# Public Document Pack

# Licensing (Licensing and Gambling) Sub-Committee

Thursday, 9th April, 2015 at 9.30 am

PLEASE NOTE TIME OF MEETING

Conference Room 3 - Civic Centre

This meeting is open to the public

#### **Members**

3 Members drawn from the Licensing Committee

#### Contacts

Democratic Support Officer Sue Lawrence Tel: 023 8083 3569

Email: <a href="mailto:susan.lawrence@southampton.g">susan.lawrence@southampton.g</a>ov.uk

Head of Legal and Democratic Services Richard Ivory

Tel. 023 8083 2794

Email: richard.ivory@southampton.gov.uk

### **PUBLIC INFORMATION**

The Members of the Licensing Committee are Councillors Galton, Lewzey, Lloyd, Painton, Parnell, Pope, Spicer, Tucker, Vassiliou and Whitbread.

#### **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:-

- Determination of applications for review of premises licences and club premises certificates;
- Determination of representations to applications for premises licences and club premises certificates, variations and various permits;
- Determination of police objections to applications for:
  - Variation of designated premises supervisors
  - Transfer of premises licences
  - Personal licences for the sale of alcohol
- Determination of objections to temporary event notices.

### **Relevant Representations**

Those who have made relevant representations may address the meeting about the matter in which they have an interest. New matters, not raised within a written representation, can not be relied upon at the hearing. When dealing with Licensing Act matters the Sub-Committee must 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 must 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

# **Southampton City Council's Priorities**

- Jobs for local people
- Prevention and early intervention
- Protecting vulnerable people
- Affordable housing
- Services for all
- City pride
- A sustainable Council

**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.

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

**Mobile Telephones:-** Please switch your mobile telephones to silent whilst in the meeting

Use of Social Media:- The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting

Dates of Potential Meetings Municipal Year 2014/15

2014	20 NOVEMBER
19 JUNE	4 DECEMBER
3 JULY	18 DECEMBER
17 JULY	2015
31 JULY	8 JANUARY
14 AUGUST	15 JANUARY
28 AUGUST	5 FEBRUARY
11 SEPTEMBER	19 FEBRUARY
25 SEPTEMBER	5 MARCH
9 OCTOBER	19 MARCH
23 OCTOBER	9 APRIL
6 NOVEMBER	23 APRIL

# **CONDUCT OF MEETING**

#### **Terms of Reference**

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

### **Rules of Procedure**

The meeting is governed by the Licensing Act 2003 (Hearings) Regulations 2005 and the Council Procedure Rules as set out in Part 4 of the Constitution, so far as it is applicable.

### **Business to be discussed**

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

# **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 of 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.

# 4 STATEMENT FROM THE CHAIR

# 5 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING) (Pages 1 - 4)

To approve and sign as a correct record the Minutes of the meeting held on 19 March 2015 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 <u>APPLICATION FOR A PREMISES LICENCE - OBELISK FOOD AND WINE, 127</u> <u>OBELISK ROAD, SOUTHAMPTON SO19 9DN</u> (Pages 5 - 34)

Report of the Head of Legal and Democratic Services, detailing an application for a premises licence in respect of Obelisk Food and Wine, 127 Obelisk Road, Southampton SO19 9DN, attached.

Monday, 30 March 2015

HEAD OF LEGAL AND DEMOCRATIC SERVICES



# SOUTHAMPTON CITY COUNCIL LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE MINUTES OF THE MEETING HELD ON 19 MARCH 2015

<u>Present:</u> Councillors Lewzey, Lloyd and Tucker

# 51. **ELECTION OF CHAIR**

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

# 52. MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)

**RESOLVED** that the minutes of the meeting held on 5 March 2015 be approved and signed as a correct record.

# 53. **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 decision.

# 54. <u>APPLICATION FOR VARIATION OF A PREMISES LICENCE - MANOR SERVICE</u> STATION, 123 BITTERNE ROAD WEST, SOUTHAMPTON SO18 1AR

The Sub-Committee considered an application for a variation of a premises licence in respect of Manor Service Station, 123 Bitterne Road West, Southampton SO18 1AR.

