

Licensing (Licensing and Gambling) Sub-Committee

Wednesday, 26th October, 2016
at 6.00 pm

PLEASE NOTE TIME OF MEETING

Council Chamber - Civic Centre

This meeting is open to the public

Members

Three Members drawn from the Licensing Committee

Contacts

Democratic Support Officer
Pat Wood
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Service Director - Transactions & Universal Services
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PUBLIC INFORMATION

The Members of the Licensing Committee are Councillors J Baillie, Blatchford, Bogle, B Harris, Furnell, Jordan, Lewzey, Painton, Parnell and D Thomas.

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.

By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and or/training purposes. The meeting may be recorded by the press or members of the public.

Any person or organisation filming, recording or broadcasting any meeting of the Council is responsible for any claims or other liability resulting from them doing so.

Details of the Council's Guidance on the recording of meetings is available on the Council's website.

Dates of Potential Meetings Municipal Year 2016/17

Meetings are scheduled on a weekly basis usually at 6pm on a Wednesday evening.

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 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.

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

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 29 September 2016 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 GRANT OF PREMISES LICENCE - PAPA JOHNS PIZZA, 7 THE BROADWAY, PORTSWOOD ROAD, SOUTHAMPTON SO17 2WE (Pages 5 - 38)

Application for Grant of a Premises Licence in respect of Papa Johns Pizza, 7 The Broadway, Portswood Road, Southampton SO17 2WE, attached.

Tuesday, 18 October 2016

SERVICE DIRECTOR, LEGAL AND GOVERNANCE

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SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 29 SEPTEMBER 2016

Present: Councillors B Harris, Parnell and D Thomas

17. **ELECTION OF CHAIR**

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

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

RESOLVED that the minutes of the meeting held on 16 September 2016 be approved and signed as a correct record.

19. **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.

20. **APPLICATION FOR GRANT OF A PREMISES LICENCE - MOONLIGHT DRINKS, OFFICE 5, 11 CUMBERLAND PLACE, SOUTHAMPTON SO15 2BH**

The Sub-Committee considered the application for the grant of a premises licence in respect of Moonlight Drinks, Office 5, 11 Cumberland Place, Southampton SO15 2BH.

Ms D Bull (Applicant), Mr R Williams (for the Applicant) and Mrs L Barter (Local 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 application for a premises licence be granted.

After private deliberation the Sub-Committee reconvened and the Chair read out 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 premises licence at Moonlight Drinks, Office 5, 11 Cumberland Place, Southampton SO15 2BH. It has given due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted statement of Licensing Policy.

The Sub-Committee considered the representations, both written and given orally today, by all parties. Human rights legislation has been borne in mind whilst making the decision.

The Sub-Committee has determined that the application should be granted as applied for.

Reasons

The Sub-Committee noted that no representation had been received from any of the responsible authorities but notably Hampshire Constabulary, Children's Services, Public Health or Environmental Health. In the absence of representation, the assumption must be that the responsible authorities are satisfied with the application. Extensive conditions are proposed by the applicant and attached within the papers and dealing with deliveries, training, incident book, refusals book and Challenge 25.

The Sub-Committee heard evidence from residents raising concerns regarding the potential for an increase in nuisance and crime and disorder as a result of an additional premises selling alcohol in this location. Whilst the Sub-Committee sympathises with these concerns it was forced to consider whether the evidence presented was sufficient to make it appropriate in all the circumstances to refuse the licence or restrict the operation of the premises.

The Sub-Committee heard evidence from the applicant that the premises is intended to be used as a delivery service and will make no face to face sales at the premises. The Sub-Committee was impressed by the level of detail in the proposed conditions, particularly those preventing the sale of alcohol to underage customers and preventing inadvertent deliveries to the wrong address.

The premises explained the nature of the business and confirmed that the target market was not cheap alcohol on a large scale but a much smaller and refined service with deliveries being made unobtrusively and without any real potential for a nuisance caused as a result.

