshire SO15 2AE

t: 023 8048 2482 f: 023 8063 1835

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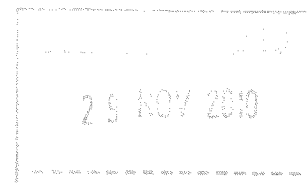
e: info@parissmith.co.uk www.parissmith.co.uk



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A list of members is available for inspection at the registered office address shown above
trading style of Paris Smith LLP which is a Limited Liability Partnership
Registered in England number OC308962

Insert name and address
of relevant licensing
authority and its
reference number
(optional)

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Application for a premises licence to be granted 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.

XWe Cre8 Leisure Limited
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and **X**we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 1st & 2nd Floor 15 - 17 High Street	
Post town Southampton	Post code SO14 2BT

Telephone number at premises (if any)

Non-domestic rateable value of premises

£	43,750.00
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Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick Yes

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals* | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual* | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |

- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

Please tick Yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title
 (for example, Rev)

Surname **First names**

Please tick Yes

I am 18 years old or over

Current postal address if different from premises address

Post Town **Postcode**

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick **Yes**

I am 18 years old or over

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned

Name CRE8 Leisure Limited
Address Suite 60 27 Colmore Row Birmingham B3 2EW
Registered number (where applicable) 06950356
Description of applicant (for example partnership, company, unincorporated association etc) Company
Telephone number (if any)
E-mail address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start?

Day		Month		Year	
0	1	1	2	1	0

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year	

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

Please give a general description of the premises (please read guidance note 1)

First and Second floor of building which has a Lidl supermarket down below. Separate entrance with seating and tables for restaurant premises.

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick Yes

Provision of regulated entertainment

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	
Day	Start	Finish	Indoors	
Mon			Outdoors	
			Both	
Tue			Please give further details here (please read guidance note 3)	
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	0900	0200	Please give further details here (please read guidance note 3)	Both	
Tue	0900	0200			
Wed	0900	0200	State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur	0900	0200			
Fri	0900	0200	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0900	0200			
Sun	0900	0200			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Mon				Please give further details here (please read guidance note 3)	Outdoors
Tue			Both		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music be indoors or outdoors or both - please tick ✓ (please read guidance note 2)		Indoors Outdoors Both
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both - please tick ✓ (see guidance note 2)		Indoors Outdoors Both
					<input checked="" type="checkbox"/>
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing		
Mon	1000	0200	Please give further details here (please read guidance note 3)		
Tue	1000	0200			
Wed	1000	0200			
Thur	1000	0200			
Fri	1000	0200			
Sat	1000	0200			
Sun	1000	0200			
			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)</u>		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	2300	0100		Both	
Tue	2300	0100	<u>Please give further details here</u> (please read guidance note 3)		
Wed	2300	0100	<u>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</u>		
Thur	2300	0100			
Fri	2300	0100			
Sat	2300	0100	<u>Non standard timings. Where you intend to use the premises for the provision of late night entertainment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun	2300	0100			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption please tick ✓ (please read guidance note 7)	On the premises	✓
				Off the premises	
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	1000	0130			
Tue	1000	0130			
Wed	1000	0130			
Thur	1000	0130			
Fri	1000	0130			
Sat	1000	0130			
Sun	1000	0130			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor	
<p>.....</p> <p>.....</p> <p>.....</p>	
Issuing licensing authority (if known)	gh Council.....

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

O

<p>Hours premises are open to the public Standard timings (please read guidance note 6)</p>	<p><u>State any seasonal variation</u> (please read guidance note 4)</p>																								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Day</th> <th style="width: 20%;">Start</th> <th style="width: 20%;">Finish</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Mon</td> <td style="text-align: center;">0900</td> <td style="text-align: center;">0200</td> </tr> <tr> <td style="text-align: center;">Tue</td> <td style="text-align: center;">0900</td> <td style="text-align: center;">0200</td> </tr> <tr> <td style="text-align: center;">Wed</td> <td style="text-align: center;">0900</td> <td style="text-align: center;">0200</td> </tr> <tr> <td style="text-align: center;">Thur</td> <td style="text-align: center;">0900</td> <td style="text-align: center;">0200</td> </tr> <tr> <td style="text-align: center;">Fri</td> <td style="text-align: center;">0900</td> <td style="text-align: center;">0200</td> </tr> <tr> <td style="text-align: center;">Sat</td> <td style="text-align: center;">0900</td> <td style="text-align: center;">0200</td> </tr> <tr> <td style="text-align: center;">Sun</td> <td style="text-align: center;">0900</td> <td style="text-align: center;">0200</td> </tr> </tbody> </table>	Day	Start	Finish	Mon	0900	0200	Tue	0900	0200	Wed	0900	0200	Thur	0900	0200	Fri	0900	0200	Sat	0900	0200	Sun	0900	0200	<p><u>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Day	Start	Finish																							
Mon	0900	0200																							
Tue	0900	0200																							
Wed	0900	0200																							
Thur	0900	0200																							
Fri	0900	0200																							
Sat	0900	0200																							
Sun	0900	0200																							

P Describe the steps you intend to take to promote the four licensing objectives:

a) General - all four licensing objectives (b, c, d, e) (please read guidance note 9)

The staff and Management of the premises will be informed and will understand the Licensing law. This covers staff responsibilities, vigilance, security, potential for persons underage. The business will ensure that there is observance as to the Legislation to prevent a irresponsible or illegal consumption of alcohol.

b) The prevention of crime and disorder

The Applicant will ensure that there is appropriate security arrangements and facilities to assist with Health & Safety responsibilities within the premises. The Applicant and his Management propose to work in partnership with the Local Authority, Police, Trading Standards, and any other Enforcement Agency to ensure that there is a safe and secure work environment for both staff and customers.

c) Public safety

The Applicant and its Management on site will take steps to assess and control property and fire related issues, and any others which impact directly on public safety. A Health & Safety Policy will be available to employees and risk assessments will be conducted.

d) The prevention of public nuisance

The Applicant will ensure that steps are taken to make sure that people in the premises will be mindful of neighbours and other premises in the location. Large groups of individuals will not be encouraged to assemble outside of the Applicants property, and where necessary liaison with Police and other retailers within the area will take place.

e) The protection of children from harm

Staff will be fully briefed of the Licensing Laws and Regulations, and proof of age requirements will be clearly displayed, and only passports, photo driving licences, pass logos and Citizens cards will be provided as acceptable ID where there is a question of age. If no proof is provided or in the event of any doubt then service will be refused.