In accordance with Regulation 20 of the Licensing Act 2003 (Hearings) Regulations 2005 the Sub-Committee determined to proceed with the hearing in the absence of a number of the residential objectors.

Mr R Botkai (Solicitor), Mr Sritharan (Manager, Manor Service Station) and Councillor White (representing residential objector, Miss N Williams) 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 application for a variation of a premises licence be granted.

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 a variation of a premises licence at Manor Service Station, 123 Bitterne Road West. It has given due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted statement of Licensing Policy. Human Rights legislation was borne in mind whilst making the decision.

As a result, and in consideration of all the above, the application to vary the licence is approved as applied for and subject to the conditions agreed between the applicant and the police. The conditions relate to; recording refusals, incident book, CCTV, night pay window, high strength beer / cider, sale of single cans, challenge 25 and signage. Full details of these conditions are set out in full within the hearing report.

# Reasons

The Sub-Committee considered very carefully the written representations of local residents insofar as they relate to the licensing objectives. It also heard evidence from Councillor White, representing a resident (Miss Williams). The Sub-Committee accepts that there may be some issues in the locality relating to anti-social behaviour and the congregating of youths. The Sub-Committee has not considered the increased risk of drink driving as a point of substance. It is also noted that residents have raised concern relating to the lack of toilet provision in the area and issues faced as a result. However, despite carefully considering all of these points, the Sub-Committee was not satisfied that the evidence presented showed a sufficient link between the operation of the premises, particularly the sale of alcohol, and the anti-social behaviour.

The premises currently operates during a 24 hour period and the application relates to the extension of the sale of alcohol during those hours. The Sub-Committee was referred by the applicant to the statutory guidance which states that shop premises should ordinarily be entitled to sell alcohol at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

The Sub-Committee understands the concerns for the potential risk created by the additional hours, however, has been presented with no evidence of any concerns at the premises relating to alcohol sales during existing hours. In this respect the apparent lack of any link between the issues reported and the premises was key. The strict conditions agreed with the police has provided the Sub-Committee with considerable reassurance that they shall be sufficient to address potential issues relating to crime and disorder. The Sub-Committee is also bound to accept the inference that by withdrawing their objection (on the basis of the conditions), the police are satisfied, as the lead authority for crime and disorder matters, with the application.

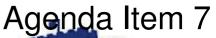
Local residents can be reassured that in the event that the variation application does in fact lead to issues of concern relevant to the licensing objectives, a review may be initiated, where evidence of the same can be considered and may result in appropriate steps being taken to address them.

The Sub-Committee was pleased to hear that the applicant was willing to engage with local residents to discuss and co-operate going forward. The Sub-Committee strongly recommends that this is undertaken and that the parties make every effort to report issues of concern.

It was also noted that the applicant shall explore public toilet provision at the premises, if possible.

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.

This page is intentionally left blank





Reference: 2015/00502/01SPRN

**Application for Premises Licence** 

Obelisk Food And Wine Premises Name: Premises Address: 127 Obelisk Road

Southampton SO19 9DN

Hearing:

Application Date: Application Received Date:

9th February 2015 10th February 2015

Application Valid Date:

10th February 2015



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Southampton City Council Licence No. 100019679 2007.

# Representation From Responsible Authorities

Responsible Authority	Satisfactory?	Comments
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	
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
Mrs. A.M. Peach	133 Obelisk Road Southampton SO19 9DN	Resident
Mrs. B.G. Burns	Everley 126 Obelisk Road Woolston Southampton SO19 9DP	Resident

# Legal Implications

- 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.
- 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 makes 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 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.

# Conditions agreed with Hampshire Constabulary

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 will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside areas.

CCTV warning signs to be fitted in public places.

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.

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.

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.

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.

There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police, Trading Standards or Local Authority Officers on request or within 24 hours of such request when investigating allegations of offences or criminal activity. Any images recovered must be in a viewable format on either disc or VHS. Footage supplied in a digital format on CD or DVD will also have a copy of the CCTV system software enabled on the disc to allow playback.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Hampshire Western Police Licensing Unit within 24 hours.

