

Licensing (Licensing and Gambling) Sub-Committee

Thursday, 24th April, 2014
at 9.30 am

PLEASE NOTE TIME OF MEETING

Committee Rooms 1 and 2 -
Civic Centre

This meeting is open to the public

Members

Councillor Cunio
Councillor Lloyd
Councillor Parnell

Contacts

Democratic Support Officer
Karen Wardle
Tel: 023 8083 2302
Email: karen.wardle@southampton.gov.uk

Head of Legal and Democratic Services
Richard Ivory
Tel. 023 8083 2794
Email: richard.ivory@southampton.gov.uk

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 from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way, and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

Smoking policy

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

Southampton City Council's Priorities:

- **Economic:** Promoting Southampton and attracting investment; raising ambitions and improving outcomes for children and young people.
- **Social:** Improving health and keeping people safe; helping individuals and communities to work together and help themselves.
- **Environmental:** Encouraging new house building and improving existing homes; making the city more attractive and sustainable.
- **One Council:** Developing an engaged, skilled and motivated workforce; implementing better ways of working to manage reduced budgets and increased demand.

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.

Mobile Telephones –

Please turn off your mobile telephone whilst in the meeting.

Dates of Potential Meetings Municipal Year 2013/14

2013	5TH DECEMBER
13TH JUNE	19TH DECEMBER
27TH JUNE	2014
11TH JULY	16TH JANUARY
25TH JULY	30TH JANUARY
8TH AUGUST	13TH FEBRUARY
22ND AUGUST	27TH FEBRUARY
5TH SEPTEMBER	13TH MARCH
19TH SEPTEMBER	27TH MARCH
3RD OCTOBER	10TH APRIL
17TH OCTOBER	24TH APRIL
7TH NOVEMBER	8TH MAY
21ST NOVEMBER	15TH MAY

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 and Licensing Act 2003 (Hearings) Regulations 2005.

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 "Disclosable Pecuniary Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

DISCLOSABLE PECUNIARY INTERESTS

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

(i) Any employment, office, trade, profession or vocation carried on for profit or gain.

(ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

(iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

(iv) Any beneficial interest in land which is within the area of Southampton.

(v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

(vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

(vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

a) the total nominal value fo the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or

b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

Other Interests

A Member must regard himself or herself as having an, 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

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 PECUNIARY INTERESTS

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary 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.

4 STATEMENT FROM THE CHAIR

5 MINUTES OF THE PREVIOUS MEETINGS (INCLUDING MATTERS ARISING)

To approve and sign as a correct record the Minutes of the Meetings, both held on 27 March 2014, 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 parties to the hearing, 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 - FORTUNE, 1 OXFORD STREET, SOUTHAMPTON SO14 3DJ

Report of the Head of Legal and Democratic Services, detailing an application for a premises licence in respect of Fortune, 1 Oxford Street, Southampton SO14 3DJ, attached.

8 APPLICATION FOR A PREMISES LICENCE - SULA'S GREEK CAFE, 116A PORTSWOOD ROAD, SOUTHAMPTON SO17 2FY

Report of the Head of Legal and Democratic Services, detailing an application for a premises licence in respect of Sula's Greek Cafe, 116A Portswood Road, Southampton SO17 2FY, attached.

Monday, 14 April 2014

HEAD OF LEGAL AND DEMOCRATIC SERVICES

Agenda Item 5

Minutes of the Previous Meetings:-

Appendix 1 – 27 March 2014 – 9.30 AM

Appendix 2 – 27 March 2014 – 6.00 PM

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SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 27 MARCH 2014

Present: Councillors Cunio, Lloyd and Parnell

71. **ELECTION OF CHAIR**

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

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

RESOLVED that the minutes of the meeting held on 27 February 2014 be approved and signed as a correct record.

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

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

74. **APPLICATION FOR REVIEW OF PREMISES LICENCE - SHIP INN, 107 VICTORIA ROAD, SOUTHAMPTON SO19 9DZ**

The Sub-Committee considered the application to review a premises licence in respect of Ship Inn, 107 Victoria Road, Southampton, SO19 9DZ.

Mr Harding, Managing Director, Havenbrae Limited, freehold owner of the building and Mrs Knight, resident were present and with the consent of the Chair, addressed the meeting.

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

RESOLVED that the premises licence be modified by the addition of three conditions.

After private deliberation the Sub-Committee reconvened and the Chair read the following decision:-

All parties will receive formal written confirmation of the decision and reasons.

The Sub-Committee has considered very carefully the application for review of a premises licence at the Ship Inn, 107 Victoria Road by a local resident. It has given due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted statement of Licensing Policy and all evidence presented both written and given orally today. Human Rights Legislation has been borne in mind whilst making this decision.

The Sub-Committee has determined that the premises licence should be modified by the addition of the following conditions:-

- The premises licence holder shall install and maintain acoustic double doors at the exit leading to the smoking area.
- The premises licence holder shall ensure that all external windows and doors at the premises shall remain closed whilst live music is performed, whether amplified or unamplified, or recorded music is played at the premises.
- The premises licence holder shall ensure that prominent signage is displayed at all exits, used by patrons, asking that patrons respect neighbours and keep noise to a minimum, whilst leaving the premises or whilst using any area designated for smoking.

The Sub-Committee took note that Section 177A did not apply to the additional condition now imposed in relation to live music and accordingly that condition relates to live music as if the live music were regulated entertainment and the licence licensed the live music. The condition when attached to the licence shall confirm the same.

Reasons

The Sub-Committee considered very carefully the application for review and all of the options available in accordance with the legislation and as advised during the hearing.