Please tick Yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- 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 4 - Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date 25th November 2010

Capacity SOLICITOR

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Paris Smith LLP 1 London Road Southampton Hampshire	
Post town	Post code SO15 2AE
Telephone number (if	
you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

APPLICATION FOR A PREMISES LICENCE

OPERATING SCHEDULE

BACKGROUND

The premises are a former Branigans Public House, on the 1st and 2nd Floor of 15 - 17 High Street, Southampton, below the premises now a supermarket. The premises intends to serve both food and alcohol for customers at lunch time, during the afternoon and evening. The business caters for a range of customers including children with adults. The premises will have bar facilities, waiting facilities before tables are available, and in the past was a Branigans Public House which offered recorded music.

The application for the Premises Licence intends to offer restaurant conditions for the 1st and 2nd floor, subject to an allowance for people to have alcohol prior to their meal or indeed prior to dancing.

The relevant licensable activities to be conducted on the premises and intended times are shown in detail in Part 4 of the Operating Schedule on the Application for the Premises Licence.

The times during which it is proposed that relevant licensable activities are to take place.

The provision for alcohol between 1000 hours and 0130 hours on each day of the week.

Regulated entertainment between the hours of 1000 hours and 0130 hours on each day of the week

Late night refreshment between 2300 hours to 0100 hours.

Any other times when the premises are to be opened to members of the public

The opening hours of the premises are scheduled to be 0900 hours to 0200 hours Monday to Sunday inclusive.

Where the licensable activities include the supply of alcohol the name and address of the individual to be specified as a designated premises supervisor.

The designated Premises Supervisor

s held a Personal Licence

since the 1st August 2005.

Where the licensable activities include the supply of alcohol, whether the alcohol will be supplied for consumption on or off the premises.

The premises were previously licensed to supply alcohol on the premises. The provision of alcohol on the premises is a core part of the Business for people partaking of restaurant meals. The Applicant does not wish to have off sales added to the Licence.

The steps which the Applicant proposes to take to promote the Licensing objectives.

The Applicants consider that the premises will operate as a restaurant, but wants to have the facilities to have music and dancing on the 2nd floor of the premises, where there will be no obligation to purchase a meal, although tables and chairs for meals will be available.

The premises are intended to run in line with the conditions on the Licence, and it is intended to use the upstairs rooms primarily for corporate entertainment, and corporate conference meetings/functions.

Dated this 25th day of November 2010

.....

Solicitors for the Applicant

Consent of individual to being specified as premises supervisor

(full name of prospective premises supervisor)

I, Debra Lesley Powell

(home address of prospective premises supervisor)

(type of application)

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Premises Licence

(name of applicant)

by CRE8 Leisure Limited

(number of existing licence, if any)

relating to a premises licence

(name and address of premises to which the application relates)

for 1st and 2nd Floor
15 - 17 High Street
Southampton, SO14 2BT

(name of applicant)

and any premises licence to be granted or varied in respect of this application made by CRE8 Leisure Limited

(name and address of premises to which application relates)

concerning the supply of alcohol at

1st and 2nd Floor
15 - 17 High Street
Southampton, SO14 2BT

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

(insert personal licence number, if any)

Personal licence number 007561

(insert name and address and telephone number of personal licence issuing authority, if any)

Personal licence issuing authority
Sandwell Metropolitan Borough Council

Signed _____

Name Debra Lesley Powell
(please print)

Dated _____

Southampton City Council
Southbrook Rise,
4-8 Millbrook Road East
Southampton SO15 1YQ
Direct dial: 023 8083 2421
Our ref: 2010/02328/01SPRN -

Please address all correspondence to:
Licensing – Southampton City Council,
PO Box 1344, Southampton SO15 1WQ



E-mail: licensing@southampton.gov.uk
Please ask for: Hayley Montague

Mr. Cliff Morris
Paris Smith LLP
1 London Road
Southampton
SO15 2AE

30th November 2010

Dear Mr. Morris

Application for a Premises Licence
Cre8 Leisure Limited
Cre8 Leisure 1st And 2nd Floor 15 - 17 High Street Southampton SO14 2DF

Thank you for the above-mentioned application that was received on 29th November 2010.

Unfortunately we are unable to process your application due to the following:

1. The premises plan enclosed with your application does not meet the requirements of the Regulations as it does not show the location of the fire equipment contained in the premises. Please re-submit the plan showing fire equipment, preferably in electronic format to the above e-mail address.

Information about the application requirements is available on CityWeb at www.southampton.gov.uk/licensing.

If we do not receive your fully completed plan by 28th December 2010 we will assume that you do not wish to proceed. Please note that the plan must be re-submitted on the appropriate responsible authorities in accordance with the statutory regulations.

We await the completed DPS consent form.

Yours sincerely,

for Solicitor to the Council

http://svr-cor-lic1:8080/IDOXSoftware/IG_display/98400.doc?docid=98400&appid=44&location=VOLUME1&ext=doc&page=0&size=1&version=0&ftrString=&code=YQOHHEILUZ

If you require this letter or future correspondence from us in a different format (eg. tape, Braille or disc) please do not hesitate to let us know.

