

# Licensing (Licensing and Gambling) Sub-Committee

Wednesday, 11th October, 2017  
at 6.00 pm

**PLEASE NOTE TIME OF MEETING**

Committee Rooms 1 and 2 -  
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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Email: [pat.wood@southampton.gov.uk](mailto:pat.wood@southampton.gov.uk)

Service Director - Transactions & Universal Services

Mitch Sanders

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## **PUBLIC INFORMATION**

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

### **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

The Southampton City Council Strategy (2016-2020) is a key document and sets out the four key outcomes that make up our vision.

- Southampton has strong and sustainable economic growth
- Children and young people get a good start in life
- People in Southampton live safe, healthy, independent lives
- Southampton is an attractive modern City, where people are proud to live and work

**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 2017/18**

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 **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.

### 6 **APPLICATION FOR A VARIATION OF PREMISES LICENCE - SAINSBURY'S SUPERMARKET, 202-224 PORTSWOOD ROAD, SOUTHAMPTON SO17 2BE** (Pages 1 - 58)

Application for a variation of a premises licence in respect of Sainsbury's Supermarket ,202-224 Portswood Road Southampton SO17 2BE.

Tuesday, 3 October 2017

SERVICE DIRECTOR, LEGAL AND GOVERNANCE

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# Agenda Item 6

**DECISION-MAKER LICENSING (LICENSING & GAMBLING) SUB COMMITTEE**

HEARING TO CONSIDER AN APPLICATION FOR A VARIATION OF A PREMISES LICENCE -

**SUBJECT**

Sainsbury's Supermarket, Sainsbury's Supermarket 202 - 224  
 Portswood Road Southampton SO17 2BE

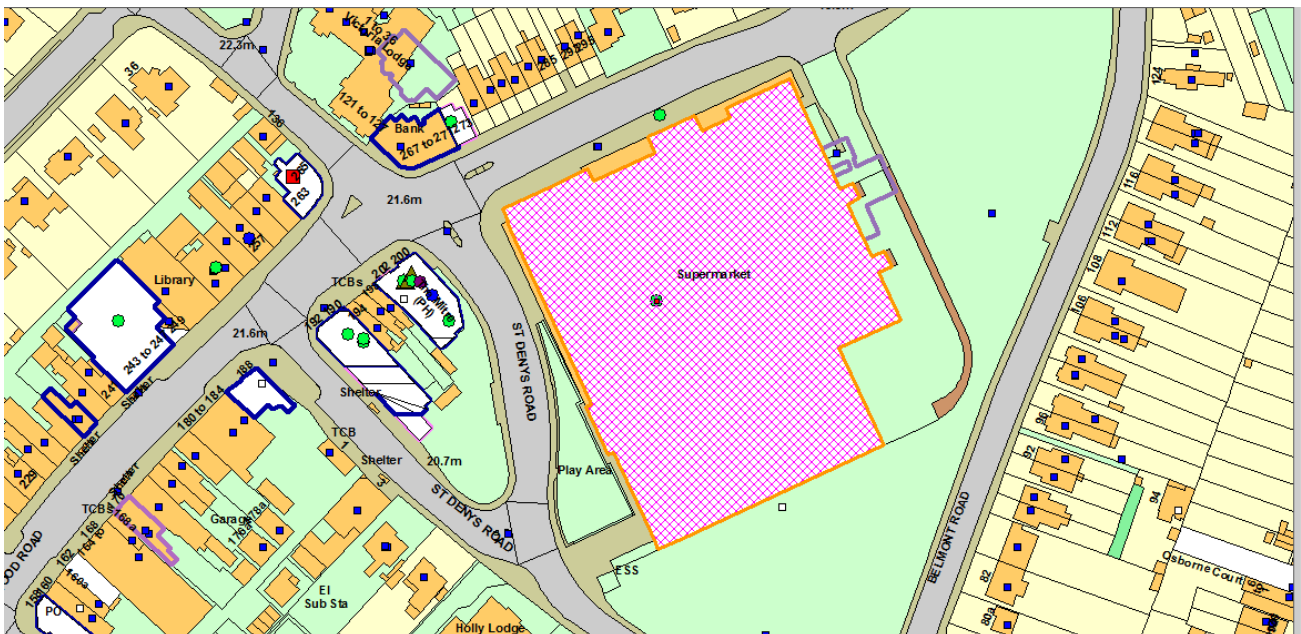
**DATE OF HEARING** Wednesday 11<sup>th</sup> October 2017 at 18:00pm