#### **Training**

Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training which must be signed and dated by the member of staff who has received that training.

All staff will receive refresher training every six months as a minimum and records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.

In addition to their training a written test related to the training given will be conducted before the staff member is permitted to sell or authorise alcohol. The test will consist of a minimum of ten questions of which the pass rate is 80%. Anyone who fails to reach the prescribed pass rate will be retrained and re-tested. Anyone not attaining the pass rate will not be permitted to sell or authorise the sale of alcohol until the pass rate is attained. There will be a minimum of two sets of questions to be used in the training which will be rotated upon each subsequent six month training session.

All training records will be made immediately available for inspection by Hampshire Constabulary and any responsible Authority upon request. Training records will be kept for a minimum period of two years. Training records will be kept on the licensed premises to which they relate to.

#### Challenge 25

There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.

Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and the person's date of birth. 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.

'Challenge 25' posters shall be displayed in prominent positions at the premises

#### Refusals book

A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the store manager/manageress.

The refusals log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority.

Page 8

The record of refusals will be retained for 12 months.

#### Incident book

An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request.

Any incidents that include physical altercation or disorder, physical ejection, injury, id seizure or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.

If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry.

At the close of business on each day the incident book will be checked by the manager on duty where any entries will be reviewed and signed. If incidents have occurred the duty manager will de-brief staff at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book.

#### Single cans of alcohol

Sales of single cans of alcohol are prohibited.

#### High strength alcohol products

No beers, ciders or lager of 6.5% ABV or over shall be sold by retail, excluding premium products as agreed in writing, in advance with the police licensing team.

# LICENSING TEAM, SOUTHAMPTON CITY COUNCIL, PO BOX 1767, SOUTHAMPTON, SO18 9LA.

# 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 JITHUS LIMITED (Insert name(s) of applicant) apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003 Part 1 - Premises Details Postal address of premises or, if none, ordnance survey map reference or description **OBELISK FOOD & WINE** 127 OBELISK ROAD WOOLSTON Post town SOUTHAMPTON Postcode SO19 9DN Telephone number at premises (if any) Non-domestic rateable value of premises £4800 Part 2 - Applicant Details Please state whether you are applying for a premises licence as Please tick as appropriate a) an individual or individuals \* please complete section (A b) a person other than an individual \* i. as a limited company X please complete section (B) ii. as a partnership please complete section (B) iii. as an unincorporated association or please complete section (B) other (for example a statutory corporation) please complete section (B)

c)	a recognised club				please comp	ete section (B)	
d)	a charity				please comp	ete section (B)	
e)	the proprietor of an edu	ucational establish	ment		please comp	ete section (B)	
f)	a health service body				please comp	ete section (B)	
g)	a person who is registe Standards Act 2000 (c) hospital in Wales				please compl	ete section (B)	
ga)	a person who is registe of the Health and Socia meaning of that Part) in England	al Care Act 2008 (	within the		please compl	ete section (B)	
h)	the chief officer of poli and Wales	ce of a police force	e in England		please compl	ete section (B)	
* If yo	ou are applying as a person	on described in (a)	or (b) please co	onfirn	1:		
Please	tick yes						
	arrying on or proposing able activities; or	to carry on a busin	ness which invo	lves th	ne use of the pr	emises for	X
	naking the application pu	ursuant to a					
	statutory function or			.•			
	a function discharged	by virtue of Her M	lajesty's prerog	ative			
(A) IN	DIVIDUAL APPLICA	NTS (fill in as ap	plicable)				
Mr	☐ Mrs ☐	Miss	Ms 🗌	1	er Title (for nple, Rev)		
Surna	me		First nar	mes			
I am 1	8 years old or over				Plea	se tick yes	
	nt postal address if nt from premises s						
Post to	own				Postcode		
Daytir	Daytime contact telephone number						1
	ne contact telephone n	umber					