In light of all the circumstances, the Sub-Committee could see no reason, based on the Licensing Objectives, to refuse a Premises Licence in this location. The premises is not located within a CIP area and accordingly the Sub-Committee accepted legal advice provided during the course of the hearing that the presumption was for grant of the licence unless there was good reason based on the Licensing Objectives not to do so.

Local residents can be reassured that in the event that the grant of the licence 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 accepted legal advice provided during the course of the hearing that planning considerations (including potential development) as well as commercial need or demand for the premises cannot be taken into consideration.

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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Agenda Item 7

DECISION-MAKER LICENSING (LICENSING & GAMBLING) SUB COMMITTEE

HEARING TO CONSIDER AN APPLICATION FOR A NEW PREMISES LICENCE -

SUBJECT

PAPA JOHNS PIZZA, 7 THE BROADWAY, PORTSWOOD ROAD, SOUTHAMPTON SO17 2WE

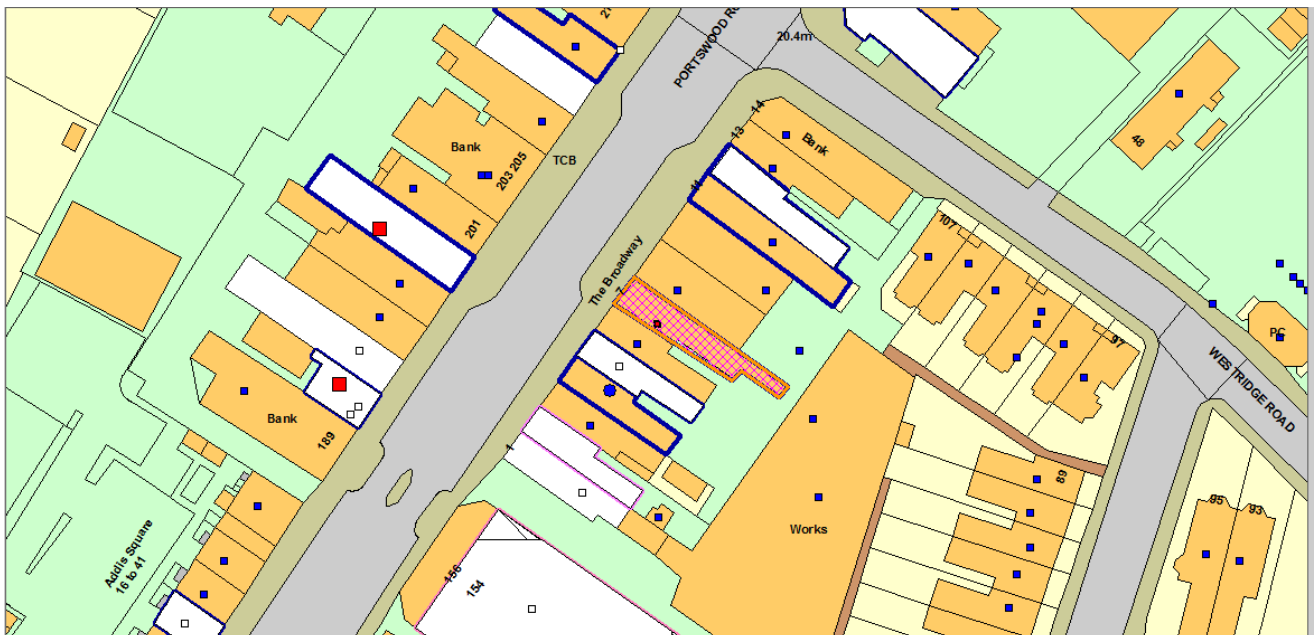
DATE OF HEARING WEDNESDAY 26TH OCTOBER 2016 at 18:00 hrs

REPORT OF SERVICE DIRECTOR – TRANSACTIONS & UNIVERSAL SERVICES

E-mail licensing@southampton.gov.uk

Application Date : 5 AUGUST 2016 Application Received 16 AUGUST 2016

Application Valid : 5 AUGUST 2016 Reference : **2016/02478/01SPRV**



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Representations from Responsible Authorities