**REPORT OF** SERVICE DIRECTOR – TRANSACTIONS & UNIVERSAL SERVICES

**E-mail** [licensing@southampton.gov.uk](mailto:licensing@southampton.gov.uk)

Application Date : 22nd August 2017      Application Received 22nd August 2017

Application Valid : 22nd August 2017      Reference : **2017/03350/01SPRV**



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## ***Representations from Responsible Authorities***

<b>Responsible Authority</b>	<b>Satisfactory?</b>
Safeguarding Children	No Response
Fire Service	Yes
Environmental Health - Licensing	Yes
Home Office	No Response
Building Control	No Response
Public Health Manager	No Response

Police - Licensing	Agreed to application amendments	
Trading Standards	Yes	
<b><i>Other Representations</i></b>		
<b>Name</b>	<b>Address</b>	<b>Contributor Type</b>
Susan Lewis	1 Russell Place Portswood SO17 1NU	Resident
Mr & Mrs Rose	124 Highfield Lane Southampton So17 1NP	Resident
Verena Coleman	Flat 1 16 Spring Crescent Southampton SO17 2GA	Resident
Chris Swann	32 Abbots Way Southampton So17 1NS	Resident
Prof C B Chapman	10 Brookvale Road Southampton SO17 1QP	Resident
Alastair Duke	18 Abbots Way Southampton SO17 1NS	Resident
Rosalind Rutt	3 Russell Place Southampton SO17 1NU	Resident
Mrs. J.W Jameson	5 Russell Place Southampton SO17 1NU	Resident
R.G & M.M Scurlock	22 Brookvale Road Southampton SO17 1QP	Resident
Jenifer Arnold	Oak Cottage Highfield Lane Southampton SO17 1NQ	Resident



Dr. Richard Buckle	29 Abbotts Way Southampton SO17 1NW	Resident
Sue & Ian Edwards	34 Abbotts Way Southampton SO17 1NS	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.

## Summary of application

<b>Applicant</b>	Sainsbury's Supermarket
<b>DPS:</b>	Mr Matthew Crosby Hunter
<b>Agent for licence Holder:</b>	Winckworth Sherwood LLP

The premises is a large supermarket store selling a range of groceries, household products and alcohol.

### History

The applicant first applied for a new premises licence on 27<sup>th</sup> October 2011. The application went to hearing on the 15<sup>th</sup> December 2011 and the application was amended to reduce the hours for the sale of alcohol to between the hours of 08:00 to 23:00 and to withdraw the application for late night refreshment.

On 17<sup>th</sup> October 2012 a variation application was received to extend the sale by retail of alcohol (consumption off the premises only) to between the hours of 07:00 and 23:00. 7 days a week. This received no representation and was therefore granted on 15<sup>th</sup> November 2012.

The current premises licence allows the following:

Supply by retail of alcohol (consumption off the premises)	The opening hours of the premises
Monday 07:00 - 23:00	Monday 00:00 - 00:00
Tuesday 07:00 - 23:00	Tuesday 00:00 - 00:00
Wednesday 07:00 - 23:00	Wednesday 00:00 - 00:00
Thursday 07:00 - 23:00	Thursday 00:00 - 00:00
Friday 07:00 - 23:00	Friday 00:00 - 00:00
Saturday 07:00 - 23:00	Saturday 00:00 - 00:00
Sunday 07:00 - 23:00	Sunday 00:00 - 00:00

### Conditions already attached to the issued licence

#### 1. CCTV

(i) The licence holder will ensure that the premises benefit from a CCTV system that operates at all times when licensable activities are taking place.

(ii) The system will incorporate a camera covering each of the entrance doors and the main alcohol display area and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.