Licensing Team
Southampton City Council
PO Box 1344
Southampton
Hampshire
SO15 1WQ

Our ref CGM/mcm/98192/1
Your ref
Date 2 December 2010
Direct line 023 8048 2289
Direct fax 023 8048 2368
Email cliff.morris@parissmith.co.uk

Dear Sirs

Our Client: Cre8 Leisure Limited
Premises: 1st and 2nd Floor, 15 - 17 High Street, Southampton
Application for a Premises Licence

We enclose herewith the Consent of the individual specified as a Premises Supervisor which was missing from the earlier application.

Yours faithfully

Enc

O:\CLIENTS\98192\1\CORRES\2010\1202_CGM.MCM.LET.SOTONCC.111859.DOC

Number 1 London Road Southampton Hampshire SO15 2AE
t: 023 8048 2482 f: 023 8063 1835
DX 38534 SOUTHAMPTON 3
e: info@parissmith.co.uk www.parissmith.co.uk



Regulated by the Solicitors Regulation Authority
able for inspection at the registered office address shown above
g style of Paris Smith LLP which is a Limited Liability Partnership
Registered in England number OC308962

Consent of individual to being specified as premises supervisor

(full name of prospective premises supervisor)

I, Debra Lesley Powell

(home address of prospective premises supervisor)

(type of application)

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Premises Licence

(name of applicant)

by CRE8 Leisure Limited

(number of existing licence, if any)

relating to a premises licence

(name and address of premises to which the application relates)

for 1st and 2nd Floor
15 - 17 High Street
Southampton, SO14 2BT

(name of applicant)

and any premises licence to be granted or varied in respect of this application made by CRE8 Leisure Limited

(name and address of premises to which application relates)

concerning the supply of alcohol at

1st and 2nd Floor
15 - 17 High Street
Southampton, SO14 2BT

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

(insert personal licence number, if any)

Personal licence number 007561

(insert name and address and telephone number of personal licence issuing authority, if any)

Personal licence issuing authority

Sandwell Metropolitan Borough Council



Name Debra Lesley Powell
(please print)

Dated 26-11-10

Licensing Team
Southampton City Council
PO Box 1344
Southampton
Hampshire
SO15 1WQ

Our ref CGM/mcm/98192/1
Your ref
Date 2 December 2010
Direct line 023 8048 2289
Direct fax 023 8048 2368
Email cliff.morris@parissmith.co.uk

SECOND LETTER

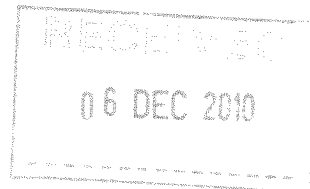
Dear Sirs

Our Client: Cre8 Leisure Limited
Premises: 1st and 2nd Floor, 15 - 17 High Street, Southampton
Application for a Premises Licence

We refer to the above and we enclose herewith a copy of the advert placed in the Southern Daily Echo on Tuesday 30th November for your information.

Yours faithfully

Enc



O:\CLIENTS\198192\1\CORRES\20101202.CGM.MCM.LET.SOTONCC.114646.DOC

Number 1 London Road Southampton Hampshire SO15 2AE
t: 023 8048 2482 f: 023 8063 1835
DX 38534 SOUTHAMPTON 3
e: info@parissmith.co.uk www.parissmith.co.uk



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is available for inspection at the registered office address shown above
trading style of Paris Smith LLP which is a Limited Liability Partnership
Registered in England number OC308962

Licensing Team
Southampton City Council
PO Box 1344
Southampton
Hampshire
SO15 1WQ

Our ref
Your ref
Date
Direct line
Direct fax
Email

CGM/mcm/98192/1
2010/02328/01SPRN
8 December 2010
023 8048 2289
023 8048 2368
cliff.morris@parissmith.co.uk

BY EMAIL & POST: **licensing@southampton.gov.uk**

Dear Sirs

Our Client: Cre8 Leisure Limited
Premises: 1st and 2nd Floor, 15 - 17 High Street, Southampton
Application for a Premises Licence

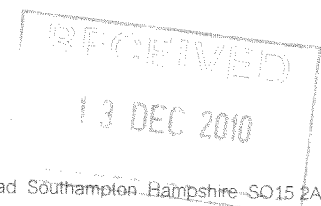
We thank you for your letter returning the plans in relation to the location of smoke alarms and fire safety equipment. We would indicate that we are awaiting details from our clients in this regard.

As we understand it, the premises are currently in the process of being "fitted out" hence the lack of the alarms on the plans.

We have asked our client to respond as quickly as possible, and in the meantime, we would be grateful if you would confirm that you will not terminate our client's application.

Yours faithfully

C:\CLIENTS\98192\1\CORRES\2010\208.CGM.MCM.LET.SOTONCC.104946.DOC



Number 1 London Road Southampton Hampshire SO15 2AE
t: 023 8048 2482 f: 023 8063 1835
DX 38534 SOUTHAMPTON 3
e: info@parissmith.co.uk www.parissmith.co.uk



Regulated by the Solicitors Regulation Authority
A list of members is available for inspection at the registered office address shown above
Trading style of Paris Smith LLP which is a Limited Liability Partnership
Registered in England number OC308962

Licensing Team
Southampton City Council
PO Box 1344
Southampton
Hampshire
SO15 1WQ

Our ref
Your ref
Date
Direct line
Direct fax
Email

CGM/mcm/98192/1
2010/02328/01SPRN
14 January 2011
023 8048 2289
023 8048 2368
cliff.morris@parissmith.co.uk

Dear Sirs

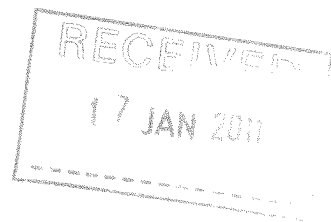
Our Client: Cre8 Leisure Limited
Premises: 1st and 2nd Floor, 15 - 17 High Street, Southampton
Application for a Premises Licence

Further to the previous application we have submitted, we enclose herewith a copy of the Plans duly amended to show fire alarms, smoke detectors and fire exits.

We confirm for the avoidance of doubt, that we have not re-coloured the plans and the previous plans should be in order.