It noted that the premises licence holder had a technical difficulty given it was not directly operating nor conducting licensable activities itself and was not notified of issues now raised. The Sub-Committee however, accepted legal advice that as premises licence holder, the company concerned nonetheless remained responsible. This technical situation may be resolved in the future by the adoption of a shadow licence, however, the Sub-Committee accepted that it must consider the current position. The Sub-Committee considered what steps would be appropriate, if any, to address the risk to the licensing objectives and a reoccurrence of previous issues.

The Sub-Committee considered whether the single residential objection could amount to public nuisance and were referred to paragraphs 2.18 to 2.19 in particular during deliberation. Accordingly it was found that in this case the representation did validly raise the public nuisance objective.

The Sub-Committee considered revocation of the licence, however determined that in light of all the circumstances this was not appropriate. This was due to several factors including the change of premises licence holder approximately 18 months ago and that the tenant responsible has vacated and that new tenants may be appointed.

There was still felt to be some risk of potential noise escape at the premises and accordingly the Sub-Committee did consider it appropriate to impose conditions to limit the potential risk in the future. The implications, including the financial implications, were considered by the Sub-Committee when making this decision. The imposition of conditions requiring double doors and the closure of all doors and windows only at times that may pose a higher risk (ie when live music is performed and recorded music is played at the premises) were a fair balance and therefore proportionate and appropriate steps.

The Sub-Committee reluctantly accepted legal advice that it was not able to hear the evidence of Environmental Health, including asking questions or seeking guidance, in light of a lack of formal representation. It was further accepted that there is a technical legal distinction between witnessing a nuisance and witnessing a statutory noise nuisance.

There is a right of appeal for all parties to the Magistrates' Court. Formal notification of the decision will set out that right in full.

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SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 27 MARCH 2014

Present: Councillors Cunio, Lewzey and Vassiliou

75. **ELECTION OF CHAIR**

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

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

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

77. **EXCLUSION OF THE PRESS AND PUBLIC - CONFIDENTIAL PAPERS**

RESOLVED that in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 the Sub-Committee determined to exclude the press and public from all of the hearing after consideration of the public interest.

78. **APPLICATION FOR SUMMARY REVIEW OF PREMISES LICENCE - RHINO, WATERLOO TERRACE, SOUTHAMPTON SO15 9BA**

The Sub-Committee considered the application for a summary review of premises licence in respect of Rhino, Waterloo Terrace, Southampton SO15 9BA.

Sergeant Wood and PC Conway (Hampshire Constabulary), Hugh Flanagan (Counsel), Robin Felgate (Premises Licence Holder) and Tanya Hayter (Designated Premises Supervisor) were present and, with the consent of the Chair, addressed the meeting.

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

RESOLVED that the premises licence be revoked.

After private deliberation the Sub-Committee reconvened and the Chair read the following decision:-

All parties will receive written notification of the decision with reasons.

The Sub-Committee determined that the hearing should proceed with the press and public excluded, in the public interest, in view of the continuing Police investigation and the sensitivity of the information disclosed within parts of the report and to be discussed in the course of the hearing.

The Sub-Committee has considered very carefully the application for summary review of the premises licence for Rhino, Waterloo Terrace, Southampton SO15 9BA.

It has given due regard to the provisions of the Licensing Act 2003, including the statutory licensing objectives, the statutory guidance, the Secretary of State's summary

review guidance and the City Council's adopted statement of licensing policy. Human rights legislation has been borne in mind.

The Sub-Committee notes that, following suspension of the premises licence, as an interim step, on 5 March 2014, the premises licence holder did not seek to make representations against that decision by the Sub-Committee.

The Sub-Committee has determined to revoke the premises licence for Rhino under section 53C of the Licensing Act 2003. The Sub-Committee has also determined that the premises licence for Rhino should remain suspended pending any appeal.

Reasons

The Sub-Committee has considered very carefully the certificate of Superintendent Fulton, all the evidence submitted by the Police, the premises licence holder and his Solicitor, both written and given orally today.

The Sub-Committee has carefully considered all the options set out in section 53C(c) of the Licensing Act 2003:

- (a) the modification of the conditions of the premises licence,
- (b) the exclusion of a licensable activity from the scope of the licence,
- (c) the removal of the designated premises supervisor from the licence,
- (d) the suspension of the licence for a period not exceeding three months,
- (e) the revocation of the licence.

The Sub-Committee considers that the alleged serious criminal offences and the likelihood of serious disorder at the premises involving persons concerned with the business conducted at those premises, including the premises licence holder, make it appropriate and proportionate for the promotion of the licensing objectives for the premises licence to be revoked and for the interim step of suspension of the licence to remain in force pending any appeal.

The Sub-Committee has noted that the previous designated premises supervisor has removed himself from the licence under section 41 of the Licensing Act 2003. It is also noted that an application has been made for the variation of the licence to name a new designated premises supervisor with effect from 25 March 2014 and for the premises licence to be transferred, with effect from 28 March 2014, to a company of which the new DPS is the sole director.

However, the Sub-Committee was not satisfied that this amounted to an arms length transaction and that, as the premises licence holder would continue to have an interest in the premises, there would remain a strong possibility of continuing serious crime or serious disorder associated with the premises. The Sub-Committee sees its primary duty to be that of upholding the four licensing objectives and is satisfied that public safety and the prevention of crime and disorder would be at serious risk unless the premises licence is both revoked and suspended pending appeal.

The Sub-Committee has considered the financial implications of its decision in accordance with the statutory guidance, particularly paragraphs 11.20 to 11.23 and whilst it does take the impact seriously has had to put its role in promoting the licensing objectives to the forefront. In this respect all other available measures were deemed insufficient. In weighing up the risk attached to continued trading, particularly where the

premises retains a tangible link to the current premises licence holder and his family, the Sub-Committee feels it has no option other than to revoke the licence and maintain the suspension in order to protect the public and those that might be caught in the cross-fire as well as to address the risk of further incident at the premises.

