

# Licensing (Licensing and Gambling) Sub-Committee

Thursday, 17th November, 2011  
at 9.30 am

## PLEASE NOTE TIME OF MEETING

Conference Room 3 - Civic Centre

This meeting is open to the public  
**Members**

Councillor Cunio  
Councillor B Harris  
Councillor Parnell

### Contacts

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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 Seven Priorities

- More jobs for local people
- More local people who are well educated and skilled
- A better and safer place in which to live and invest
- Better protection for children and young people
- Support to the most vulnerable people and families
- Reducing health inequalities
- Reshaping the Council for the future

### 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 2011/12

<b>2011</b>	<b>3 NOVEMBER</b>
<b>19 MAY</b>	<b>17 NOVEMBER</b>
<b>2 JUNE</b>	<b>1 DECEMBER</b>
<b>16 JUNE</b>	<b>15 DECEMBER</b>
<b>30 JUNE</b>	<b>2012</b>
<b>14 JULY</b>	<b>5 JANUARY</b>
<b>28 JULY</b>	<b>12 JANUARY</b>
<b>11 AUGUST</b>	<b>9 FEBRUARY</b>
<b>25 AUGUST</b>	<b>23 FEBRUARY</b>
<b>8 SEPTEMBER</b>	<b>8 MARCH</b>
<b>22 SEPTEMBER</b>	<b>22 MARCH</b>
<b>6 OCTOBER</b>	<b>5 APRIL</b>
<b>20 OCTOBER</b>	<b>19 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 meeting held on 6<sup>th</sup> October and 20<sup>th</sup> October 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 - CO-OP, 125 FOUNDRY LANE, SOUTHAMPTON, HAMPSHIRE, SO15 3GF**

Report of the Head of Legal and Democratic Services, detailing an application for a premises licence in respect of Co-op, 125 Foundry Lane, Southampton, Hampshire, SO15 3GF, attached.

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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> October and 20<sup>th</sup> October 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 OCTOBER 2011

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Present: Councillors Cunio, Drake (Item 40-45) , Osmond (Item 46) and Thomas

Apologies: Councillor Brian Parnell

40. **ELECTION OF CHAIR**

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

**COUNCILLOR THOMAS IN THE CHAIR**

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

The Panel noted that Councillor Thomas was in attendance as a nominated substitute for Councillor Parnell and Councillor Osmond was in attendance as a nominated substitute for Councillor Drake for Item 46, in accordance with Council Procedure Rule 4.3.

42. **DISCLOSURE OF PERSONAL AND PREJUDICIAL INTERESTS**

Councillor Drake declared a personal and prejudicial interest in Item 46 and withdrew from the meeting.

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

**RESOLVED** that the minutes of the meeting held on 22<sup>nd</sup> September 2011 be signed as a correct record. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

44. **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 predetermined point whilst the Sub-Committee reach its decisions.

45. **APPLICATION FOR A PREMISES LICENCE - RAJ OF SHIRLEY, 19 ROMSEY ROAD, SOUTHAMPTON, SO16 4BY**

The Sub-Committee considered the application for a premises licence in respect of Raj of Shirley, 19 Romsey Road, Southampton, SO16 4BY. (Copy of the report circulated with the agenda and appended to signed minutes).

Mr and Mrs Rahman, Owners, PS Marshman and PC Harris, Hampshire Constabulary, were present and with the consent of the Chair, addressed the meeting.

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

**RESOLVED**

- (i) that the agreed extension of hours be as follows:-  
Sunday – Thursday : 17h00 - 0h30  
Friday and Saturday : 17h00 - 1h30
- (ii) that the agreed condition relating to the Incident Book be attached to the licence; and
- (iii) that the CCTV condition be attached to the licence, subject to the following amendments:-
  - the final paragraph should state after the telephone number “or other number as notified from time to time”; and
  - the following wording should be added to the condition “the CCTV shall be to a standard and operated with a procedure to be agreed in advance, in writing, by the police, prior to the commencement of licensable activities”.

**REASONS**

The Sub-Committee considered carefully the application for a premises licence and gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted statement of licensing policy, human rights legislation and representations made, both written and given orally by both parties.

The Sub-Committee noted that the premises licence holder had co-operated with Hampshire Constabulary and that the condition relating to the Incident Book had been agreed.

The Sub-Committee had considered very carefully the evidence of the police, in particular relating to the prevention of crime and disorder and was satisfied that in all the circumstances, it was necessary and proportionate to require the provision of CCTV at the premises. This conclusion was based on the specific evidence of the police relating to the likely increase in problems at the premises at a later hour. It was stressed that the financial cost was not a factor that the Sub-Committee had borne in

mind whilst making the decision and that it had focussed upon the four licensing objectives, in particular the prevention of crime and disorder.

46. **APPLICATION FOR A REVIEW OF A PREMISES LICENCE - 90 DEGREES AT CARLTONS, 24 CARLTON PLACE, SO15 2DY**

The Sub-Committee considered the application to vary a premises licence in respect of 90 Degrees at Carltons, 24 Carlton Place, Southampton, SO15 2DY. (Copy of report circulated with agenda and appended to signed minutes).