(iii) The system will incorporate a recording facility and any recording will be retained and stored in a suitable and secure manner for a minimum period of 30 days and will be made available, subject to compliance with Data Protection legislation, to the Police for inspection on request.

(iv) The system must be able to export recorded images to a removable means e.g. CD/DVD and have its own software enabled to allow playback/review.

(v) A member of staff trained in the use of the CCTV system must be available at the premises at all times that the premises are open to the public.

(vi) The system will display, on any recording, the correct time and date of the recording.

(vii) The CCTV system is to be to the reasonable satisfaction of Hampshire Constabulary.

2. The applicant will at all times maintain adequate levels of staff and security. Such staff levels will be disclosed, on request, to the licensing authority and police.

3. Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents.

4. The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appear to be under the age of 25 years (or older if the licence holder so elects) to produce (before being sold alcohol) identification bearing their photograph, date of birth and a holographic mark.

#### 5. Training

(i) All staff engaged or to be engaged in the sale of alcohol on the premises shall receive the following training in age related sales:

- Induction training which must be completed and documented prior to the sale of alcohol by the staff member. This will include due diligence, recognising the signs of drunkenness and refusal of sale due to intoxication.

- Refresher/ reinforcement training at intervals of no more than 6 months.

(ii) Training records will be available for inspection by a police officer on request and will be maintained at the premises for a period of 12 months.

#### 6. Incidents

All cashiers, management and security personnel shall be instructed to record in an incident book/register:

- All incidents of crime and disorder occurring at the premises;

- Details of occasions when the Police are called to the premises.

This book/register will be available for inspection by a police officer on request.

7. The entire premises may be used for Supply by retail of alcohol

### **Variation application received 22<sup>nd</sup> August 2017**

The applicant wishes to extend the sale by retail of alcohol (consumption off the premises only) to between the hours of 06:00 and 24:00. 7 days a week.

#### **Amendment to variation application.**

On the 19<sup>th</sup> September 2017 we received the following amendment to the variation application as follows:

1. The hours for the sale of alcohol to remain as existing i.e. 0700 to 2300.
2. A condition to be added for 'Seasonal periods' means the period 14 days before Christmas, Christmas Day and up to and including the day 7 days after Christmas

Day each year and the period from and including the Monday prior to Good Friday up to and including Sunday following Easter Monday each year.

The hours for the sale of alcohol during the seasonal periods shall be 0600 to 2400.

3. The restriction on the times the licence authorises the sale of alcohol do not apply to the processing of on line sales and the preparation of such orders for delivery. For the avoidance of doubt the said processing and preparation of on line orders may take place at any time.

All objectors were e-mailed the amended instruction and asked if they wish to withdraw their representation. No public representation were withdrawn as of 20th September 2017. However Hampshire Constabulary agreed to the amendments on 20th September 2017.

*Application form – Pages 7-26*

*Amendment application e-mail- Pages 27-28*

*Copy of current premises licence- Pages 29-36*

*Hampshire Constabulary Representation  
and agreement -Pages 37-42*

*Representation -Objecting – Pages 43-57*

**SOUTHAMPTON AND EASTLEIGH LICENSING PARTNERSHIP**  
**Application to vary a premises licence 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 Sainsbury's Supermarkets Ltd  
*(Insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

<b>Premises licence number</b> 2014/00528/01SPRD
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**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description Sainsbury's 202-224 Portswood Road			
Post town	Southampton	Postcode	SO17 2BE

Telephone number at premises (if any)	023 80523400
Non-domestic rateable value of premises	£2,270,000.00

**Part 2 – Applicant details**

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	Sainsbury's Supermarkets Ltd 33 Holborn  (All correspondence to: CVE/26508/1460/RPB Winckworth Sherwood LLP Minerva House 5 Montague Close London SE1 9BB)		
Post town	London	Postcode	EC1N 2HT

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?  Yes  No

If not, from what date do you want the variation to take effect? DD MM YYYY  

--	--	--	--	--	--	--	--	--	--

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

A supermarket store selling a broad range of groceries, household products and alcohol. Situated at 202-224 Portswood Road, Southampton, SO17 2BE to be varied as follows:

1. To extend the hours for the sale of alcohol to between the hours of 0600 and 2400 7 days a week.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

## Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

### Provision of regulated entertainment (Please see guidance note 3)

Please tick all 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)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

**In all cases complete boxes K, L and M**

**A**

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue			<u>State any seasonal variations for performing plays (please read guidance note 6)</u>		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Fri					
Sat					
Sun					



**B**

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
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 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>					
Mon								
Tue								
Wed						<u>State any seasonal variations for the performance of live music (please read guidance note 6)</u>		
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 (please read guidance note 7)</u>		
Sat								
Sun								

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 5)					
Mon								
Tue								
Wed						State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur								
Fri						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 (please read guidance note 7)		
Sat								
Sun								

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Mon					
Tue			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Wed					
Thur			<b><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></b> (please read guidance note 7)		
Fri					
Sat					
Sun					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed					
Thur					
Fri			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)		
Sat					
Sun					
			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)		
Thur					
Fri			<b>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</b> (please read guidance note 7)		
Sat					
Sun					



**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption</b> – <b>please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)					
Mon	0600	2400						
Tue	0600	2400						
Wed	0600	2400						
Thur	0600	2400						
Fri	0600	2400						
Sat	0600	2400						
Sun	0600	2400						
						<b>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</b> (please read guidance note 7)		

K

**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 10).**

The premises sells alcohol and other age restricted products.

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon	0000	2400	
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	
			<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

The hours for the sale of alcohol are currently restricted as follows:

Monday to Sunday: 0700 to 2300

The above restrictions would be removed as a consequence of this proposed variation.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

The are no changes to the existing conditions on the premises licence.

**b) The prevention of crime and disorder**

**c) Public safety**

**d) The prevention of public nuisance**

**e) The protection of children from harm**

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	[REDACTED]
Date	22 August 2017
Capacity	Solicitors duly authorised to sign on behalf of the applicant

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 15)

CVE/26508/1460/RPB  
 Charlotte Edwards  
 Winckworth Sherwood LLP  
 Minerva House  
 5 Montague Close

Post town	London	Post code	SE1 9BB
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

## Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. You do not have to pay a fee if the **only** purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  5. For example state 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.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  8. 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.
  9. 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'.
  10. 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 or the presence of gaming machines.
  11. Please list here steps you will take to promote all four licensing objectives together.
  12. The application form must be signed.
  13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
  15. This is the address which we shall use to correspond with you about this application.



**From:** [Robert Botkai](#)  
**To:** [Licensing](#)  
**Cc:** [REDACTED]  
**Subject:** Sainsbury's Portswood  
**Date:** 18 September 2017 17:48:43  
**Attachments:** [image003.png](#)

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Dear Leena/Karen

Thank you for sending the representations from the police and from Dr Buckle.

I am instructed to amend the application as follows:

1. The hours for the sale of alcohol to remain as existing ie 0700 to 2300 save as set out below
2. 'Seasonal periods' means the period 14 days before Christmas, Christmas Day and up to and including the day 7 days after Christmas Day each year and the period from and including the Monday prior to Good Friday up to and including Sunday following Easter Monday each year.

The hours for the sale of alcohol during the seasonal periods shall be 0600 to 2400.

3. The restriction on the times the licence authorises the sale of alcohol do not apply to the processing of on line sales and the preparation of such orders for delivery. For the avoidance of doubt the said processing and preparation of on line orders may take place at any time.

Please confirm that you agree that the inclusion of condition 3 would not result in the late night levy attaching to these premises. The purpose of this variation is to allow for a little more flexibility during the Christmas and Easter periods but also to allow the store to process orders during the night.

We very much hope that the amendment to the application will be satisfactory to the police and to Dr Buckle and that the hearing on 11 October will not be required.