There is a right of appeal to the West Hampshire Magistrates' Court against the Sub-Committee's decision. All parties will receive written notification of the decision with reasons and that notification will set out the right of appeal in full.

The Sub-Committee is satisfied that it is in the public interest that the report, appendix 2 (premises licence), appendix 3 (notice of summary review), appendix 4 (decision of the Sub-Committee on 5 March 2014) and the decision of the Sub-Committee today may now be published, but that appendix 1 (Police application for summary review, certificate and representations) together with the written submissions on behalf of the premises licence holder, should remain confidential.

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Agenda Item 7

DECISION-MAKER Licensing (Licensing and Gambling) Sub-Committee

SUBJECT Hearing to Consider an application for a Premises Licence – Fortune, 1 Oxford Street, Southampton SO14 3DJ

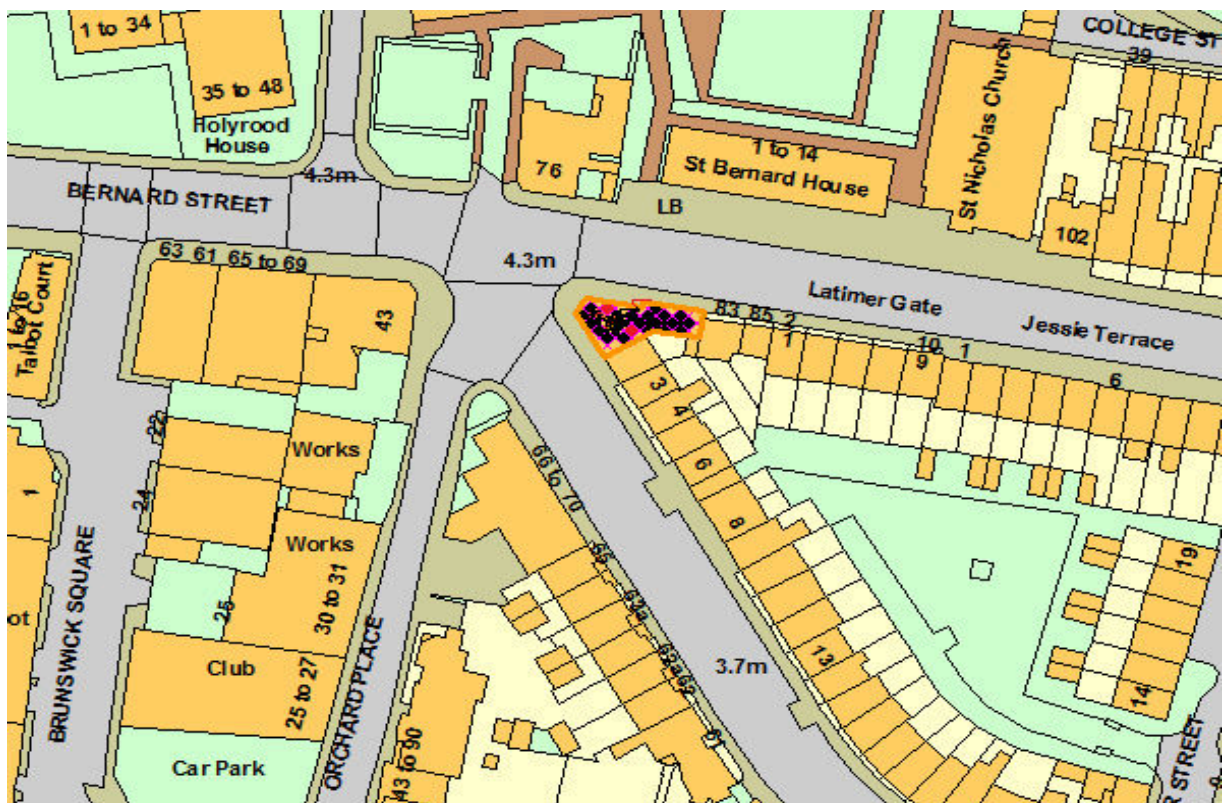
DATE OF HEARING Thursday 24 April 2014

REPORT OF Head of Legal and Democratic Services

E-mail licensing@southampton.gov.uk

Application Date : 4 March 2014 **Application Received** 4 March 2014

Application Valid : 4 March 2014 **Reference :** 2014/00915/01SPRN



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Responsible Authority	Satisfactory?
Child Protection Services - Licensing	No Response Received
Hampshire Fire And Rescue - Licensing	Yes
Environmental Health - Licensing	Yes

Planning & Sustainability - Building Control - Licensing	No Response Received
Primary Care Trust - Public Health Manager	No Response Received
Police - Licensing	Yes
Trading Standards - Licensing	Yes

Other Representations

Name	Address	Contributor Type
Ms. Vicky Coulthard	5 Oxford Street Southampton SO14 3DJ	Resident
Mr. Paul Spencer	5 Oxford Street Southampton SO14 3DJ	Resident
Ms. Justine Perry	63A Oxford Street Southampton SO14 3DL	Resident
Mr. & Mrs. Askham	65 Oxford Street Southampton SO14 3DL	Resident
Mr. Paul Jorgensen	62 Oxford Street Southampton SO14 3DL	Resident
Ms. Judi Williams	62A Oxford Street Southampton SO14 3DL	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 persons 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 affect 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.