Responsible Authority	Satisfactory?
Children Services	YES
Hampshire Fire And Rescue	YES
Environmental Health - Licensing	YES
Planning & Sustainability	No Response Received
Public Health	No Response Received
Hampshire Constabulary	Conditions agreed
Trading Standards	YES

Other Representations

Name	Address	Contributor Type
Alastair Duke	18 Abbots Way	Resident
Mrs J W Jameson	5 Russell Place	Resident
M and C. Zepler	6 Russell Place	Resident
Chris Swann	32 Abbots Way	Resident

Legal Implications

1. The legislation specifically restricts the grounds on which the sub-committee may refuse an application for variation of a premises licence, or impose conditions. The legislation provides for a presumption of grant of an application for variation of a premises licence, subject to the determination of the application with a view to promoting the licensing objectives in the overall interests of the local community. In doing so the sub-committee must give appropriate weight to:
 - the steps that are appropriate to promote the licensing objectives;
 - the representations (including supporting information) presented by all the parties;
 - its own statement of licensing policy
 - the Statutory Guidance
2. An application may be refused in part and thereby only permit some of the licensable activities sought.
3. An applicant for variation of a premises licence whose application has been refused, or who is aggrieved by conditions imposed, may appeal against the decision to the Magistrates' Court. Any other person, who made a valid representation, may appeal to the Magistrates' Court against the decision to grant the application or against any conditions imposed.
4. In considering this application the sub-committee will sit in a quasi-judicial capacity and is thus obliged to consider the application in accordance, in particular, with both the Licensing Act 2003 (Hearings) Regulations 2005 (as amended) and the rules of natural justice. The practical effect of this is that the sub-committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.
5. The sub-committee must also have regard to:
 - *The Crime and Disorder Act 1998*
Section 17 of the Crime and Disorder Act 1998 places the sub-committee 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.
 - *The 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 sub-committee 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 sub-committee 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 sub-committee which affect another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.

Copies of the application for variation of the premises licence and the representations to it are annexed to this report.

Summary of application

Premises	7 Broadway Southampton SO17 2WE
Applicant	PJ Wood Ltd.

***The application states that the premises is a take away with a delivery service.
There is no consumption of food on the premises.***

This is an application for a premises licence to permit late Night Refreshment as follows:

Monday – Thursday 23:00 to 01:00

Friday – Sunday 23:00 to 03:00

Conditions have been agreed with Hampshire Constabulary as follows:

From 01:00 until the close of business, the provision of late night refreshment shall only be available by means of delivery following an order received at the premises either by phone or the internet.

Food shall only be delivered to a recognised postal address and not collected from the store

No sales shall be made in person within the venue after 01:00

From 01:00 until the venue closing, low level lighting shall be used within the front of the premises to discourage persons attending.

The consultation period was extended due to a delay in the newspaper notice being advertised.

Southampton City Council

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 PJWOOD LTD

(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 7 The Broadway, Portswood Road.			
Post town	Southampton	Post code	SO17 2WE
Telephone number at premises (if any)		02380678678	
Non-domestic rateable value of premises		£13,250/-	

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 <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> 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 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 PJWOOD LTD
Address 7 The Broadway, Portswood Road, Portswood Southampton SO17 2WE
Registered number (where applicable) 10162701
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year	
0	1	0	9	2	0
1	6				

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

Day		Month		Year	

Please give a general description of the premises (please read guidance note1)
Its Papa Johns Pizza Delivery Company. It is located on Portswood road, There is no consumption of food on the premises, it is only for takeaway and delivery. Just few chairs in a small customer area for people to wait till their food is ready.