Kind regards

Robert

---

**Robert Botkai**  
**Partner**

T +44 [REDACTED]  
[REDACTED]  
[REDACTED]

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Winckworth Sherwood  
Minerva House | 5 Montague Close | London | SE1 9BB | DX 156810 London Bridge 6

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**Schedule 12  
Part A  
Premises Licence**

Regulation 33,34

**Premises licence number** 2014/00528/01SPRD

**Part 1 – Premises details**

**Postal address of premises, or if none, ordnance survey map reference or description,**

**Sainsbury's Supermarket**  
Former Bus Depot Development Site  
202 - 224 Portswood Road  
Southampton  
SO17 2BE

**Telephone number** 023 8052 3400

**Where the licence is time limited the dates**

Not applicable

**Licensable activities authorised by the licence**

Supply by retail of alcohol

**The times the licence authorises the carrying out of licensable activities**

Supply by retail of alcohol

Monday	07:00 - 23:00
Tuesday	07:00 - 23:00
Wednesday	07:00 - 23:00
Thursday	07:00 - 23:00
Friday	07:00 - 23:00
Saturday	07:00 - 23:00
Sunday	07:00 - 23:00

**The opening hours of the premises**

Monday	00:00 - 00:00
Tuesday	00:00 - 00:00
Wednesday	00:00 - 00:00
Thursday	00:00 - 00:00
Friday	00:00 - 00:00
Saturday	00:00 - 00:00
Sunday	00:00 - 00:00

**Where the licence authorises supplies of alcohol whether these are on and / or off supplies**

Alcohol is supplied for consumption off the premises

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Sainsbury's Supermarket Ltd  
33 Holborn  
London  
EC1N 2HT

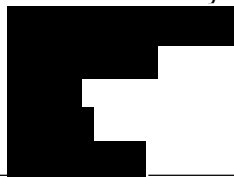
Business Phone Number                      020 7695 4000

**Registered number of holder, for example company number, charity number (where applicable)**

03261722

**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Matthew Crosby Hunter



**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Licence Number: BH17957  
Licensing Authority: Bournemouth Borough Council

This premises licence is issued by Southampton City Council as licensing authority under part 3 of the Licensing Act 2003 and regulations made thereunder

Dated this 11th day of February 2014

**Head of Legal & Democratic Services**

Licensing – Southampton City Council  
Southampton & Eastleigh Licensing Partnership  
PO Box 1767  
Southampton  
SO18 9LA

## **Annex 1 – Mandatory Conditions**

- 1 No supply of alcohol shall be made under the premises licence:
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor for the premises does not hold a personal licence or his personal licence is suspended.
- 2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3 (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
  
(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

## **Annex 2 – Conditions consistent with the operating Schedule**

- 1 1. CCTV
  - (i) The licence holder will ensure that the premises benefit from a CCTV system that operates at all times when licensable activities are taking place.
  - (ii) The system will incorporate a camera covering each of the entrance doors and the main alcohol display area and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
  - (iii) The system will incorporate a recording facility and any recording will be retained and stored in a suitable and secure manner for a minimum period of 30 days and will be made available, subject to compliance with Data Protection legislation, to the Police for inspection on request.
  - (iv) The system must be able to export recorded images to a removable means e.g. CD/DVD and have its own software enabled to allow playback/review.
  - (v) A member of staff trained in the use of the CCTV system must be available at the premises at all times that the premises are open to the public.
  - (vi) The system will display, on any recording, the correct time and date of the recording.
  - (vii) The CCTV system is to be to the reasonable satisfaction of Hampshire Constabulary.
2. The applicant will at all times maintain adequate levels of staff and security. Such staff levels will be disclosed, on request, to the licensing authority and police.
3. Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents.

4. The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appear to be under the age of 25 years (or older if the licence holder so elects) to produce (before being sold alcohol) identification bearing their photograph, date of birth and a holographic mark.

#### 5. Training

(i) All staff engaged or to be engaged in the sale of alcohol on the premises shall receive the following training in age related sales:

- Induction training which must be completed and documented prior to the sale of alcohol by the staff member. This will include due diligence, recognising the signs of drunkenness and refusal of sale due to intoxication.
- Refresher/ reinforcement training at intervals of no more than 6 months.

(ii) Training records will be available for inspection by a police officer on request and will be maintained at the premises for a period of 12 months.