# SECOND INDIVIDUAL APPLICANT (if applicable)

Mr Mrs Miss	Ms  Other Title (for example, Rev)
Surname	First names
I am 18 years old or over	☐ Please tick yes
Current postal address if different from premises address	
Post town	Postcode
Daytime contact telephone number	
E-mail address (optional)	
(B) OTHER APPLICANTS  Please provide name and registered addres registered number. In the case of a partner corporate), please give the name and address.	s of applicant in full. Where appropriate please give any rship or other joint venture (other than a body ess of each party concerned.
Name JITHUS LIMITED	
Address 127 OBELISK ROAD WOOLSTON SOUTHAMPTON SO19 9DN	
Registered number (where applicable) 09020771	
Description of applicant (for example, partne LIMITED COMPANY	rship, company, unincorporated association etc.)
Telephone number (if any)	
E-mail address (optional)	

1	Part 3 Operating Schedule	
1	When do you want the premises licence to start?	DD MM YYYY  1 1 0 32 0 1 5
It W	f you wish the licence to be valid only for a limited period, when do you vant it to end?	DD MM YYYY
D		
1	lease give a general description of the premises (please read guidance note 1	
A	HESE ARE CURRENTLY VACANT PREMISES THAT ARE TO ND CONVERTED INTO AN INDEPENDENTLY OWNED AND FORE.	O BE REFURBISHED D RUN CONVENIENCE
If:	5,000 or more people are expected to attend the premises at any one time, asse state the number expected to attend.	
WI	nat licensable activities do you intend to carry on from the premises?	
	ease see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2	to the Licensing Act 2003)
Pro	vision of regulated entertainment	Please tick any that apply
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)	
1)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	П

Page 13

Page 9 of 3

Provision of late night refreshment (if ticking yes, fill in box I)					
Supply of alcohol (if ticking yes, fill in box J)					
In all c	ases comp	olete boxes	s K, L and M		
A					
	d days and		Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
(please 6)	read guida	ince note	guidance note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Wed			State any seasonal variations for performing plays (posterior of the property of the performing plays (posterior of the p	olease read guida	ince
Thur					
Fri			Non standard timings. Where you intend to use the performance of plays at different times to those lister the left, please list (please read guidance note 5)	premises for the d in the column	on on
Sat					
Sun					

Films Standard days and timings (please read guidance note			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
(picase 6)	read guide	arice note	11000 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue					
Wed			State any seasonal variations for the exhibition of file guidance note 4)	ms (please read	
Thur					
Fri			Non standard timings. Where you intend to use the exhibition of films at different times to those listed in left, please list (please read guidance note 5)		
Sat					
Sun					

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

Boxing or wrestling		tling	Will the boxing or wrestling entertainment take		Т		
entertainments Standard days and timings (please read guidance note		nd timings	place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors			
(please	e read guid	lance note		Outdoors			
Day	Start	Finish		Both			
Mon			Please give further details here (please read guidance	note 3)			
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 por wrestling entertainment at different times to those column on the left, please list (please read guidance not	listed in the	ting		
Sat			(please read gardance not	(6.5)			
Sun							

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

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

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

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 years	ou will be provid	ling
Day	Start	Finish	Will this entertainment take place indoors or	Indoors	
Mon			outdoors or both – please tick (please read guidance note 2)	Outdoors	
				Both	
Tue			Please give further details here (please read guidance	note 3)	
Wed					
Thur			State any seasonal variations for entertainment of a sto that falling within (e), (f) or (g) (please read guidant	imilar descriptice note 4)	on
Fri					
Sat			Non standard timings. Where you intend to use the pentertainment of a similar description to that falling vat different times to those listed in the column on the (please read guidance note 5)	within (e), (f) or	(g)
Sun					