Mr N Raftopolous, Designated Premises Supervisor (DPS), Mr L Weston (Counsel for 90 Degrees), Mr C Morris, Solicitor, Mr A Winder, Head Door Manager (Securidoors), Mr D Curtis, Head Door Supervisor, PS Marshman and PC Harris, Hampshire Constabulary and Miss S Nevill and Mrs J Nevill, Witnesses, were present and with the consent of the Chair, addressed the meeting.

The Sub-Committee accepted legal advice and refused applications to exclude police evidence on two grounds namely :-

- (i) that evidence not submitted with the application is inadmissible in accordance with Section 51 of the Licensing Act 2003 and Regulation 16 of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005; and
- (ii) that any evidence relating to the licence prior to a variation application and subsequent grant of amended premises licence did not relate to the current licence in existence.

The applications were refused for the following reasons:-

- (i) Regulation 16 of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 relates to the application specifically and not supplemental or additional evidence. Further, Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005 state that "the Authority may take into account documentary or other information produced by a party in support of their application.....before the hearing"; and
- (ii) the fact that a premises licence had been varied and in this instance only in order to amend the plan, did not amount to the creation of a "new licence" detached in its entirety from the previous. In the circumstances the premises were the same, the premises licence holder was the same and the DPS was the same and as a result the Sub-Committee determined that the evidence relating to a period prior to the variation should be admissible.

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

**RESOLVED**

- (i) that the condition relating to CCTV should not be attached to the premises licence;

- (ii) that the condition relating to the Incident Book be attached to the premises licence and in addition the wording of the condition should require the prior written approval of the Police of the procedure to be implemented;
- (iii) that the condition relating to Training as set out in the report be attached to the licence and in addition the wording of the condition should require the prior written approval of the police of the content and scope of any training to be provided;
- (iv) that the condition relating to the Dispersal Policy should not be attached to the licence;
- (v) that the condition relating to the Toilet Check Policy be attached to the licence as set out in the police application;
- (vi) that the condition relating to the Challenge 25 Policy be attached to the licence as set out in the police application; and
- (vii) that the application for the removal of the Designated Premises Supervisor be refused at the present time.

## **REASONS**

The Sub-Committee considered carefully the application for a review of the premises licence and gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted statement of Licensing Policy, human rights legislation and the evidence submitted by all parties, including the witnesses, both written and given orally today.

In relation to the proposed condition regarding CCTV at the premises the Sub-Committee was not satisfied that there was sufficient evidence to justify an additional condition at this time. CCTV evidence produced during the course of the hearing appeared to be of a satisfactory quality and no police evidence was presented with regards to any failings in either recording of images, quality of images, location of cameras or production of evidence/images when required.

The Sub-Committee considered very carefully the arguments of the premises licence holder to the effect that the Incident Book was not necessary. It rejected the argument that it would only be considered necessary if evidence could prove that if such incidents were recorded, an alternative outcome would have been the result. On balance it accepted the police argument that an incident book as a management tool, would allow management to direct and target resources to issues as they arose and specifically enable the management at the premises to identify issues of concern. Likewise, an incident book at the premises would enable the police to assess those issues and direct resources in co-operation with the premises licence holder to those particular issues or days of the week that created a problem.

The Sub-Committee considered the premises licence holder's recent actions with regard to training but was mindful of the fact that there was a need for training in light of the issues and evidence submitted, and that such training should be maintained on an on-going basis, in co-operation with the police. Accordingly, in light of the issues evidenced, it was felt appropriate that any training be approved by the police in advance.

It was accepted that as the premises licence holder asserted that there were few, if any issues with drug taking at the premises, nonetheless, there were serious concerns with regards to patrons being heavily intoxicated in the premises and in particular, incidents within the toilet areas. As a result, it was felt necessary, in this instance, to require that the toilet areas be checked, as a minimum, every half an hour. If, as a by product, this also helped prevent drug misuse at the premises, then this could only be seen as a positive outcome, but it was not the Sub-Committee's main consideration. That said, the Sub-Committee was mindful that the relevant licensing objective related to the prevention of crime and disorder.

The Sub-Committee felt that despite the premises licence holder's case that a Challenge 25 Policy would hinder its operation on those evenings that the premises catered for a younger clientele, it accepted the apparent endorsement of the Challenge 25 Scheme by the police and in particular the door staff giving evidence. Further, the premises licence holder's argument that statistically one incident ought not make the policy necessary was rejected. It was felt that this one incident was of a sufficiently serious nature to warrant the checks and balances of the Policy in order to attempt to ensure that those under age are not permitted entry. In combination, these factors were felt to make the condition sufficiently necessary and proportionate.

The Sub-Committee stressed that it held very real concerns regarding the competence of the Designated Premises Supervisor (DPS) at the premises, however, it has taken into account the long period of experience and the enthusiasm and hands-on approach demonstrated. The DPS must be very strongly warned, in the strictest terms, that further issues resulting in a future review of the premises licence would be considered extremely seriously and his position as DPS might well be put in jeopardy should matters not improve.