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

0

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

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

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

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

In all cases complete boxes N, O and P

A

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

B

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

C

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

D

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

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

F

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

G

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

I

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

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue						
Wed						
Thur						
Fri						
Sat						
Sun						
			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)			
			<u>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</u> (please read guidance note 5)			

K

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

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<p><u>Please give further details here</u> (please read guidance note 3) Selling Pizzas and Delivery to Customers, no music will be played, there is no selling of Alcohol.</p> <p><u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) no seasonal variations will take place</p> <p><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5) These timings should be through out the year</p>		
Mon	11:00	01:00			
Tue	11:00	01:00			
Wed	11:00	01:00			
Thur	11:00	01:00			
Fri	11:00	03:00			
Sat	11:00	03:00			
Sun	11:00	03:00			

M

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

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

Name	
Address	
Postcode	
Personal Licence number (if known)	
Issuing licensing authority (if known)	

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)
 Nothing of That sort is taking place in the premisis or anything that may concern children.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) None
Day	Start	Finish	
Mon	11:00	01:00	
Tue	11:00	01:00	
Wed	11:00	01:00	
Thur	11:00	01:00	
Fri	11:00	03:00	
Sat	11:00	03:00	
Sun	11:00	03:00	

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)

We as a company and as an individual work with local community and all services to provide full support in which even means possible. We encourage safety for our workers and public and are always one step ahead to report any disorder to appropriate authorities where ever needed.

b) The prevention of crime and disorder

Any sort of disorder within or near the business is never appreciated and we discourage it and prevention measures are always applied.

c) Public safety

Safety to public is utmost important we train all staff members fully to make sure they behave professionally and courteous with customers and any member of public.

d) The prevention of public nuisance

We pride our brand name and won't allow anyone to cause any kind of nuisance within the shop premises or outside. we reject and don't tolerate any sort of nuisance.

e) The protection of children from harm

Normally we don't deal with children and always take extra care in dealing children if need too.

Please tick yes

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

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	
Date	05/08/2016
Capacity	Director

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

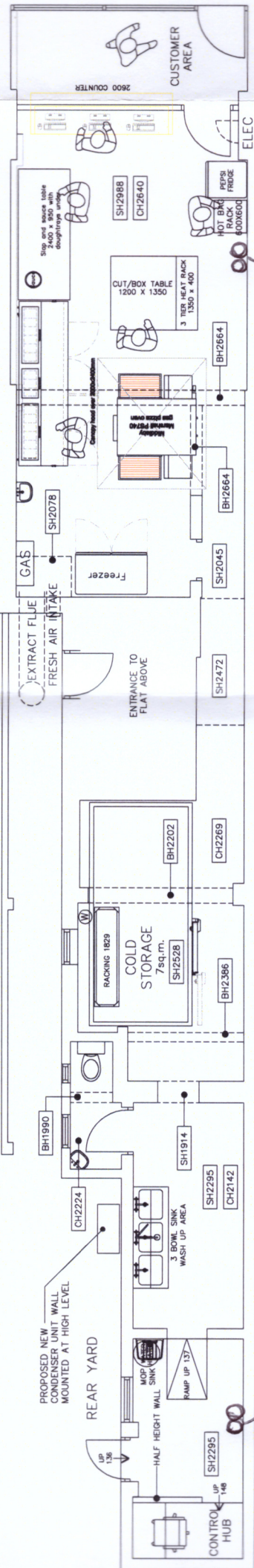
Signature	
Date	
Capacity	

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

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Notes for Guidance

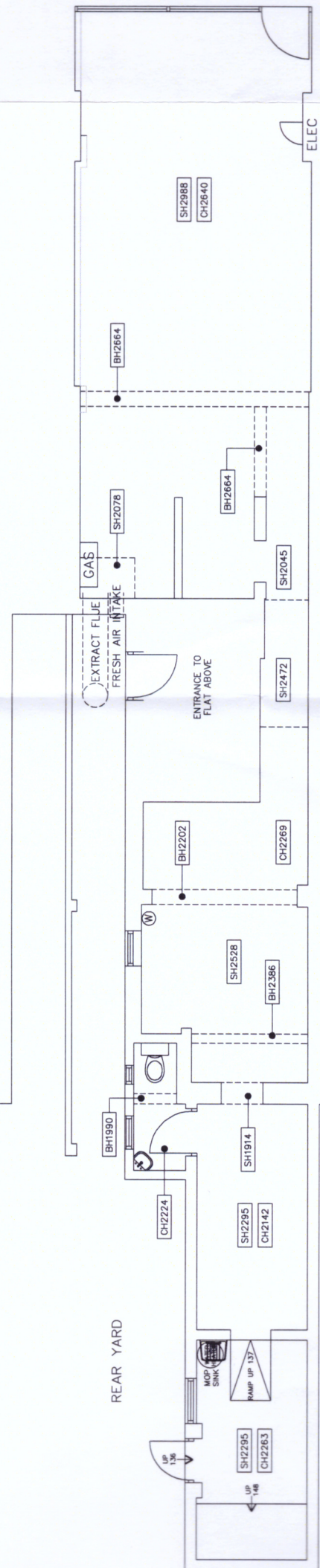
1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you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