#### 6. Incidents

All cashiers, management and security personnel shall be instructed to record in an incident book/register:

- All incidents of crime and disorder occurring at the premises;
- Details of occasions when the Police are called to the premises.

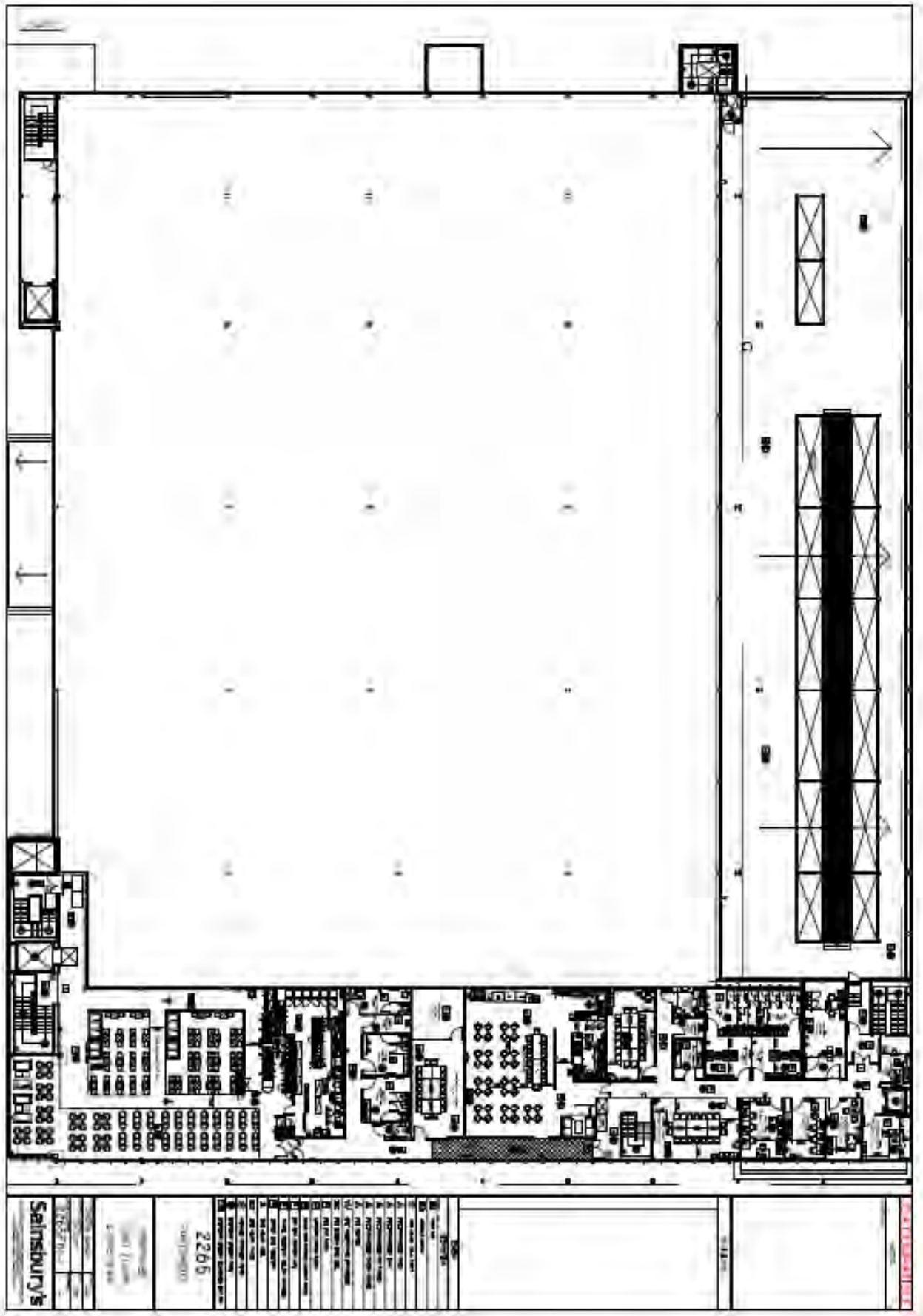
This book/register will be available for inspection by a police officer on request.