I/We Mr Giuliano Soverna (nimbu)
apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Online reference

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
1 Oxford Street	
Post town Southampton	Post code SO14 3DJ

Telephone number at premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick yes

- a) an individual or individuals* please complete section (A)

- b) a person other than an individual*
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)

- d) a charity please complete section (B)

- e) the proprietor of an educational establishment 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

Surname

Soverna (nimbu)

First names

Giuliano

Please tick yes

I am 18 years old or over

Current address if different from premises address

1
Oxford street

Post Town

Southampton

Postcode

SO14 3DJ

Daytime contact telephone number

E-mail address

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Mr Mrs Miss Ms Other

Surname First names

Please tick yes

I am 18 years old or over

Current 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
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

11/04/2014

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

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

0

Please give a general description of the premises (please read guidance note1)

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 <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			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)		
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 <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			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 (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			
Wed			State any seasonal variations for indoor sporting events (please read guidance note 4)
Thur			
Fri			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)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon					
Tue					
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 <input checked="" type="checkbox"/> (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 <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	11:00	0:30	Please give further details here (please read guidance note 3)	Both	
Tue	11:00	0:30			
Wed	11:00	0:30	State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur	11:00	0:30			
Fri	11:00	0:30	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	11:00	0:30			
Sun	11:00	0:30			

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 <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
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 <input checked="" type="checkbox"/> (please read guidance note 2)	Indoor	
Mon				Outdoor	
				Both	
Tue			Please give further details here (please read guidance note 3)		
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			<p>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)</p>
Sun			

I

<p>Provision of facilities for making music Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the facilities for making music you will be providing</p>							
			<p>Will the facilities for making music be indoors or outdoors or both – please tick [✓] (please read guidance note 2)</p>	<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors		Both	
Indoors										
Outdoors										
Both										
Day	Start	Finish								
Mon			<p>Please give further details here (please read guidance note 3)</p>							
Tue										
Wed			<p>State any seasonal variations for the provision of facilities for making music (please read guidance note 4)</p>							
Thur										
Fri			<p>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)</p>							
Sat										
Sun										

J

<p>Provision of facilities for dancing Standard days and timings (please read guidance note 6)</p>			<p>Will the facilities for dancing be indoors or outdoors or both – please tick [✓] (see guidance note 2)</p>							
			<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors		Both		
Indoors										
Outdoors										
Both										
Day	Start	Finish	<p>Please give a description of the facilities for dancing you will be providing</p>							



Mon			Please give further details here (please read guidance note 3)
Tue			
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)
Thur			
Fri			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)
Sat			
Sun			

K

Provision of facilities for entertainment of a similar description to that falling within J or K Standard days and timings (please read guidance note6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (please read guidance note 2)	Indoor
Mon				Outdoor
				Both
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4)	
Fri				
Sat			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 j or k at different times to those listed in the column on the left, please list (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 <input checked="" type="checkbox"/> (please read guidance note 2).	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11:00	0:30	Please give further details here (please read guidance note 3)		
Tue	11:00	0:30			
Wed	11:00	0:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	11:00	0:30			
Fri	11:00	0:30	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 (please read guidance note 5)		
Sat	11:00	0:30			
Sun	11:00	0:30			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption (Please tick box <input checked="" type="checkbox"/>) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	11:00	0:30	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	11:00	0:30			
Wed	11:00	0:30			
Thur	11:00	0:30	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)		
Fri	11:00	0:30			
Sat	11:00	0:30			

Sun	11:00	0:30	

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

[redacted]

Address

.....

Postcode.....

Personal Licence number(if known) Pers-lic/407

[redacted] licensing authority [redacted]

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

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	11:00	0:30	<p>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. (please read guidance note 5)</p>
Tue	11:00	0:30	
Wed	11:00	0:30	
Thur	11:00	0:30	
Fri	11:00	0:30	
Sat	11:00	0:30	
Sun	11:00	0:30	



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)

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm



Please tick ✓ yes

- [REDACTED] 190.00
- I have enclosed the plan of the premises
- I have you sent copies of this application and the plan to responsible authorities and others where 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 5 – 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.

[REDACTED]

[REDACTED]

[REDACTED]

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.

[REDACTED]

[REDACTED]

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Mr Giuliano Soverna

[REDACTED]

Post town Southampton

Telephone number (if any)

[REDACTED]

[REDACTED]

From: Tony Askham [REDACTED]

Sent: 24 March 2014 15:57

To: Licensing

Subject: ! Oxford Street

My wife and I are the owners and occupiers of 65 Oxford Street Southampton and our house is nearly directly opposite the above premises. We are aware that an application has been made for a late night liquor licence for the premises.

This end of Oxford Street is nearly entirely residential and the premises is surrounded on all sides by flats and houses. Although we can hear music from the other end of the Street and get occasional noise nuisance from pedestrians at night, which we accept as part of the pleasure of central city living, we have grave concerns as to the granting of a late night licence to the above premises. It is inevitable that the premises will attract customers, who will stand outside on the pavement and leave the premises late at night. This clearly is likely to mean that the residents at our end of the street and the adjoining streets will be disturbed. We are concerned also that noise will come from inside the premises either the background music or customers' noise given the age of the building and the ability for its windows to be opened.

Please when considering the application take these views into account and limit the opening hours until 11 pm.

Tony and Rosie Askham.



From: vicky [REDACTED]
Sent: 31 March 2014 16:47
To: Licensing
Subject: No 1 oxford st

Dear sir/ madam,

I would like to object to the proposed change of use at no 1 Oxford St, Southampton to a late night bar. I understand that this will have a late night liquor licence and will be playing background music. I live at 5 Oxford St and I am concerned about the noise from people smoking outside the premises and leaving late at night. I am also concerned that the music from inside the bar would disturb the residents immediately surrounding the premises. This end of Oxford St is mainly residential and the noise from the bar is likely to impact on a large number of people living nearby.

I would be grateful if you would make a record of this objection and bear it in mind when considering the application.