The Sub-Committee was concerned about the level of drunkenness at the premises and despite the applicant's arguments to the contrary, did feel that the evidence presented, showed a causal link between those found to have been heavily intoxicated and requiring assistance. It was accepted that proprietors face the issue of pre-loading, however, it was for this very reason that impeccable procedures were required to check on patrons as they entered the premises. This clearly had failed and it was the Sub-Committee's hope that the conditions now imposed and ongoing co-operation with the police would lead to an improvement.

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LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 20 OCTOBER 2011

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Present: Councillors Cunio, Drake and Osmond

Apologies: Councillor Councillor Parnell

47. **ELECTION OF CHAIR**

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

COUNCILLOR CUNIO IN THE CHAIR

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

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

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 predetermined point whilst the Sub-Committee reach its decisions.

50. **APPLICATION TO VARY A PREMISES LICENCE - UNIT, 113 ST MARY'S ROAD, SOUTHAMPTON, SO14 OAN**

The Sub-Committee considered the application to vary a premises licence in respect of Unit, 113 St Mary's Street, Southampton, SO14 OAN. (Copy of the report circulated with the agenda and appended to signed minutes).

Mr Kirk (Counsel for Unit), Mr Rathore (Solicitor), Mr Lovell, Owner, Mr Downton, Designated Premises Supervisor, PC Harris, PC Wood and Miss Jerran, Hampshire Constabulary and Mr Pitt, Resident (Objector) were present and with the consent of the Chair, addressed the meeting.

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

Legal advice was accepted by the Sub-Committee in relation to the Cumulative Impact Policy. It was noted that the premises is located within the boundary of a previously identified stress area, and was subject to the provisions of the formally adopted Cumulative Impact Policy "CIP" ( adopted 13 May 2009, confirmed upon review 17 November 2010) that applied to that area.

The Committee noted in particular that:-

- one effect of the CIP was that a *rebuttable presumption* applied to applications for substantial variations to existing premises, and that whether a variation was substantial for the purposes of this policy was a matter that the Licensing Authority had to determine in any instance of doubt.
- The *rebuttable presumption* was that such applications should be refused.
- the standard of proof for the consideration by the Committee of any matter relating to cumulative impact should be on the balance of probabilities.
- Licensing Policy CIP2 16.9 provides that the onus was upon applicants to demonstrate through their Operating Schedule and where appropriate supporting evidence, that the operation of the premises would not add to the cumulative impact already being experienced

**RESOLVED** that the application for the variation of this premises licence, be refused in its entirety.

### **REASONS**

The Sub-Committee considered very carefully the application to vary the premises licence at Unit and gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted statement of Licensing Policy, in particular policies CIP 1- CIP 5, human rights legislation and the evidence submitted by all parties, both written and given orally today.

1. The Sub-Committee determined that the variation sought was substantial because it would extend the licensable activities on the days specified further into the early hours of the morning.
2. Having determined that the variation sought was substantial the rebuttable presumption that the application be refused applied and the burden of proof was upon the applicant to establish on the balance of probabilities that there would be no cumulative impact on one or more of the licensing objectives.
3. The Sub-Committee accepted the evidence of the Police concerning incidents connected with the premises and in the vicinity, although not directly linked to the premises.
4. Further, the Sub-committee accepted the police statistical analysis concerning the night time economy and the conclusions drawn as to the likely effect of any increase in opening hours.
5. The Sub-Committee accepted the evidence of the local residents as to the noise and other nuisance they have experienced in the early hours, arising from patrons leaving Unit and also from other persons moving through the area as part of the night time economy. The Sub-committee gave significant weight to the evidence of Mr Pitt in this regard and noted the proximity of the premises to the neighbouring residential properties.
6. The Sub-Committee carefully considered the submissions made on behalf of the applicant, and in particular concerning a suggested reduction in problems of nuisance that would result from an extension of hours. However, the committee



was not satisfied that this assertion in relation to an increase in Wednesdays and Saturdays was supported by sufficient evidence, and although there had been a limited number of TENS during September and October, again the committee found that these did not provide sufficient weight.

7. The Sub-Committee noted that the applicant had introduced some improvements and positive measures including sound attenuation and CCTV, new door staff and revised policies, however, determined that these measures did not resolve the main issues.
8. Weighing up all these findings and evidence, the Sub-Committee decided that the applicant had not satisfied the burden of proof imposed upon it and consequently refused the application.