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

Supply of alcohol Standard days and timings (please read guidance note			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	
6)				Off the premises	X
Day	Start	Finish		Both	
Mon	08.00	23.00	State any seasonal variations for the supply of alcohologuidance note 4)	ol (please read	
Tue	08.00	23.00	-		
Wed	08.00	23.00			
Thur	08.00	23.00	Non standard timings. Where you intend to use the pauply of alcohol at different times to those listed in taleft, please list (please read guidance note 5)	oremises for the	<u>1e</u>
Fri	08.00	23.00	tert, prease list (prease read guidance note 3)		
Sat	08.00	23.00			
Sun	08.00	23.00			

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



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).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)		nd timings	State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	06.00	23.00	
Tue	06.00	23.00	-
Wed	06.00	23.00	
Thur	06.00	23.00	Non standard timings. Where you intend the premises to be open public at different times from those listed in the column on the left please list (please read guidance note 5)
Fri	06.00	23.00	
Sat	06.00	23.00	
Sun	06.00	23.00	

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

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

- 1. CCTV SYSTEM TO BE INSTALLED TO THE REASONABLE SATISFACTION OF THE POLICE AND MAINTAINED IN GOOD WORKING CONDITION, WITH IMAGES RECORDED DIGITALLY AT ALL TIMES THE PREMISES IS OPEN FOR LICENSABLE ACTIVITIES WITH EVIDENTIAL STANDARD RECORDINGS TO BE MADE AVAILABLE BY AUTHORISED STAFF WITHOUT UNDUE DELAY TO THE POLICE UPON REASONABLE REQUEST FOR UP TO 31 DAYS, A CCTV CAMERA SHALL BE INSTALLED TO COVER THE ENTRANCE OF THE PREMISES. EXTERNAL CAMERAS TO ALSO BE INSTALLED.
- 2. APPROPRIATE STAFF ALCOHOL SALES TRAINING TO BE SATISFACTORILY COMPLETED AND RECORDED. WRITTEN TRAINING RECORDS CAN BE MADE AVAILABLE FOR INSPECTION UPON REASONABLE REQUEST BY A RELEVENT OFFICER OF A RESPONSIBLE AUTHORITY.
- 3. APPROPRIATE LICENCE TRAINING MANUAL TO BE MAINTAINED.
- 4. REFRESHER TRAINING WILL BE UNDERTAKEN AT LEAST ANNUALLY BY ALL STAFF.
- 5. SPIRITS TO BE DISPLAYED BEHIND THE COUNTER.
- 6. NO BEER, LAGER OR CIDER ABOVE 6.5% ABV TO BE SOLD.
- 7. REFUSALS BOOK TO BE MAINTAINED WITHIN THE PREMISES AND OPERATED BY ALL STAFF, THE FOLLOWING DETAILS TO BE NOTED IN THE REFUSAL BOOK; DATE AND TIME OF REFUSAL, THE PRODUCT DESCRIPTION, THE REASON FOR REFUSAL, THE DESCRIPTION OF THE PERSON REFUSED AND THE STAFF MEMBERS NAME.
- 8. CHALLENGE 25 AGE VERIFICATION POLICY TO BE ADOPTED, THE ONLY FORMS OF ID ACCEPTABLE WILL BE A PASSPORT, A PHOTO DRIVING LICENCE OR A PASS ACCREDITED PROOF OF AGE CARD SCHEME AND THE SCHEME IS TO BE OPERATED BY ALL STAFF.
- 9. PAVED AREA IN FRONT OF STORE TO BE REGULARY SWEPT.
- 10. NOTICES WILL BE DISPLAYED PROMINENTLY INSTORE TO REQUEST CUSTOMERS LEAVING THE STORE TO DO SO QUIETLY RESPECTING LOCAL RESIDENTS.
- 11. BLINDS WILL BE FITTED TO COVER ALCOHOL DISPLAYS OUTSIDE OF LICENSABLE ACTIVITIES