Yours faithfully

Encs



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Number 1 London Road Southampton Hampshire SO15 2AE
t: 023 8048 2482 f: 023 8063 1835
DX 38534 SOUTHAMPTON 3
e: info@parissmith.co.uk www.parissmith.co.uk



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Trading style of Paris Smith LLP which is a Limited Liability Partnership
Registered in England number OC308962

From: Marshman, Ivan [ivan.marshman@hampshire.pnn.police.uk]
Sent: 26 January 2011 14:37
To: Licensing
Subject: FW: Cre8 Leisure 15-17 High Street, Southampton
Sir,

With the conditions added below- Hampshire constabulary have no objections.

Thanks

Ivan

PS 3555 MARSHMAN

Violent Crime & Licensing Sgt
Southampton Central Police Station
Havelock Road,
Southampton.
S014 7LG
Tel 02380 674768

From: Marshman, Ivan
Sent: 24 January 2011 16:28
To: 'Cliff Morris'
Subject: RE: Cre8 Leisure 15-17 High Street, Southampton

Cliff,

Not a problem. I'll forward this onto the council stating that Police have no objections.

Thanks

Ivan

PS 3555 MARSHMAN

Violent Crime & Licensing Sgt
Southampton Central Police Station
Havelock Road,
Southampton.
S014 7LG
Tel 02380 674768

From: Cliff Morris [mailto:Cliff.Morris@parissmith.co.uk]
Sent: 24 January 2011 15:24
To: Marshman, Ivan

As discussed here are some proposed conditions to assist your client in promoting the four licensing objectives.

1) On days when the venue uses the premise to hold regulated entertainment, from 30 minutes before the entertainment starts until all members of the public have been successfully dispersed from the immediate area - at the closure of the venue At least two door SIA registered supervisors shall be on duty.

For the avoidance of doubt regulated entertainment will include, recorded music for the purpose of dancing, dancing, DJ's and any other form of entertainment hired for payment.

Door staff will be employed to help prevent disorder and assist with quietly dispersing customers to the reasonable satisfaction of Hampshire Constabulary. .

2)

The premises shall have sufficient cameras located within the premises to cover all public areas within reason and to cover any areas outside including but not limited to those used for smoking areas, queuing or other activities associated with the premises. The system should be able to cope with all levels of illumination throughout the premises as well as outside areas.

All equipment shall have a constant and accurate time and date generation.

There shall be sufficient members of trained staff available during operating hours to be able to provide viewable copies at the request of the police or authorised officer.

CCTV warning signs to be fitted in public places.

Recordings to be kept for a minimum of 28 days.

The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected

Recording equipment is to be housed in a secure place restricting access to authorised persons. (This can be on a computer which is password protected.)

All systems, signage, hardware and procedures are to be installed / implemented to the reasonable satisfaction of Hampshire Constabulary.

3) The Venue will be a member of the local License link scheme and run a Challenge 25 policy to the reasonable satisfaction of the Hampshire Constabulary and Licensing Authority

4) An incident book will be provided and maintained at the premises (when door staff are used) and there will be a daily debrief of door staff at the close of business to the reasonable satisfaction of Hampshire Constabulary and Southampton City Council Licensing Authority.

5) Last entry to the premise will be at midnight.

6) The Volume of music intended for the purpose of dancing will be reduced at 0130 hours and lighting raised to aid the dispersal of persons within the venue.

Let me know your thoughts.

Thanks

Ivan



HAMPSHIRE
FIRE AND
RESCUE
SERVICE

Paris Smith
1 London Road
Southampton
Hampshire
SO15 2AE

Hampshire Fire and Rescue Service
Service Delivery (Community Safety Delivery)
Protection Department
Southsea Fire Station
Somers Road
Southsea
Hampshire
PO5 4LU

Tel: 02392 855180

Fax: 02392 855175

Email: csprotection.admin@hantsfire.gov.uk

Date: 5 December 2010

Enquiries To: Mr Wilson

Extension:

My Reference: F6/JW/SAH/00818948

Your Reference:

Dear Sirs

Licensing Act 2003

1st & 2nd Floor, 15-17 High Street, Southampton, SO14 2PA

I refer to the application dated in respect of an application for a Premises Licence for the above premises.

The plans submitted with the application do not show sufficient detail and are therefore not in accordance with 17(3) of The Act. Please submit a plan for the licensed area in the approved format so that the application can be fully considered.

The plan should include details of means of escape provisions, signage, fire alarm system, emergency lighting and accurate scaling so that an assessment of the occupancy may be undertaken.

Any queries concerning these matters may be directed to the inspector named above.

Yours faithfully

for Chief Officer



cc: Licensing Officer, Southampton City Council, PO Box 1344, SOUTHAMPTON, SO15 1WQ

From: Wilson, John [john.wilson@hantsfire.gov.uk]
Sent: 21 January 2011 12:09
To: Burke, John
Subject: 15-17 High Street Southampton

Attachments: image001.jpg

John.....please see attached letter I am sending to Paris Smith and yourself.....I have spoken to Clive Morriss of PS and agreed I would await further information as shown in letter. If this application stands as proposed I can see the Fire Authority making representations...regards..John Wilson... 07918888077

Paris Smith
 1 London Road
 Southampton
 Hampshire
 SO15 2AE

Hampshire Fire and Rescue Service
 Service Delivery (Community Safety Delivery)
 Protection Department
 Southsea Fire Station
 Somers Road
 Southsea
 Hampshire
 PO5 4LU

Tel: 02392 855180

Fax: 02392 855175

Email: csprotection.admin@hantsfire.gov.uk

Date: 26 January 2011

Enquiries To: Mr Wilson

My Reference: F6/JW/SAH/00818948

Extension:

Your Reference: CGM/mem/98192/1

Dear Sirs

Licensing Act 2003

1st & 2nd Floor, 15-17 High Street, Southampton, SO14 2PA

I refer to the application dated 25 November 2010 in respect of an application for a Premises Licence for the above premises.