## RECOMMENDATIONS

The Sub Committee suggested that the applicants:-

- join Licensing Link ;
- make and keep contact with local people through the Residents Association;  
and
- engage with the local engagement officer (via the police)

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# Agenda Item 7



Reference: 2011/02415/01SPRN

Hearing:

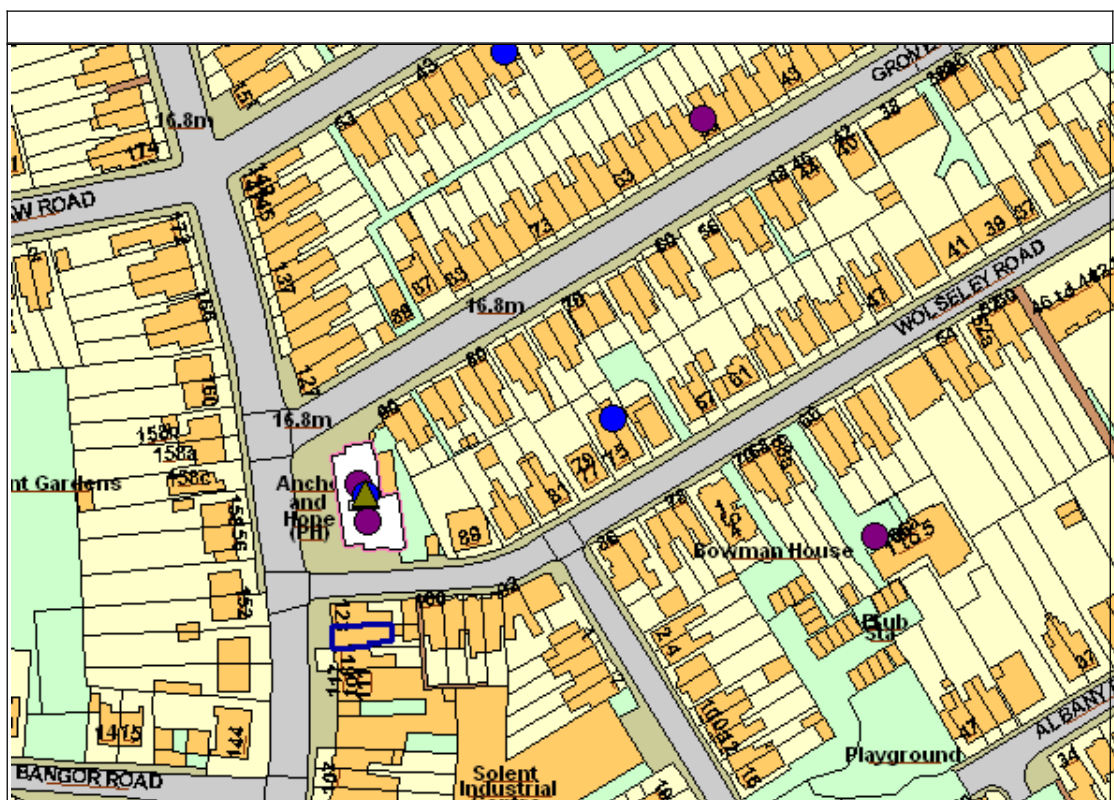
17th November 2011

## Application for Premises Licence

Premises Name: Co-op  
 Premises Address: 125 Foundry Lane  
 Southampton  
 Hampshire  
 SO15 3GF

Application Date: 3rd October 2011  
 Application Received Date: 4th October 2011

Application Valid Date: 4th October 2011



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## Representation From Responsible Authorities

Responsible Authority	Satisfactory?	Comments
Child Protection Services - Licensing	Yes	

Hampshire Fire And Rescue - Licensing	Yes	
Environmental Health - Licensing	No response received	
Planning & Sustainability - Building Control - Licensing	No response received	
Planning & Sustainability - Development Control - Licensing	No response received	
Police - Licensing	Yes	
Trading Standards - Licensing	Yes	

### ***Other Representations***

<b>Name</b>	<b>Address</b>	<b>Contributor Type</b>
Jayne Knight	100 Wolseley Road Southampton SO15 3ER	Resident
Mr G.W.E. Knight	100 Wolseley Road Southampton SO15 3ER	Resident

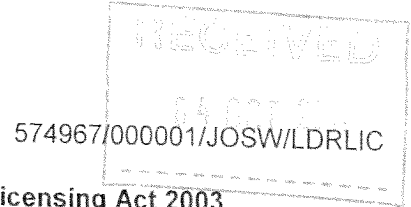
### ***Legal Implications***

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.



**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.

We, Southern Co-operatives Ltd apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and 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**

Coop (former Anchor & Hope Public House), 125 Foundry Lane, Freemantle, Southampton, Hampshire	
Post town	Post code SO15 3GF

Telephone number at premises (if any)	Not known at present
Non-domestic rateable value of premises	£12250.00

**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"/>            |
| b) A person other than an individual  | <input type="checkbox"/>            |
| i. as a limited company   | <input checked="" type="checkbox"/> |
| ii. as a partnership  | <input type="checkbox"/>            |
| iii. as an unincorporated association or  | <input type="checkbox"/>            |
| iv. other (for example a statutory corporation)   | <input type="checkbox"/>            |
| c) a recognised club  | <input type="checkbox"/>            |
| d) a charity  | <input type="checkbox"/>            |
| e) the proprietor of an educational establishment   | <input type="checkbox"/>            |
| f) Health Service Body  | <input type="checkbox"/>            |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  | <input type="checkbox"/>            |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/>            |
| h) The Chief Officer of police of a police force in England & Wales   | <input type="checkbox"/>            |