# b) The prevention of crime and disorder

- 1 CCTV SYSTEM TO BE INSTALLED TO THE REASONABLE SATISFACTION OF THE POLICE AND MAINTAINED IN GOOD WORKING CONDITION, WITH IMAGES RECORDED DIGITALLY AT ALL TIMES THE PREMISES IS OPEN FOR LICENSABLE ACTIVITIES WITH EVIDENTIAL STANDARD RECORDINGS TO BE MADE AVAILABLE BY AUTHORISED STAFF WITHOUT UNDUE DELAY TO THE POLICE UPON REASONABLE REQUEST FOR UP TO 31 DAYS, A CCTV CAMERA SHALL BE INSTALLED TO COVER THE ENTRANCE OF THE PREMISES. EXTERNAL CAMERAS TO ALSO BE INSTALLED.
- 2 APPROPRIATE STAFF ALCOHOL SALES TRAINING TO BE

SATISFACTORILY COMPLETED AND RECORDED. WRITTEN TRAINING RECORDS CAN BE MADE AVAILABLE FOR INSPECTION UPON REASONABLE REQUEST BY A RELEVENT OFFICER OF A RESPONSIBLE AUTHORITY.

- 3 APPROPRIATE LICENCE TRAINING MANUAL TO BE MAINTAINED.
- 4 REFRESHER TRAINING WILL BE UNDERTAKEN AT LEAST ANNUALLY BY ALL STAFF.
- 5 SPIRITS TO BE DISPLAYED BEHIND THE COUNTER.
- 6 NO BEER, LAGER OR CIDER ABOVE 6.5% ABV TO BE SOLD.
- 7 REFUSALS BOOK TO BE MAINTAINED WITHIN THE PREMISES AND OPERATED BY ALL STAFF, THE FOLLOWING DETAILS TO BE NOTED IN THE REFUSAL BOOK; DATE AND TIME OF REFUSAL, THE PRODUCT DESCRIPTION, THE REASON FOR REFUSAL, THE DESCRIPTION OF THE PERSON REFUSED AND THE STAFF MEMBERS NAME.
- 8 BLINDS WILL BE FITTED TO COVER ALCOHOL DISPLAYS OUTSIDE OF LICENSABLE ACTIVITIES

# c) Public safety

- OF THE POLICE AND MAINTAINED IN GOOD WORKING CONDITION, WITH IMAGES RECORDED DIGITALLY AT ALL TIMES THE PREMISES IS OPEN FOR LICENSABLE ACTIVITIES WITH EVIDENTIAL STANDARD RECORDINGS TO BE MADE AVAILABLE BY AUTHORISED STAFF WITHOUT UNDUE DELAY TO THE POLICE UPON REASONABLE REQUEST FOR UP TO 31 DAYS, A CCTV CAMERA SHALL BE INSTALLED TO COVER THE ENTRANCE OF THE PREMISES. EXTERNAL CAMERAS TO ALSO BE INSTALLED.
- 2 APPROPRIATE STAFF ALCOHOL SALES TRAINING TO BE SATISFACTORILY COMPLETED AND RECORDED. WRITTEN TRAINING RECORDS CAN BE MADE AVAILABLE FOR INSPECTION UPON REASONABLE REQUEST BY A RELEVENT OFFICER OF A RESPONSIBLE AUTHORITY.
- 3 APPROPRIATE LICENCE TRAINING MANUAL TO BE MAINTAINED.

#### d) The prevention of public nuisance

- 1 PAVED AREA IN FRONT OF STORE TO BE REGULARY SWEPT.
- 2 NOTICES WILL BE DISPLAYED PROMINENTLY INSTORE TO REQUEST CUSTOMERS LEAVING THE STORE TO DO SO QUIETLY RESPECTING LOCAL RESIDENTS.
- e) The protection of children from harm