Regards,

Vicky Coulthard
5 Oxford St
Southampton
SO14 3DJ

Sent from my iPhone

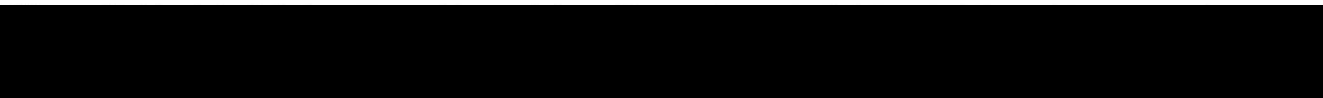
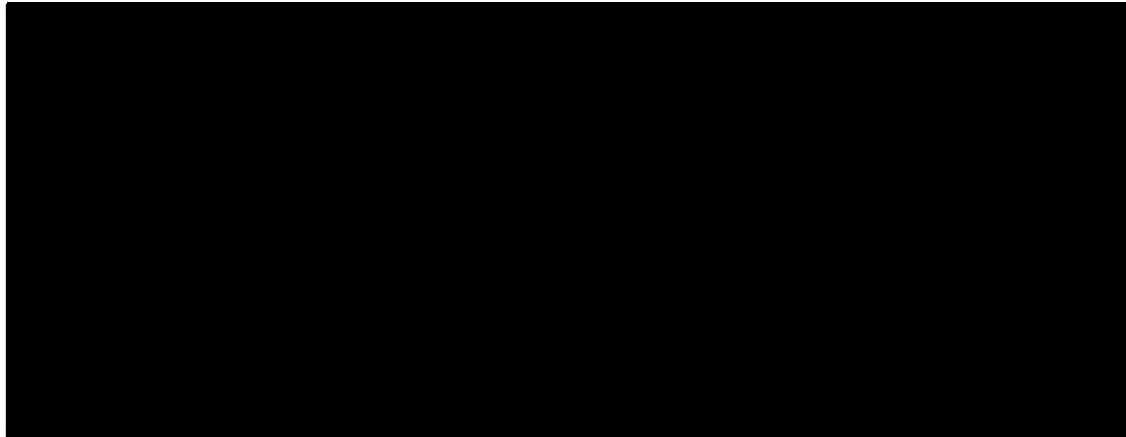
From: Paul Jorgensen [REDACTED]
Sent: 27 March 2014 22:29
To: Licensing
Subject: No1 oxford street

Dear sir/madam (our Council), My name is Paul Jorgensen and I live at no 62 Oxford Street. I have just found out that the former Indian restaurant at the entrance to Oxford street has been sold, and the purchaser has applied for a late night liquor licence. I have lived in Oxford street for the past 8 years and I have enjoyed my living there for the most part of that time. Before Cargo, the bar and restaurant that took over from the Willows, my house was far enough away from the late night bars in oxford street not to hear too much noise late at night. Since Cargo took over I am sometimes kept awake or awoken by the noise coming from its clential. I would like for you the council to make it known that I categorically appose, the granting of a late night Liquor licence on the grounds of additional noise and rowdy behaviour at the residential end of oxford street where I live.

Please feel free to come to my house and listen to the noise coming from cargo late at night, you will then realise the added effect the granting of the licence will have on my enjoyment living here.. I cannot even have my windows open if I want to sleep, and my home is triple glazed.
I look forward to hearing from you on this matter.

Kind Regards

Paul Jorgensen
Director



From: Justine Perry [REDACTED]
Sent: 24 March 2014 12:15
To: Licensing
Cc: [REDACTED]
Subject: Objection to Late Liquor License No 1 Oxford Street

Importance: High
Attention Licensing Team

I would like to make an objection to a late liquor license being granted to No1 Oxford Street on the grounds of the noise this will bring to the local residents at this end of Oxford Street which is more residential than the far end. I am a resident at 63A Oxford Street, Southampton, SO14 3DL and strongly oppose this being granted.

I am concerned about the noise from people leaving the venue late at night, congregating outside smoking and also the volume of noise the music they will be playing at the venue a this will also be a disturbance to local residents.

I can base this on the volume of noise and we can hear from Cargo which is located at No 20 □ 22 Oxford Street, this is over 150 meters from my home and I can hear the music and people leaving at night and outside smoking especially in the summer months.

I would also be very interested to find out as it is a listed building what sound proofing is or will be in place to support this venue turning from a restaurant venue to a late night bar?

I would also like to bring to your attention that the planning has submitted and I understand has been granted for 5 more house to be build directly opposite at 66 □ 70 Oxford Street which this will also effect and potentially have a knock on effect to the homes being sold and the value of those properties have you advised the developer of the licence application?

Also on the licence application notice posted on the window at No 1 Oxford Street stating the licence application has gone in it does not mention the hours they are looking to open I had to call your department and spend time trying to source this information surely a bit more transparency should be in place so people are fully aware of what is being planned in the local area?

I would appreciate if somebody from your department could correspond with me in regards to this matter and my points be raised at the application meeting.

Kind regards

Justine Perry

Director

JAP Associates Limited - Hospitality Recruitment Specialists
63a Oxford Street, Southampton, SO14 3DL

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Paul Spencer [REDACTED]

Sent: 31 March 2014 18:58

To: Licensing

Subject: Appeal against proposed application for late night bar at 1 Oxford Street Southampton.
To whom it may concern,

RE: Proposed application for late night bar at 1 Oxford Street Southampton.

As the owner of a residential property at 5 Oxford Street, Southampton, I would like to object to the application for a late night bar licence at number 1 Oxford Street. This property has previously been operated as a restaurant however, due to the close proximity to my property, if converted to a bar, I am concerned that noise from music and people leaving the bar, waiting for taxis etc after closing time will be disruptive and disturbing.

This end of Oxford Street where I am located is relatively quiet with bars etc being located at the other end, further enough away to avoid disturbance. The restaurants that have previously occupied number 1 Oxford Street have not played music and have closed by 11pm. A late licence with music would negatively change the living environment.

I hope you will consider my appeal against this licence.