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

- |   |  |
|---|--|
| I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or | Please tick yes<br><input checked="" type="checkbox"/> |
| I am making the application pursuant to a statutory function or   | <input type="checkbox"/>                               |
| a function discharged by virtue of Her Majesty's prerogative  | <input type="checkbox"/>                               |



**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

If an individual or 1 of 2 applicants is applying ie, Area manager, Manager, Assistant Manager, details in the box

Mr/Mrs/Miss/Miss or other	
Surname	First Names
I am 18 years old or over	<input type="checkbox"/>
Current address if different from premises address	
Post Town	
Daytime contact number	
E-mail address (optional)	

Second applicants details ie Area manager, Manager, Assistant Manager, details in the box  
**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr/Mrs/Miss/Miss or other	
Surname	First Names
I am 18 years old or over	<input type="checkbox"/> Yes
Current address if different from premises address	
Post Town	Post Code
Daytime contact 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 case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name Southern Co-operatives Ltd
Address 1000 Lakeside, Western Road, Portsmouth, Hampshire, PO6 3FE
Company registered number 1591R
Description of applicant (for example partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 02392 222500
Email address (optional)

**PART A3 - Operating Schedule**

When do you want the premises licence to start?

Day    Month    Year

as soon as possible

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 attend the premises at any one time, please state the number expected to attend.

Not Applicable

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

Supermarket with licensed facilities

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).

**Provision of regulated entertainment – please tick Yes**

- 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:**

- 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			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Standard days and timings (please read guidance note 6)				Outdoors	
Day	Start	Finish	Please give further details here (please read guidance note 3)	Both	
Mon					
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			<b><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 (please read guidance note 5)</u></b>		
Sat					
Sun					

B



<b>Films</b> Standard days and timings (please read guidance note 6)			<u>Will the performance of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon			<u>State any seasonal variations for the exhibition of films</u> please read guidance note 4)		
Tue					
Wed					
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**

<b>Indoor Sporting Events</b> Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)		
Day	Start	Finish	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details</u> (please read guidance note 3)		
Mon			<u>State any seasonal variations for boxing or wrestling</u> (please read guidance note 4)		
Tue					
Wed					
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details</u> (please read guidance note 3)		

Mon			
Tue			
Wed			
Thur			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)
Fri			
Sat			<b>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</b> (please read guidance note 5)
Sun			

**F**

<b>Recorded music</b> 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	
				Outdoors	
				Both	
Day	Start	Finish	<b>Please give further details</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Thur					
Fri					
Sat			<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sun					

**G**

<b>Performances of dance</b> 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	
				Outdoors	
				Both	
Day	Start	Finish	<b>Please give further details</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Thur					
Fri					
Sat			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sun					

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment you will be providing.</b>		
Day	Start	Finish	Will the performance of dance take place	Indoors	

Mon			indoors or outdoors or both – please tick (please read guidance note 2)	Outdoors	
				Both	
Tue			<u>Please give further details</u> (please read guidance note 3)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sun					

I

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

J

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

K

<b>Provision of facilities for entertainment of a similar description to that falling within (i) or (j)</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the type of entertainment facility you will be providing.</u></b>		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Mon				Outdoors	
Tue			<b><u>Please give further details</u></b> (please read guidance note 3)		
Wed					
Thur			<b><u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within (i) or (j)</u></b> (please read guidance note 4)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for 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></b> (please read guidance note 5)		
Sun					

L

<b>Late night refreshment</b> 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			<b><u>Please give further details</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for provision of late night refreshment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

M

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	☒
Mon	0800	2300	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 4)		
Tue	0800	2300			
Wed	0800	2300			
Thur	0800	2300	<b><u>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</u></b>		

Fri	0800	2300	<b>the left, please list</b> (please read guidance note 5)
Sat	0800	2300	
Sun	0800	2300	

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name Sarah Wallsgrove

Address .....

Postcode .....

Personal Licence Number (if known) 06/00223/LAPER

Issuing licensing authority (if known) Gosport Borough 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)

NA

**O**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	0600	2300	
Tue	0600	2300	
Wed	0600	2300	
Thur	0600	2300	
Fri	0600	2300	
Sat	0600	2300	
Sun	0600	2300	

**P**

Describe the steps that you intend to take in order to promote the four licensing objectives:

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

The designated premises supervisor is nominated for the purposes of the application only and will not be in day to day control of the premises. If the licence is granted the DPS will be varied to the manager in day to day control before alcohol is sold.

1. All staff will be trained in the law and their responsibility in selling alcohol with refresher training at appropriate intervals and records will be kept at Head Office
2. CCTV will be provided within the store
3. A refusal log will be maintained
4. A Challenge 25 policy
5. Only the following ID will be accepted as prove of age: Passport, UK photo driving licence, any ID Card with the PASS logo or other ID card which is identified by the Local Authority as being acceptable proof of age.

**The prevention of crime and disorder**

As above – no additional steps identified

**Public safety**

As above – no additional steps identified

**The prevention of public nuisance**

As above – no additional steps identified

**The protection of children from harm**

As above – no additional steps identified

I have made or enclosed payment of the fee

Please tick yes



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	03/10/2011
Capacity	Solicitors and agents for the applicant

For joint applicants signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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 address for correspondence associated with this application (please read guidance note 13)			
Blake Laphorn New Kings Court, Tollgate, Chandler's Ford 574967/000001/JOSW/LDRLIC			
Post town	Eastleigh	Postcode	SO53 3LG
Telephone number (if any)		Tel: 02380 908090	
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 be in 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 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 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.