- APPROPRIATE STAFF ALCOHOL SALES TRAINING TO BE SATISFACTORILY COMPLETED AND RECORDED. WRITTEN TRAINING RECORDS CAN BE MADE AVAILABLE FOR INSPECTION UPON REASONABLE REQUEST BY A RELEVENT OFFICER OF A RESPONSIBLE AUTHORITY.
- 2 APPROPRIATE LICENCE TRAINING MANUAL TO BE MAINTAINED.
- 3 REFRESHER TRAINING WILL BE UNDERTAKEN AT LEAST ANNUALLY BY ALL STAFF.
- 4 SPIRITS TO BE DISPLAYED BEHIND THE COUNTER.
- 5 NO BEER, LAGER OR CIDER ABOVE 6.5% ABV TO BE SOLD.
- 6 REFUSALS BOOK TO BE MAINTAINED WITHIN THE PREMISES AND OPERATED BY ALL STAFF, THE FOLLOWING DETAILS TO BE NOTED IN THE REFUSAL BOOK; DATE AND TIME OF REFUSAL, THE PRODUCT DESCRIPTION, THE REASON FOR REFUSAL, THE DESCRIPTION OF THE PERSON REFUSED AND THE STAFF MEMBERS NAME.
- 7 CHALLENGE 25 AGE VERIFICATION POLICY TO BE ADOPTED, THE ONLY FORMS OF ID ACCEPTABLE WILL BE A PASSPORT, A PHOTO DRIVING LICENCE OR A PASS ACCREDITED PROOF OF AGE CARD SCHEME AND THE SCHEME IS TO BE OPERATED BY ALL STAFF.

#### Checklist:

#### Please tick to indicate agreement I have made or enclosed payment of the fee. X I have enclosed the plan of the premises. X I have sent copies of this application and the plan to responsible authorities and others where 0 X applicable. I have enclosed the consent form completed by the individual I wish to be designated premises X supervisor, if applicable. I understand that I must now advertise my application. X I understand that if I do not comply with the above requirements my application will be X rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 a If signing on behalf of the:

Signature

Date

9<sup>TH</sup> FEBRUARY 2015

Capacity

DULY AUTHORISED AGENT

For joint applications, 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.

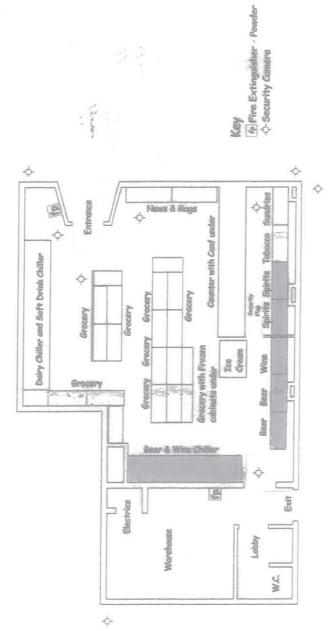
Signature	
Date	
Capacity	

application ( RICHARD RB RETAL 23 MAGIS	te (where not previously given) and postal please read guidance note 13)  BAKER  L & LICENSING SERVICES  TER DRIVE  HE SOLENT	al address for correspondence as	sociated with this	
Post town	PORTSMOUTH Postcode PO13 8GE			
Telephone n	umber (if any)			
10 11	th you by e-m	ail, your e-mail address (optiona	al)	

#### **Notes for Guidance**

- 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 offsupplies, 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).
- For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- 4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
- 7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. 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 seminudity, films for restricted age groups or 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, each of the applicant or their respective agent must sign the application form.
- 13. This is the address which we shall use to correspond with you about this application.

RB Retail & Licensing Services Limited



All retail selling areas to be licensed for alcohol display. Copyright – RB Retail & Licensing Services Limited, 23 Magister Drive, Lee on the Solent, Portsmouth PO123 8GE, Site dimensions to be used at all times

Obelisk Food & Wine 127 Obelisk Road Woolston

Southampton

SO19 9DN

Drawn by: R Baker RB Retail & Licensing Drawing Reference; RB/0949 Scale- 1:100

8<sup>th</sup> February 2015

Page 29

Premises Licence
Application

on behalf of OBELISK FOOD & WINE

127 OBELISK ROAD WOOLSTON SOUTHAMPTON SO19 9DN

# **Background History**

This is to be a newly established independent local store that will be refurbished with a retail selling area to be in excess of 520 sq ft.

# The Shop

This purpose built shop has been designed to serve both the local community and those from further a-field. The premises will trade as a convenience store under an independent fascia, with a range of fresh foods, groceries and other products offered and the off-licence is an important part of the service the store will be expected to provide.