Thank you,

Paul Spencer

5 Oxford Street, Southampton, SO14 3DJ.

Tel [REDACTED]

From: Judi Williams [REDACTED]
Sent: 31 March 2014 10:24
To: Licensing
Subject: Late night bar and music licence - 1 Oxford Street

Importance: High
Dear Sir/Madam

I am writing to object in the strongest terms to the granting of a late night bar and music licence for 1 Oxford Street, on the grounds of noise.

My reasons are as follows:

1 Oxford Street is situated at the residential end of Oxford Street □ granting a late night licence to these premises for use of a bar with music is placing a source of noise disruption within 50 metres of homes with small children.

The inevitable gathering of smokers outside will further add to the noise within such a short distance of our homes and further attract taxis to unlawfully queue outside

Cargo and Med Bar □ each of whom have been granted late night licenses already cause significant noise issues, both from the live music from Cargo and from the gathering of drinkers / smokers on the pavements outside.

Council has also granted a live music licence to the 1865 club in Brunswick Square, just behind Oxford Street, which despite sound-proofing regularly booms out music that disrupts sleep, especially during the summer when it is impracticable to keep windows shut.

All the premises with late night licences have attracted a huge number of taxis that now use Oxford Street as an unofficial taxi rank, significantly increasing traffic and noise at this residential end. Despite many requests of the council / police / traffic wardens / taxi companies to control this, the taxis swarm to Oxford Street on Fridays and Saturdays to the point where it is becoming intolerable.

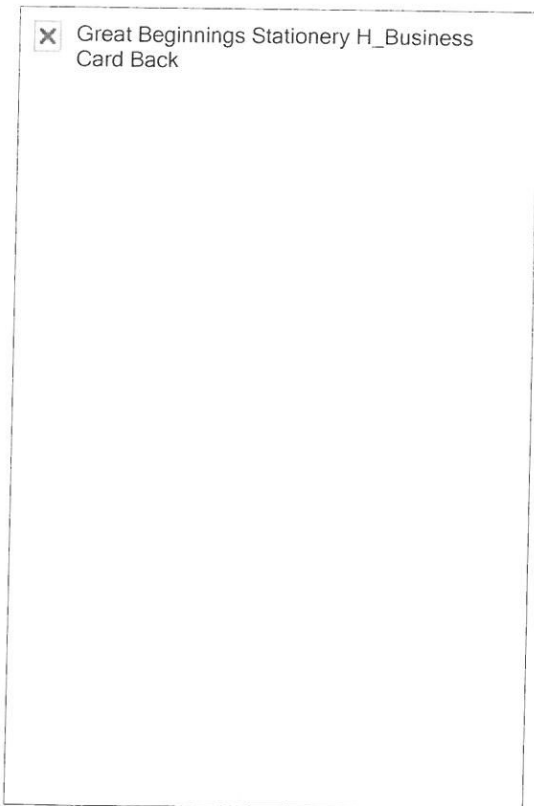
These late night licences many with music has significantly eroded the quality of life for residents over the last 8-10 years. Despite Council claims that the plan is to create an up-market part of town in this area, the commerciality of licence fees has been placed higher than the needs of the ordinary resident and council tax payer.

The Bernard Street end of Oxford Street is primarily residential, as is Orchard Lane, and I appeal to Council to consider the needs of everyone in the area. Oxford Street is already well served with bars, restaurants and music □ granting a licence right in the residential part of the street would significantly increase the existing noise nuisance and further diminish our rights of enjoyment of our own properties.

Whilst I suspect that residents' views will inevitably be ignored, I would certainly hope that Councillors would take the opportunity to experience the current situation. I would be very pleased to meet with Councillors in Oxford Street and demonstrate the issues.

Yours

Judi Williams
62A Oxford Street
Southampton
SO14 3DL



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Agenda Item 8



Reference: 2014/00918/01SPRN

Hearing:

24th April 2014

Application for Premises Licence

Premises Name: Sula's Greek Cafe
Premises Address: 116A Portwood Road
Southampton
SO17 2FY

Application Date: 5th March 2014
Application Received Date: 5th March 2014

Application Valid Date: 5th March 2014



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Representation From Responsible Authorities

Responsible Authority	Satisfactory?	Comments
Child Protection Services - Licensing	No response received	
Hampshire Fire And Rescue - Licensing	Yes	
Environmental Health - Licensing	No	See attached representation
Primary Care Trust - Public Health Manager	No response received	
Planning & Sustainability - Development Control - Licensing	No response received	
Police - Licensing	Yes	Conditions agreed with applicant
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 regards 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 affect 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.

I/We Mrs Tammy Sula (Sula's)
apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Online reference

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
116A Portswood Road Southampton	
Post town Southampton	Post code SO17 2FY

Telephone number at premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick yes

- | | | | |
|----|---|-------------------------------------|-----------------------------|
| a) | an individual or individuals* | <input checked="" type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual* | | |
| | i. as a limited company | <input 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 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

Surname

Sula (Sula's)

First names

Tammy

Please tick yes

I am 18 years old or over



Current address if different from premises address

116A
Portswood Road

Post Town

Southampton

Postcode

SO17 2FY

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Mr Mrs Miss Ms Other

Surname First names

Please tick yes

I am 18 years old or over

Current 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
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

15/04/2014

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

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

5200

Please give a general description of the premises (please read guidance note1)

I have a Greek Restaurant Cafe/Take away which sells Greek Food and Meze Meals. It is a terraced already existing cafe shop which has been running for the past 30 years. The property next door has just been granted planning change of use to a restaurant and has applied for licensing. The meals I cook and Meze I serve can be eaten on the premises or packed up for takeaway. I also have been asked to cater for people in their own homes

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 <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			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)		
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 <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			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 (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			
Wed			
Thur			State any seasonal variations for indoor sporting events (please read guidance note 4)
Fri			
Sat			
Sun			
			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)