Further to your letter dated 14 January 2011 and the subsequent telephone conversation with one of my inspectors on 19 January 2011 the following points are raised:

My inspector has based this report on the Home Office Guide Fire Safety. Large places of assembly ISBN.13:978 1 85112 8211.

External Fire Escapes

Clarification and additional information will be provided showing the egress from the base of the external fire escape to a place of ultimate safety.

Means of Escape/Exit Routes

The number, location and width of the means of escape routes from the first and second floors do not appear to support the proposed maximum occupancy details on the plan.

Final exit doors and doors on means of escape routes should open in the direction of escape. Inward opening doors would seriously affect occupancy.

-2-

Members of the public should not have to pass through areas of higher fire risk, in this case the live kitchen, to reach an exit.

In simultaneous evacuation a stair width of 1500mm may only accommodate 360 persons. Neither of the two stairs serving the first and second floors are protected stairways so one should be discounted in calculating occupancy. This also has an impact on measurement of travel distance.

Exit (door) widths of 750mm can accommodate 100 persons and door widths of 1500mm can accommodate 290 persons in normal risk premises.

Staff working in the second floor kitchen have excessive travel distance in one direction to reach an exit.

It is recommended that these considerations which clearly impact on the occupancy be addressed at an early stage.

Any queries concerning these matters may be directed to the inspector named above.

Yours faithfully

for Chief Officer

cc: Licensing Officer, Southampton City Council, PO Box 1344, SOUTHAMPTON, SO15 1WQ

From: White, John
Sent: 19 January 2011 15:12
To: Licensing
Subject: FW: 2010/02328/0/SPRN - 1st And 2nd floor, 15 - 17 High Street - Application for a premises licence (Cre8 Leisure Ltd.)

Importance: High

John White

Licensing Enforcement Officer
 Legal and Democratic Services
 Southampton City Council

Tel: 023 8083 2749
 Fax: 023 8083 4061
 e-mail: john.white@southampton.gov.uk
 web: www.southampton.gov.uk/licensing
 post: Licensing - Southampton City Council
 PO Box 1344, Southampton. SO15 1WQ

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From: Rains, Tim
Sent: 19 January 2011 14:33
To: White, John
Cc: Wainwright, Peter
Subject: 2010/02328/0/SPRN - 1st And 2nd floor, 15 - 17 High Street - Application for a premises licence (Cre8 Leisure Ltd.)
Importance: High

John,

Further to our telephone conversation regarding this, I confirm that we in Environmental Health are concerned about public nuisance from the aforementioned premises. To date, I have received no information detailing specific and detailed measures the applicants may have planned to prevent public nuisance. Furthermore, my requests to the applicants, via Paris Smith, for a site meeting, have not been responded to.

I, therefore, submit a representation on behalf of environmental health.

Tim Rains
 Environmental Health Officer
 Food Safety
 Southampton City Council
 02380 917541

From: Rains, Tim

Sent: 28 January 2011 14:59

To: Licensing

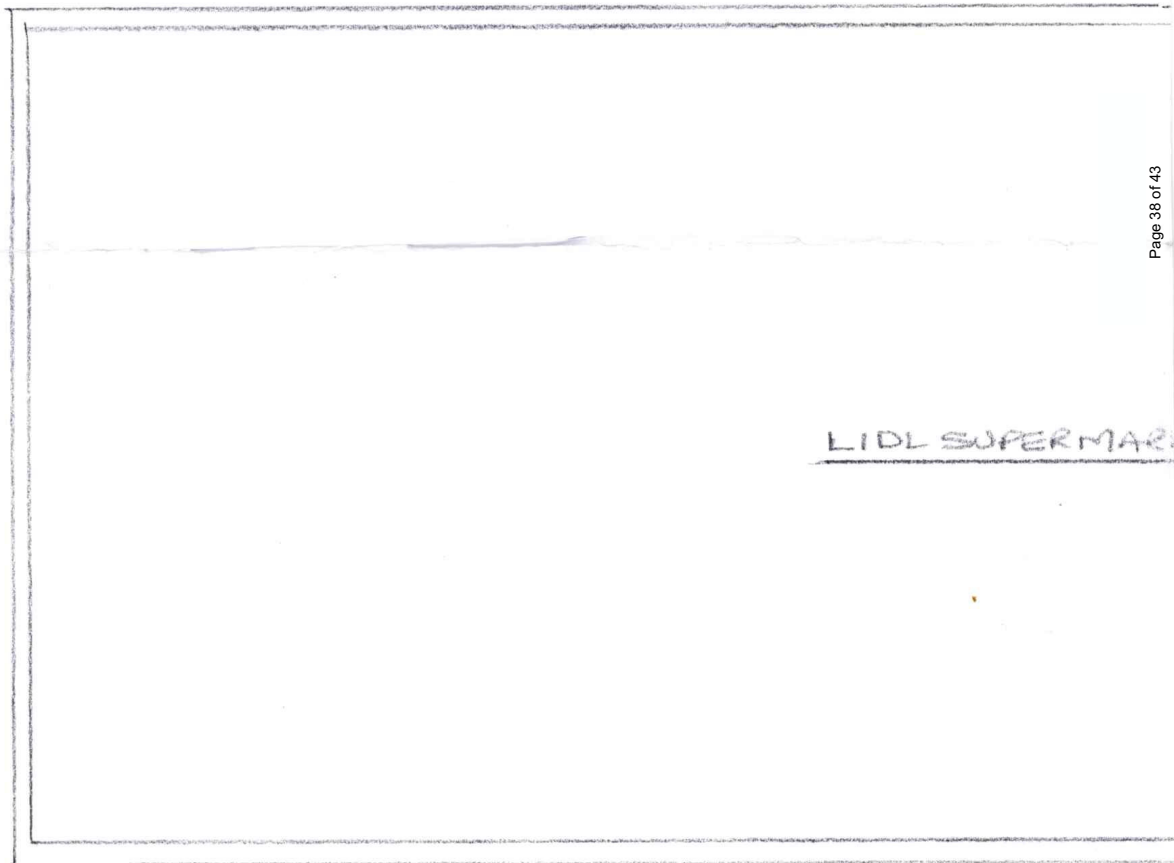
Subject: First and second floors 15 - 17 High St Southampton

Further to my site meeting with representatives from Cre8 leisure, and Paris Smith Solicitors. I confirm that I now await an independent acoustic report / scheme to satisfy me that the premises is indeed suitable for the regulated entertainments being applied for. Subject to the results of an acoustic report and necessary works being carried out, I may in future withdraw the representation.