# The Operation

The store is to be operated by the manager who is also to be the DPS, assisted by a team of full and part-time staff some of whom live locally. The designated premises supervisor, trained and certified through the APLH training scheme will be responsible for training all staff and keeping and maintaining ongoing training records utilising the **Premises Licence Manual**. The **Challenge 25** trading initiative is to be adopted and supported by the refusals system with records kept in the **Refusals Book** to tie in with the CCTV system. **Alcohol display blinds** will be fitted and used outside of licensable hours to cover alcohol displays.

# Security

The premises will be secured by a full **alarm system**. The **CCTV system** will benefit from a **24-hour recorder** and **library** which can be made available to Police if required..

# **Existing Store Frontage - prior to refurbishment**





# Retail Trading Area (to be)

520 sq ft plus

# **Opening Hours**

Monday	06.00 hours to 23.00 hours
Tuesday	06.00 hours to 23.00 hours
Wednesday	06.00 hours to 23.00 hours
Thursday	06.00 hours to 23.00 hours
Friday	06.00 hours to 23.00 hours
Saturday	06.00 hours to 23.00 hours
Sunday	06.00 hours to 23.00 hours

Following Police advice prior to the application being submitted it was recommended that the licensing hours applied should not mirror the opening hours and would instead be 08.00 hours until 23.00 hours 7 days a week. Therefore blinds will be installed to pull down over alcohol displays between 6am until 8am.

Convenience trading format Premise licence Manual Challenge 25 Refusals Book Alarm system Alcohol display blinds Full CCTV 24 hour recorder & library



22 February 2015

### For the attention of Licensing Team

Southampton City Council PO Box 1767 Southampton SO18 9LA

Application for a premises license under section 17 of the licensing act of 2003 by Jithus Ltd of Obelisk Food and Wine 127 Obelisk Road, Woolston, Southampton SO19 9DN for sale of alcohol for consumption off the premises every day from 8am to 11pm

I wish to register my objections to the above license application for the following reasons:

- 1. This is a narrow residential street which already experiences traffic issues regarding parking for residents with fewer and fewer pull in places for traffic due to parked cars.
- 2. I have walked around the area and noted many establishments that sell alcohol to be consumed off the premises. Many of these outlets are open until late ie. 10pm, with the local garage being open 24 hours for alcohol sales. These are sited in business areas which are suited to such sales and parking for cars, as opposed to this residential street which could potentially cause a nuisance and/or antisocial behaviour to local residents. Noted establishments are as follows:

Co-op Obelisk Road
Co-op Bridge Road
Co-op Johns Road

Co-op Corner of Archery Road/Weston Lane

Sami Swoi Portsmouth Road Maya Store Bridge Road

Premier Convenience Store Corner of Radstock Road/Bridge Road

Bridge News Portsmouth Road
Victoria News Victoria Road
Grande Wines Victoria Road

Woolston Garage Portsmouth Road (24 hour sales)

I also noted six pubs in the local area, one of which is only 25 yards (approx) from the proposed shop.

- 3. There is an infant school in close proximity.
- 4. I would also like it to be noted that an 11pm closing time is far too late for a residential street.

Please register my objections.







Everley
126 Obelisk Road
Woolston
SOUTHAMPTON
SO19 9 DP

February 25th 2015

For the attention of Licensing Team Southampton City Council PO Box 1767 Southampton SO18 9LA

Application for a premises license under section 17 of the licensing act of 2003 by Jithus Ltd of Obelisk Food and Wine 127 Obelisk Road, Woolston, Southampton SO19 9DN for sale of alcohol for consumption off the premises every day 08.00 to 23.00 Hours

I wish to object to the above proposal for the following reasons:-

- 1. This part of Obelisk Road is very narrow, and parking will be very difficult
- 2. Should this license be granted the closing time should be no later than 9 p.m to avoid late night disturbance in what is now a quiet residential area.

Will you please register my objections

Yours faithfully

Mrs B G Burns

RECEIVED
03 MAR 2015