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (please read guidance note 2).	
Day	Start	Finish	Indoors	
Mon			Outdoors	
Tue			Both	
Wed				
Thur				
Fri				
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 <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon	11:00	23:00	Please give further details here (please read guidance note 3) I was thinking of having a greek night some times. I am not sure of days. This will involve the playing of the bouzouki (guitar), maybe some greek dancers etc. Inside during the winter and outside during the summer	Both	<input checked="" type="checkbox"/>	
Tue	11:00	23:00				
Wed	11:00	23:00		State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	11:00	23:00				
Fri	11:00	00:00			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	11:00	00:00				
Sun	11:00	23:00				

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 <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon	11:00	3:00	Please give further details here (please read guidance note 3) At lunchtime when the Greek food starts I play greek music from CD in the background to enhance the greek atmosphere This is also played throughout the day and evening.	Both	<input checked="" type="checkbox"/>
Tue	11:00	3:00			
Wed	11:00	3:00	State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur	11:00	3:00			
Fri	11:00	3:00		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	11:00	3:00			
Sun	11:00	23:30			

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 <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	
				Outdoors	
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	11:00	23:00			
Tue	11:00	23:00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed	11:00	23:00			
Thur	11:00	23:00	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)		
Fri	11:00	00:00			
Sat	11:00	00:00			
Sun	11:00	23:00			

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 <input checked="" type="checkbox"/> (please read guidance note 2)	Indoor	
Mon	11:00	23:00		Outdoor	
				Both	<input checked="" type="checkbox"/>
Tue	11:00	23:00	Please give further details here (please read guidance note 3)		
Wed	11:00	23:00			
Thur	11:00	23:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri	11:00	00:00			

Sat	11:00	00:00	<p>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)</p>
Sun	11:00	23:00	

I

<p>Provision of facilities for making music Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the facilities for making music you will be providing</p>	
			<p>Will the facilities for making music be indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (please read guidance note 2)</p>	
Day	Start	Finish	Indoors	
			Outdoors	
			Both	
Mon			<p>Please give further details here (please read guidance note 3)</p>	
Tue				
Wed			<p>State any seasonal variations for the provision of facilities for making music (please read guidance note 4)</p>	
Thur				
Fri			<p>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)</p>	
Sat				
Sun				

J

<p>Provision of facilities for dancing Standard days and timings (please read guidance note 6)</p>			<p>Will the facilities for dancing be indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (see guidance note 2)</p>	
			<p>Please give a description of the facilities for dancing you will be providing</p>	
Day	Start	Finish	Indoors	
			Outdoors	
			Both	

Mon			Please give further details here (please read guidance note 3)
Tue			
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)
Thur			
Fri			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)
Sat			
Sun			

K

Provision of facilities for entertainment of a similar description to that falling within J or K Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (please read guidance note 2)	Indoor
				Outdoor
Mon				Both
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4)	
Fri				
Sat			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 j or k at different times to those listed in the column on the left, please list (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 <input checked="" type="checkbox"/> (please read guidance note 2).	Indoors		
Day	Start	Finish		Outdoors		
Mon	11:00	3:00	Please give further details here (please read guidance note 3) I would like to serve food until 3am. People can eat outside until 11pm sun -- thurs and then eat inside until closing. People can eat outside until midnight on Fri and sat and then eat inside.			
Tue	11:00	3:00				
Wed	11:00	3:00		State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	11:00	3:00				
Fri	11:00	3:00		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 (please read guidance note 5)		
Sat	11:00	3:00				
Sun	11:00	23:30				
				Both	<input checked="" type="checkbox"/>	

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption (Please tick box <input checked="" type="checkbox"/>) (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
Mon	11:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 4) Alcohol will only be served until midnight. From then soft drinks and water will be provided for people that are eating there meals.		
Tue	11:00	00:00			
Wed	11:00	00:00			
Thur	11:00	00:00	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)		
Fri	11:00	00:00			
Sat	11:00	00:00			
					Both

Sun	11:00	23:30	

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

Name..... Tammy Sula

Address
.....

Postcode.....

Personal Licence number(if known) TBA

Issuing licensing authority Fairham 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)

The only entertainment on the premises will be either live Greek Music or CD Music which will not give rise to concern for children. Children will be accompanied by an adult during the evening hours.

O

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	11:00	3:00	
Tue	11:00	3:00	
Wed	11:00	3:00	
Thur	11:00	3:00	
Fri	11:00	3:00	
Sat	11:00	3:00	
Sun	11:00	23:30	

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. (please read guidance note 5)

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)

All employees will be trained and educated in all four licensing objectives. All training will be constantly reviewed. ID will be checked to ensure we do not sell alcohol to minors.

b) The prevention of crime and disorder

CCTV is installed on the premises connected to a HD recording system. This can also be viewed by smartphone. We will not sell any alcohol to people who appear to be already under the influence of alcohol. Alcohol will only be served for consumption on the premises. The ID check will include the 25 rule. We do not envisage there being a disorder or crime on our premises as it is a nice organised Greek Cafe, which does not attract huge crowds of the younger drunken people. We are a small establishment with only 4 tables inside seating max 20 people and six tables outside which are only used in the summer months.

c) Public safety

CCTV is installed on the premises. The staff are already trained in fire safety, Evacuation procedures and meeting points. The premises is situated along the busy Portswood road, ample street lighting and access to public transports including the university late city bus.

d) The prevention of public nuisance

As a small cafe? I do not envisage there being any nuisance to the public. Customers will be asked to leave the premises quietly and not to linger outside after their meals are finished. Any litter will be collected and cleaned away during the course of the evening. WE will call Taxis for our customers if required to do so and encourage good behaviour as this is a family run Greek Cafe?. Not an English Bar.

e) The protection of children from harm

This is a family run cafe?. Children are made welcome here. The back entrance to the toilet area is kept locked to ensure children cannot wander out the back and also that strangers can not loiter or wander in. One entrance and exit - safety first. As a mother of two young children I look for any possibility of danger and ensure it is squashed immediately. I ask that parents accompany younger children to the WC. I also ask that language is kept clean. We do not envisage any danger to children.