PROPOSED GROUND FLOOR

FIRE EXTINGUISHERS.

FIRE EXTINGUISHERS



EXISTING GROUND FLOOR

FIRE EXTINGUISHERS.

FIRE EXTINGUISHERS

On Thu, Sep 1, 2016 at 11:57 AM +0300, "b [REDACTED]

> wrote.

Dear Syed

Thank you for that. To further support the application and to potentially negate any issues in relation to noise ASB etc., can I propose the following below condition that would appear on the licence should the licensing authority be minded to grant it.

Again, if you can respond directly on this email thread to maintain the continuity of the conversation.

-----Conditions start-----

From 01:00 until the close of business, the provision of late night refreshment shall only be available by means of delivery following an order received at the premises either by phone or the internet.

Food shall only be delivered to a recognised postal address and not collected from the store

No sales shall be made in person within the venue after 01:00

From 01:00 until the venue closing, low level lighting shall be used within the front of the premises to discourage persons attending.

-----Conditions End-----

Regards

PC 2903 Brian Swallow

Licensing Officer

Licensing and Alcohol Harm Reduction Team

Southampton Central neighbourhood Police Office

Southampton City Council

Civic Centre

Southampton

SO14 7LY

[Licensing Home Page](#)

<http://www.hampshire.police.uk/internet/advice-and-information/licensing/>

From: Syed Shah [mailto: [REDACTED]]

Sent: 31 August 2016 14:22

To: Swallow, Brian < [REDACTED]>

Subject: Re: Premises Licence Application - Papa Johns, 7 The Broadway, Portswood Road, Southampton, SO17 2WE

Dear Brian,

Sorry about the late reply, thanks for sending the email I feel that it shouldn't be a problem to cater shop customers till 1:00 am and if need to we can do deliveries till late max till 3:00 am that will only be on the weekends.

Please accept my apologies for not replying back earlier

Thanking you,

syed shah

From: [Swallow, Brian](#)
To: [Licensing](#)
Cc: "[Syed Shah](#)"; [Swallow, Brian](#)
Subject: FW: Premises Licence Application - Papa Johns, 7 The Broadway, Portswood Road, Southampton, SO17 2WE
Date: 01 September 2016 10:25:48

Dear Licensing

With regards to the application for a premises licence for Papa Johns, Portswood Road, Southampton, SO17 2WE. I have negotiated the below condition with the applicant. Without this condition supporting the application, the police would consider making representations.

-----Conditions start-----

From 01:00 until the close of business, the provision of late night refreshment shall only be available by means of delivery following an order received at the premises either by phone or the internet.

Food shall only be delivered to a recognised postal address and not collected from the store

No sales shall be made in person within the venue after 01:00

From 01:00 until the venue closing, low level lighting shall be used within the front of the premises to discourage persons attending.