Tim Rains

(Environmental Health Officer)

GROUND FLOOR
REFUSE AREA
SEE
DRAWING 002A
&
DRAWING 006

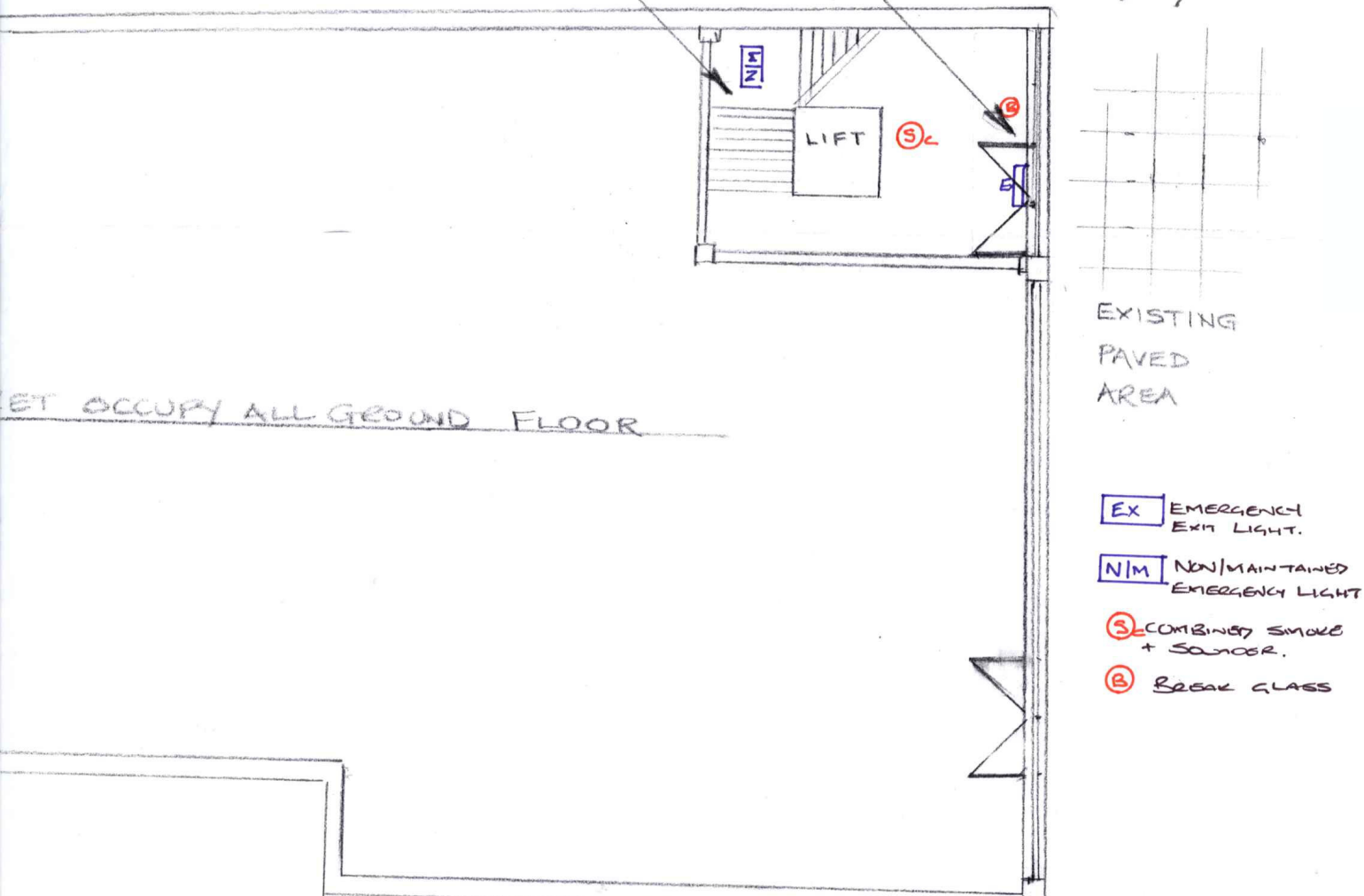


LIDL SUPERMARKET



NEW GROUND FLOOR SLAB
NEW STAIRS
NEW LIFT
AT PRESENT THIS IS
A 5m x 4m HOLE
THROUGH TO BASEMENT

EXISTING
DOUBLE
DOORS (WILL CHANGE
OPENING DIRECTIONS
SHOULD B. CONTROL
OR FIRE OFFICER
RECOMMEND)