Part A

Consent of individual to being specified as premises supervisor

In respect of

Coop (former Anchor & Hope Public House), 125 Foundry Lane, Freemantle, Southampton, Hampshire, SO15 3GF

I, Sarah Wallsgrove of hereby confirm that I give my consent to be specified designated premises supervisor in relation to the New Premises by Southern Co-operatives Ltd, relating to a premises licence (number.....) for Coop (former Anchor & Hope Public House), 125 Foundry Lane, Freemantle, Southampton, Hampshire, SO15 3GF and any premises licence to be granted or varied in respect of this application made by Southern Co-operatives Ltd concerning the supply of alcohol at Coop (former Anchor & Hope Public House), 125 Foundry Lane, Freemantle, Southampton, Hampshire, SO15 3GF.

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.

Personal licence number 06/00223/LAPER

Personal licence issuing authority Gosport Borough Council

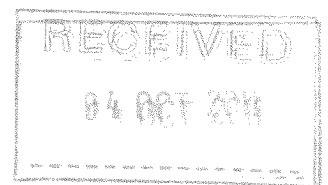
Signed

Name Mrs S J Wallsgrove

Dated 3.10.2011

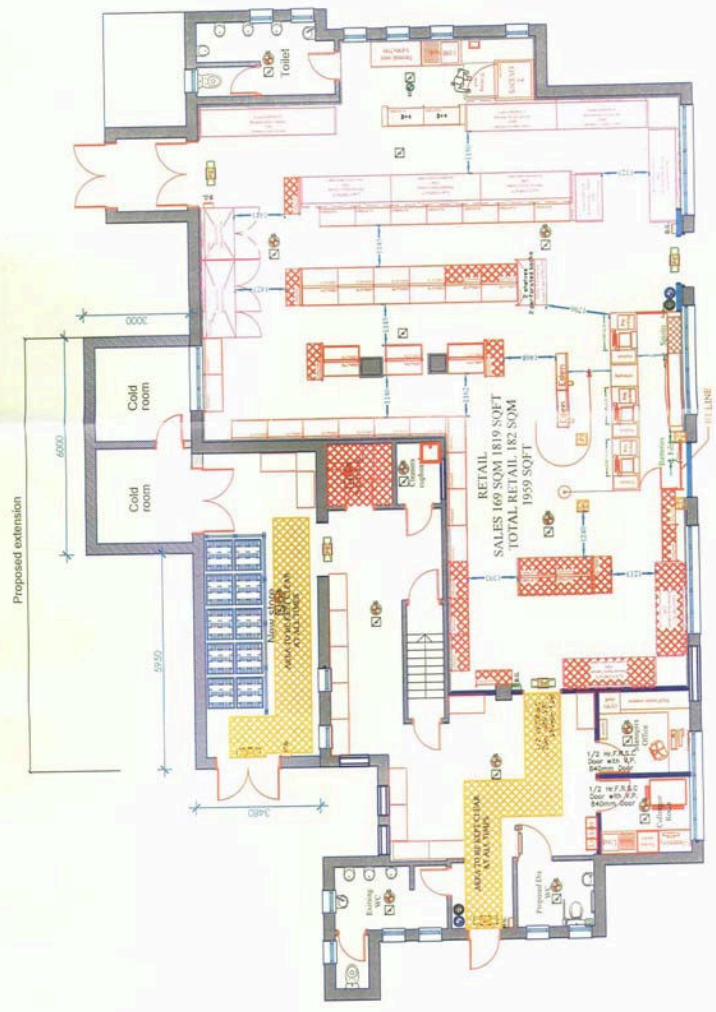
Please provide your date and place of birth (requirement of the police):

7.11.68 Penang





INITIAL PROPOSED LAYOUT



**EMERGENCY FITTINGS**

**LEGEND**

AREA TO WHICH THE FITTING IS APPLIED  
 FIRE EXTINGUISHER  
 FIRE EXTINGUISHER (PORTABLE)  
 FIRE EXTINGUISHER (PORTABLE) - 2 LITRE  
 FIRE EXTINGUISHER (PORTABLE) - 5 LITRE  
 FIRE EXTINGUISHER (PORTABLE) - 10 LITRE  
 FIRE EXTINGUISHER (PORTABLE) - 20 LITRE  
 FIRE EXTINGUISHER (PORTABLE) - 35 LITRE  
 FIRE EXTINGUISHER (PORTABLE) - 50 LITRE  
 FIRE EXTINGUISHER (PORTABLE) - 70 LITRE  
 FIRE EXTINGUISHER (PORTABLE) - 100 LITRE

The co-operative food

NO.	DESCRIPTION	QTY	UNIT
1	...	...	...
2	...	...	...
3	...	...	...
4	...	...	...
5	...	...	...
6	...	...	...
7	...	...	...
8	...	...	...
9	...	...	...
10	...	...	...
11	...	...	...
12	...	...	...
13	...	...	...
14	...	...	...
15	...	...	...
16	...	...	...
17	...	...	...
18	...	...	...
19	...	...	...
20	...	...	...
21	...	...	...
22	...	...	...
23	...	...	...
24	...	...	...
25	...	...	...
26	...	...	...
27	...	...	...
28	...	...	...
29	...	...	...
30	...	...	...