Please tick ✓ yes

- I will make the payment of the fee £ 100.00
- I have enclosed the plan of the premises
- I have you sent copies of this application and the plan to responsible authorities and others where 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 5 – 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 Mrs Tammy Sula

Date..... 05/03/2014

Capacity

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

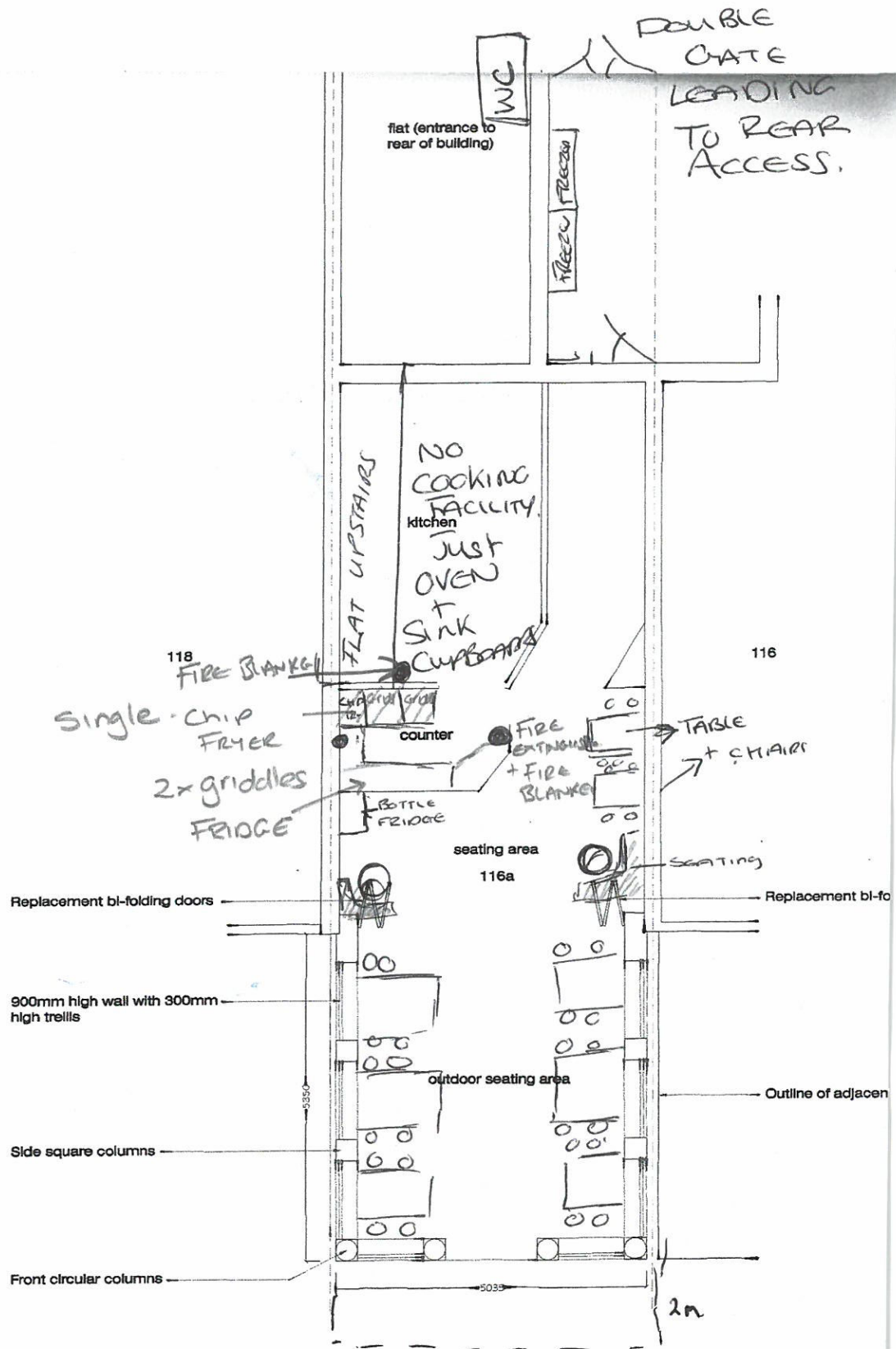
Date.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)	
Mrs Tammy Sula 4 Hornby Close Warsash	
Post town Southampton	Post code SO319gn
Telephone number (if any) 07818683817	
If you would prefer us to correspond with you by e-mail your e-mail address (optional) sulat1@tiscali.co.uk	

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 ie Christmas Eve.
6. Please give timings in 24 hour clock (eg 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. A 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.

RECEIVED
07 MAR 2014



Ground Floor Plan - As Proposed

Planning Application to
include a walled
Pergola at the front
of existing shop -

LATER TO CHANGE BAY FRONT TO BI-FOLD

From: Wainwright, Peter
Sent: 25 March 2014 12:47
To: Licensing
Cc: 'Cherry, Jaqueline'
Subject: 2014/00918/01SPRN - Sula's Greek Cafe, 116A Portswood Road - New Premises Licence Application - REPRESENTATION

Importance: High

I refer to the above licence application dated 5th March 2014.

There are concerns about the likelihood of public nuisance (noise nuisance) from live music, amplified music and customer voices being suffered by residential neighbours. Also the proposed terminal hours i.e 03:00hrs for Monday to Saturday, Sunday 23:30 hrs are very late and are noise sensitive times.

In light of these concerns I am making a formal representation, on behalf of the Environmental Health Service, in relation to one of the licensing objectives: namely the prevention of public nuisance.

Peter Wainwright

Principal Environmental Health Officer

Southampton City Council

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