-----Conditions End-----

Regards

PC 2903 Brian Swallow

Licensing Officer

Licensing and Alcohol Harm Reduction Team

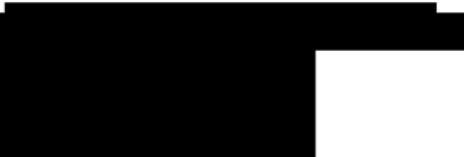
Southampton Central neighbourhood Police Office

Southampton City Council

Civic Centre

Southampton

SO14 7LY



[Licensing Home Page](#)

<http://www.hampshire.police.uk/internet/advice-and-information/licensing/>

From: Syed Shah [REDACTED]
Sent: 01 September 2016 10:14
To: Swallow, Brian
Subject: RE: Premises Licence Application - Papa Johns, 7 The Broadway, Portswood Road, Southampton, SO17 2WE
Hi Brian,
I comply with the things mentioned and will make sure only deliveries are made after 1:00 am
Thanking you
Syed shah
Get [Outlook for iOS](#)

From: [REDACTED]

Sent: 31 August 2016 12:31

To: [REDACTED]

Cc: [REDACTED]

Subject: FW: Premises Licence Application - Papa Johns, 7 The Broadway, Portswood Road, Southampton, SO17 2WE

Dear Syed

I have not had a response to my below email. Can you kindly do so as I am conscious that the consultation period ends soon. Failure to do so will mean that I would be minded to make representations against the application .

Regards

PC 2903 Brian Swallow

Licensing Officer

Licensing and Alcohol Harm Reduction Team

Southampton Central neighbourhood Police Office

Southampton City Council

Civic Centre

Southampton

SO14 7LY

[REDACTED]

[Licensing Home Page](#)

<http://www.hampshire.police.uk/internet/advice-and-information/licensing/>

From: Swallow, Brian

Sent: 18 August 2016 13:38

To: [REDACTED]

Cc: Swallow, Brian <[REDACTED]>

Subject: Premises Licence Application - Papa Johns, / The Broadway, Portswood Road, Southampton, SO17 2WE

Dear sirs,

I am in receipt of a premises licence application for Papa Johns, 7 The Broadway, Portswood Road, Southampton, SO17 2WE.

I note that you have requested to supply late night refreshment until 03:00 on Friday, Saturday and Sunday. The police have concerns that persons coming to the venue this late will cause an increase in crime and disorder and anti-social behaviour.

As such would you consider adopting a delivery only service after 01:00 on these days of the week.

Kind regards

PC 2903 Brian Swallow

Licensing Officer

Licensing and Alcohol Harm Reduction Team

Southampton Central neighbourhood Police Office

Southampton City Council

Civic Centre

Southampton

SO14 7LY

[REDACTED]

[REDACTED]

From: [A DUKE](#)
To: [Licensing](#)
Subject: 2016/02478/01SPRN
Date: 05 October 2016 23:05:45

To Whom it may Concern

I am concerned to learn that Papa John's Pizza (S017 2WE) has applied for a licence for to be a take-away from 11.00 - 01.00 Monday to Thursday and from 11.00 to 03.00 Friday to Sunday.

1. As there are already around 20 licensed premises in the Portswood District Centre the majority of which close at midnight or earlier, there is a real risk that, if this application is approved, the others will feel obliged by commercial pressures to follow suit. As a result this DC would become become noisier and so disturb the sleep of the many residents in the Broadway and in the surrounding area.
2. It is clear from the conditions sought by the police that they too are concerned and want to discourage customers coming to the shop from 01.00 Friday to Sunday.

I hope that this application will therefore be rejected.

Alastair Duke

18 Abbots Way
Highfield
S017 1NS.

5 Russell Place
Highfield
Southampton
SO17 1NU

5th October 2016

The Licensing Team
Southampton City Council, PO Box 1767
Southampton SO18 9LA

Dear Sirs

Reference : 2016/02478/O1SPRN

Application for a Premises Licence by Papa John's Pizza, 7 the Broadway, Portswood Road, Southampton SO17 2WE for the sale of late night refreshment between 11am to 1am Monday to Thursday and 11am to 3am Friday to Sunday.

I write to object to this application for the following reasons:

1. The hours sought – 11am – 1am, Monday to Thursday and 11am to 3am, Friday to Sunday would be excessive-14 and 16 hours a day- and far too late- especially on Sundays.