ALL AREAS LICENSED FOR THE SALE OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES



**TOTAL DESIGN**  
 SHIPPIING SERVICES LTD  
 100, ...  
 ...  
 ...

From: Licensing  
Sent: 04 October 2011 18:46  
To: Licensing  
Subject: PublicAccess for Licensing - Application Comments  
(2011/02415/01SPRN)PublicAccess for Licensing - Application Comments  
(2011/02415/01SPRN)

Mr G.W.E. Knight has used the PublicAccess website to submit their comments on a Licensing Application. You have received this message because you are the Case Officer for this application or because this is a designated mailbox for PublicAccess comments submissions.

Comments were submitted at 04/10/2011 18:45:40 from IP 192.168.50.31.

#### Application Summary

-----

Application Number:  
2011/02415/01SPRN

Address:  
125 Foundry Lane  
Southampton  
Hampshire  
SO15 3GF  
Licence Description:  
Premises Licence

Case Officer:  
Mr. J White

#### Customer Details

-----

Name:  
Mr G.W.E. Knight

Address:  
100 Wolseley Road  
Southampton

Postcode:  
SO15 3ER

Email:

Phone Number:

#### Comments

-----

Representation Type:  
Resident

Objection Type:  
Licensing Objectives

Comments:

I wish to strongly object to a store opening here and being allowed to open until 11pm as this will induce kids to be hanging around and causing a nuisance, increased litter and noise. I also believe this will be cause further tension due to the selling of alcohol as was seen when this was a public house. Please use this plot of land sensibly by increasing much needed housing in the area and keep it residential.

PublicAccess for Licensing. (c) CAPS Solutions Ltd.

From: Licensing  
Sent: 08 October 2011 13:53  
To: Licensing  
Subject: PublicAccess for Licensing - Application Comments  
(2011/02415/01SPRN)

PublicAccess for Licensing - Application Comments (2011/02415/01SPRN)

Jayne Knight has used the PublicAccess website to submit their comments on a Licensing Application. You have received this message because you are the Case Officer for this application or because this is a designated mailbox for PublicAccess comments submissions.

Comments were submitted at 08/10/2011 13:52:30 from IP 192.168.50.31.

#### Application Summary

-----  
Application Number:  
2011/02415/01SPRN

Address:  
125 Foundry Lane  
Southampton  
Hampshire  
SO15 3GF

Licence Description:  
Premises Licence

Case Officer:  
Mr. J White

#### Customer Details

-----  
Name:  
Jayne Knight

Address:  
100 Wolseley Road  
Southampton  
Hampshire  
Postcode:  
SO15 3ER

Email:

Phone Number:

#### Comments

-----  
Representation Type:  
Resident

Objection Type:  
Licensing Objectives

Comments:

this is a residential area

when 125 foundry lane was a public house it attracted local youths who caused a lot of problems for residents

since pub closed its been very peaceful with no trouble (broken windows, cars damaged , problems in the entry at the side of our house , youths in the gardens etc )

giving a licence to a shop with late opening hours will bring back these youths

also noise from people congregating outside the premises dictate our bedtime which is very unfair when we have to be up at 5 am for work

i would rather see affordable housing there would be more use

PublicAccess for Licensing. (c) CAPS Solutions Ltd.

**Sent:** 10 October 2011 17:06

**To:** McGuinness, Ian

**Subject:** RE: Representation to a premises licence application for Co-op, Foundry Lane

Hello there Ian McGuinness

I still feel that a licenced shop open 7 days a week to 10 pm is not very fair in a residential area  
As I explained before it brings a lot of problems with youths hanging round causing us huge problems  
My husband and I are up at 5 am every morning for work and feel that 10pm is still to late we are in bed  
generally by 9 pm at latest

As ive said before its a residential area there are plenty of empty premises on Shirley road / Shirley high  
street

Its impossible to sell our properties I wish we could but this end of walseley road has a reputation from  
when the pub was open

Feel free to visit and look at the state of my car dents and scratches from the youths also had broken  
windows ok they go to court but who pays for our damage ?

Please try to look at things from residents points of view

Kind regards

Mrs Jayne Knight

**From:** McGuinness, Ian [mailto:Ian.McGuinness@southampton.gov.uk]

**Sent:** 10 October 2011 13:57

**To:**

**Subject:** Representation to a premises licence application for Co-op, Foundry Lane

Good Afternoon Ms Knight,

I am writing with regards to your representation to a premises licence application for Co-op, Foundry  
Lane, Southampton.

The applicant has now amended the application for the premises to close at 10pm. In light of this, can you  
please confirm whether you wish to continue with your representation and if so whether you wish to revise  
it.