LET OCCUPY ALL GROUND FLOOR

EXISTING
PAVED
AREA

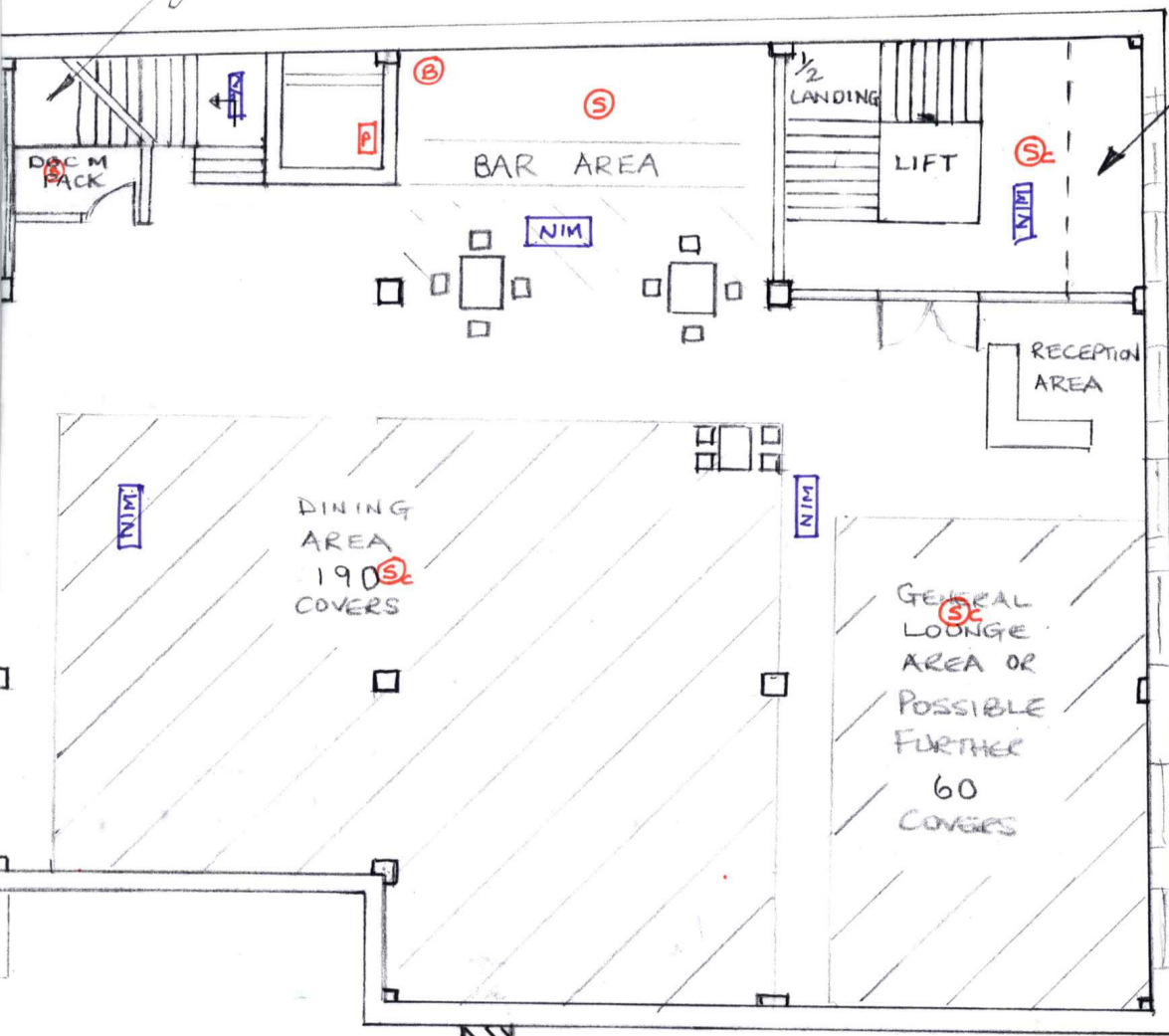
- EX** EMERGENCY EXIT LIGHT.
- N/M** NON/MAINTAINED EMERGENCY LIGHT
- S** COMBINED SMOKE + SOUNDER.
- B** BREAK GLASS