There are about 20 licensed premises in Portswood District Centre and most of these close at midnight, or before, especially on Sundays. If granted, others would be forced to seek later hours in order to compete, causing an escalation in late night venues, better suited to the City Centre than a small District Centre. (The DC is only 200 metres long, and is surrounded by a densely populated residential area.)

2. Such late hours are likely to cause noise, disturbance and litter in the District Centre, with customers congregating outside the premises, late at night, and even later when customers make their way home in the surrounding roads- all of which are residential.

3. Noise from the delivery vehicles, in the District Centre, so very late at night, would also be intrusive.

4. I note the Police's proposed condition, (sales after 1am to be for delivery only,) but even with that, the premises would be open until 1am – 7 days a week- for sale of take-away food from the premises, which, in my view, would be far too late. The proposed low lighting for the front of the shop from 1am to 3am on Fridays to Sundays would still attract potential customers, thinking it was open for business from the premises, who would congregate outside the premises in the early hours of the morning, causing noise and disturbance to the residents above the shops and would be heard in nearby roads.

5. I live in Russell Place, and my back garden is about 100 m away from these premises.

a) We are at times disturbed by noise, late at night, from the DC, especially in the summer months, when the windows are open. The proposed excessively late hours would add to this, at unacceptably late hours.

b) We already suffer from litter in Russell Place, and regularly collect discarded litter from take-aways. A take-away with such long hours is likely to increase this.

For these reasons, I ask that this application is refused. I should be obliged if you would take these comments into account when considering this application.

Yours faithfully

Mrs J W Jameson

Cc Cllrs M. Claisse, P.O'Neill and J. Savage

From: [Matthew Zepler](#)
To: [Licensing](#)
Subject: Licence Application no 2016/02478/SPRN- Papa John's Pizza
Date: 05 October 2016 20:17:54

Dear Sir,

We object strongly to this application for late night take-away from 11am to 1am Monday to Thursday and 11am to 3am Friday to Sunday. The proposed closing time is far too late. Most licensed premises close at midnight or before.

There are many residential flats in Portswood Broadway which also adjoins residential roads. We are very concerned about the noise and disturbance when the presumably young customers make their way home. The litter in Russell Place and surrounding roads has increased enormously in the past few years. Take-away packets, pizza boxes, cans and bottles and discarded food, litter the pavement every day. The message to take your rubbish home has obviously not registered with some people.

We hope that this application will be refused.

Yours faithfully

M.M. Zepler and Mrs C.M.M. Zepler

6, Russell place

Southampton

SO17 1NU

From:Chris Swann
Sent:5 Oct 2016 22:43:10 +0100
To:Licensing
Subject:Licence Application no. 2016/02478/SPRN- Papa John's Pizza

Dear sir or madam.

Licence Application no. 2016/02478/SPRN- Papa John's Pizza, 7 the Broadway, Portswood Rd, SO17 2WE

I should like to oppose the granting of a licence to provide services and deliveries up to 1am on most nights/mornings and until 3am on Fridays, Saturdays and Sundays . I would urge the authorities to require sales and deliveries to cease at midnight, in keeping with the closing time of many other in The Broadway.

I gather that the Police have asked for condition that on Friday to Sunday it should only for delivery to an address(i.e. NOT FROM PREMISES) and that lighting at front of shop should be low from 1am until 3am on those days to discourage people coming to the shop. I support this as a possible amelioration. However I feel that this is too liberal.

In general, the hours sought are far too late- especially at weekends. There are about 20 licensed premises in the DC and most close at midnight or before, especially on Sundays. Such late hours would lead to noise, disturbance and litter in the DC, very late at night, and in the surrounding residential roads, when customers go home.

I am particularly concerned about the levels of noise from midnight onwards and up to 3am which would be made by delivery vehicles – often motorcycles - in the DC and surrounding area. This would be intrusive and would adversely affect residents, as would the noise from staff going home even later.

Yours faithfully

Chris Swann
32 Abbots Way
Portswood
SO17 1NS