Further details on making representation can be found on our website:

<http://www.southampton.gov.uk/business/licensing/alcohol-licences/representations.aspx>

Kind regards,

Ian McGuinness

Ian McGuinness

Licensing Enforcement Officer  
Legal and Democratic Services  
Southampton City Council

Phone: 023 8083 4231

Fax: 023 8083 4061

Email: [ian.mcguinness@southampton.gov.uk](mailto:ian.mcguinness@southampton.gov.uk)

Web: [www.southampton.gov.uk/licensing](http://www.southampton.gov.uk/licensing)

Post: Licensing - Southampton City Council,  
PO Box 1344, Southampton. SO15 1WQ.

**From:** 5 OCU Licensing Mailbox [southampton.licensing@hampshire.pnn.police.uk]

**Sent:** 10 October 2011 11:07

**To:** Licensing

**Subject:** No objection to new premise licence for the CO-OP, Foundry Lane, Southampton  
The CO-OP have agreed to the wording for the conditions of staff training, CCTV, Refusal Log and Challenge 25 (wording as per further below in e-mail), these are all conditions put forward as part of their operating schedule

The police note the proposed amendment to the application to cease alcohol sales at 2200 hours rather than 2300 hours to address concerns of the residents

Given the above the police have no objections to the new premise licence at the CO-OP, foundry Lane, Southampton

Natasha

PC 20920 PRIOR  
Violent Crime Reduction and Licensing Team  
Southampton Central

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**From:** Wallsgrove, Jon [mailto:Jon.Wallsgrove@bllaw.co.uk]

**Sent:** 10 October 2011 10:14

**To:** 5 OCU Licensing Mailbox

**Subject:** RE: CO-OP, Foundry Lane, Southampton

Dear PC Prior,

I have received instructions from my client that they are willing to agree to your proposed conditions. Whilst writing I would also mentioned that I am going to write to all responsible authorities to amend the application so that the sale of alcohol and opening ceases at 10pm and not 11pm. This follows concerns expressed by local residents.

Kind Regards

Jon

---

DDI: +44 (0)20 7814 5403 ■ M: +44 (0)7900 905849 ■ F: 0844 620 3402 ■ E: [Jon.Wallsgrove@bllaw.co.uk](mailto:Jon.Wallsgrove@bllaw.co.uk)  
Watchmaker Court, 33 St. John's Lane, London EC1M 4DB ■ T: +44 (0)20 7405 2000 ■ DX 53323  
Clerkenwell ■ [www.bllaw.co.uk](http://www.bllaw.co.uk)

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Please consider the environment - think before you print

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**From:** southampton.licensing@hampshire.pnn.police.uk  
[mailto:southampton.licensing@hampshire.pnn.police.uk]

**Sent:** 05 October 2011 12:33

**To:** Wallsgrove, Jon

**Subject:** FW: CO-OP, Foundry Lane, Southampton

Your ref: 574967/000001/JOSW/LDRLIC/SJL

Our ref: SC/175/11

Sir

In relation to the premise application for the CO-OP on Foundry Lane on the site of the previous Anchor and Hope PH

The schedule on the application puts forward:

Staff Training

CCTV

Refusal log

Challenge 25 - ID

We have specific wording for those conditions that have changed in the last 12 months (although I believe the newest CO-OP application on Shirley Road has accepted these updated ones). The reason for the change and the length in condition is due to criticism after a home office visit that we can not use "to the satisfaction of Hampshire Constabulary" but need to list what that satisfaction is.

Please can you ask your clients to review the below and let us know if they would be willing to take on the wording. Can I also advise you that a resident has called us asking about whether we would object as they are concerned about the licence being until 2300 hours as they would prefer 2200 hours and they have concerns about youth nuisance. I am currently contacting the Sgt responsible for that area to ascertain if they have concerns for an off-licence there.

**Staff Training:**

*Staff are trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18; signs and symptoms of drunk persons, refusal of sale due to intoxication and 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 are signed and dated by the member of staff are kept of this refresher training. Records will be available for inspection by Hampshire Constabulary and the licensing Authority. Records will be kept for a minimum period of two years.*

**CCTV:**

*The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system should be able to cope with all levels of illumination throughout the premises as well as outside areas.*

*The CCTV system must be operating at all times whilst the premises are open for licensable activity.*

*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 on request of the Police or local authority. Any images recovered must be in a viewable format on either disc or VHS.*

*The recording system will be able to capture a minimum of 4 frames per second.*

*Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.*

*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.*

*In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Police on contact number 08450454545 immediately*



**Refusal Log:**

*A refusals book to be kept detailing numbers , dates and times of incident and description of people refused service of alcohol with reasons why (Including incidents relating to disorder ). The refusals book will remain on the premises at all times and will be available to police upon request.*

**Challenge 25:**

*There will be a Challenge 25 policy operated at the premises. Challenge 25 meaning that 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 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.*

Any questions or queries please feel free to contact me on e-mail or call on 02380 674768

Natasha

PC 20920 PRIOR  
Violent Crime Reduction and Licensing Team  
Southampton Central

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