15-17 HIGH ST SO14 2BT	
PROPOSED RESTAURANT AND BAR	
SCALE 1:100	DRAWING No DS/SR/PY005
PHIL YATE ASJ	13 TH OCTOBER '10



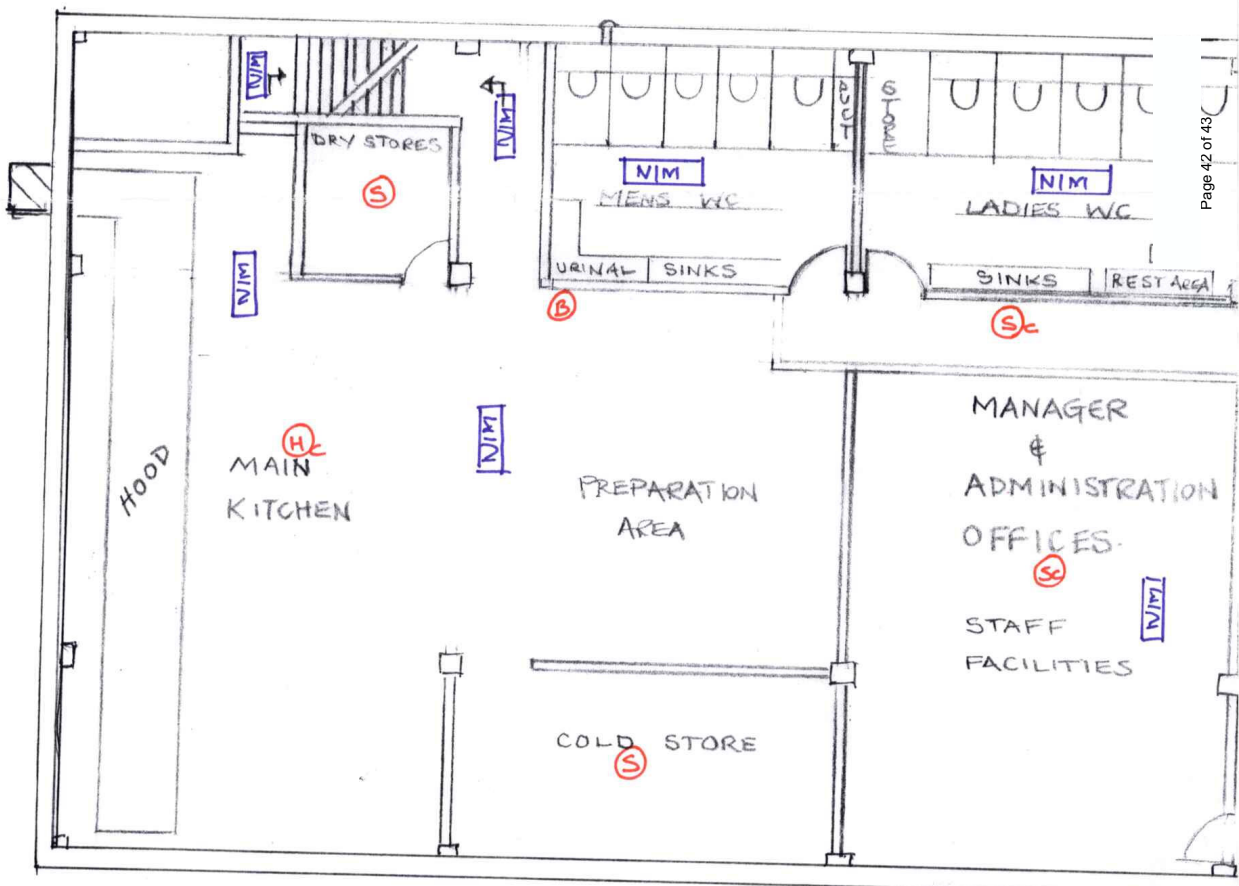
DISABLED WC
PART UNDER
STAIRS

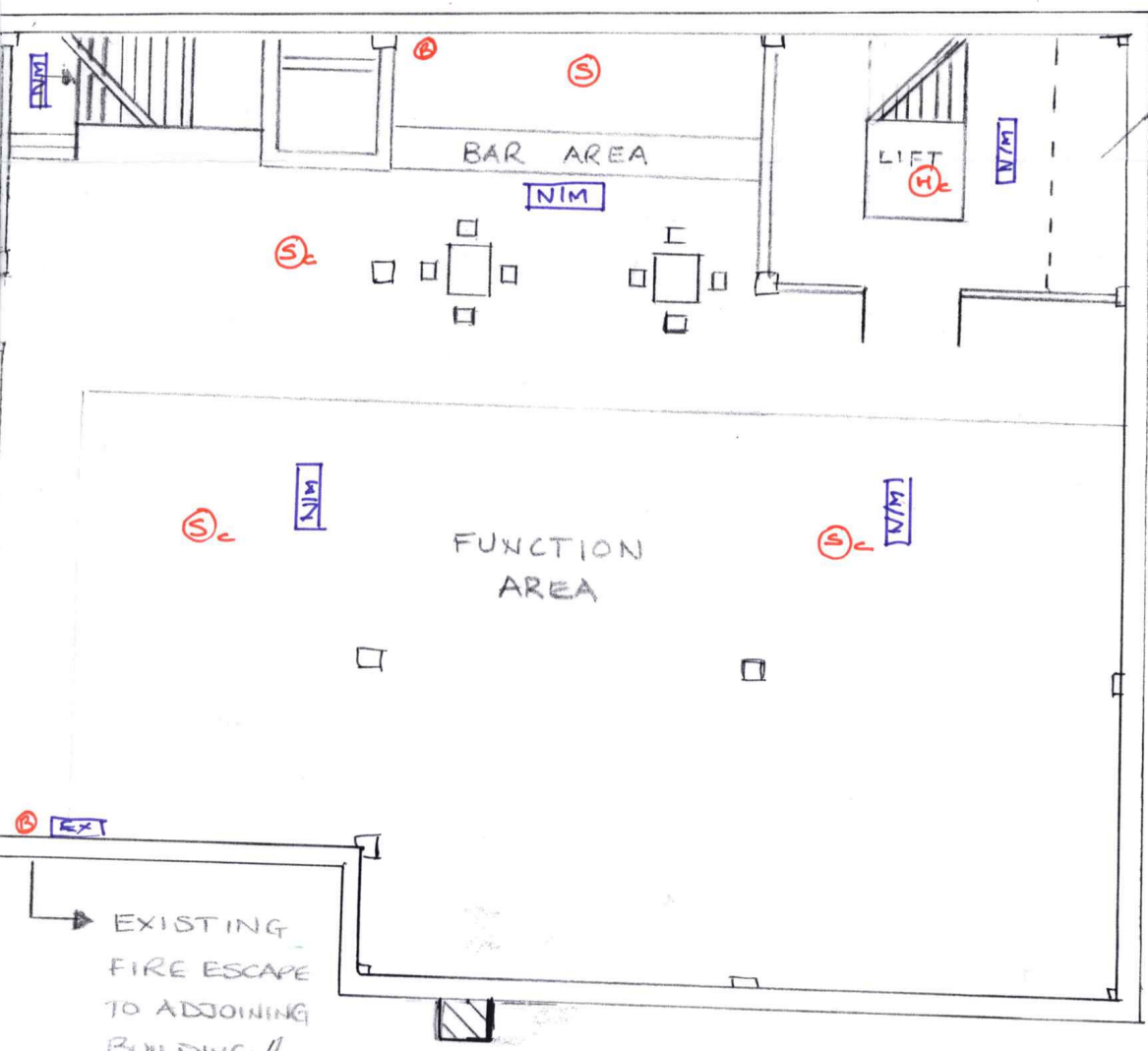
WHEEL CHAIR
REFUGE
AREA



- N/M** NON MAINTAINED EMERGENCY LIGHT
- EX** MAINTAINED EXIT LIGHT
- P** FIRE ALARM PANEL
- B** BREAK GLASS
- S** SMOKE DETECTOR
- Hc** COMBINED HEAT AND SOUNDER
- Sc** COMBINED SMOKE AND SOUNDER

1ST FLOOR





WHEELCHAIR REFUGE AREA

- EX** MAINTAINED EXIT LIGHT.
- NIM** NON-MAINTAINED EMERGENCY LIGHT.

- B** BREAK GLASS
- S** SMOKE DETECTOR.
- H** COMBINED HEAT AND SOUND.
- Sc** COMBINED SMOKE AND SOUND.

FOR FIRE, WBS OR ALLIENZ OLIVER

2ND FLOOR