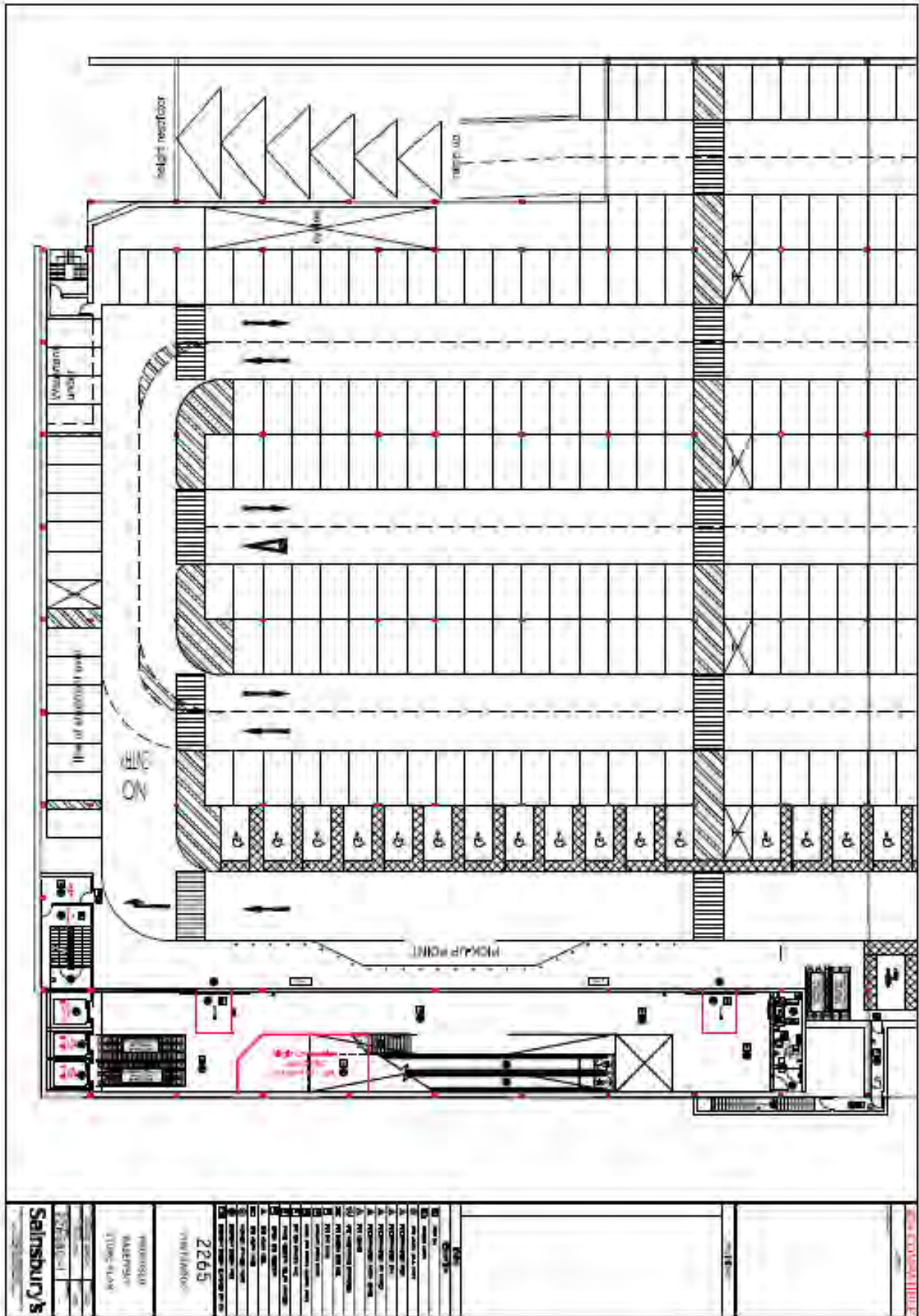
7. The entire premises may be used for Supply by retail of alcohol.

### **Annex 3 – Conditions attached after a hearing by the licensing authority**

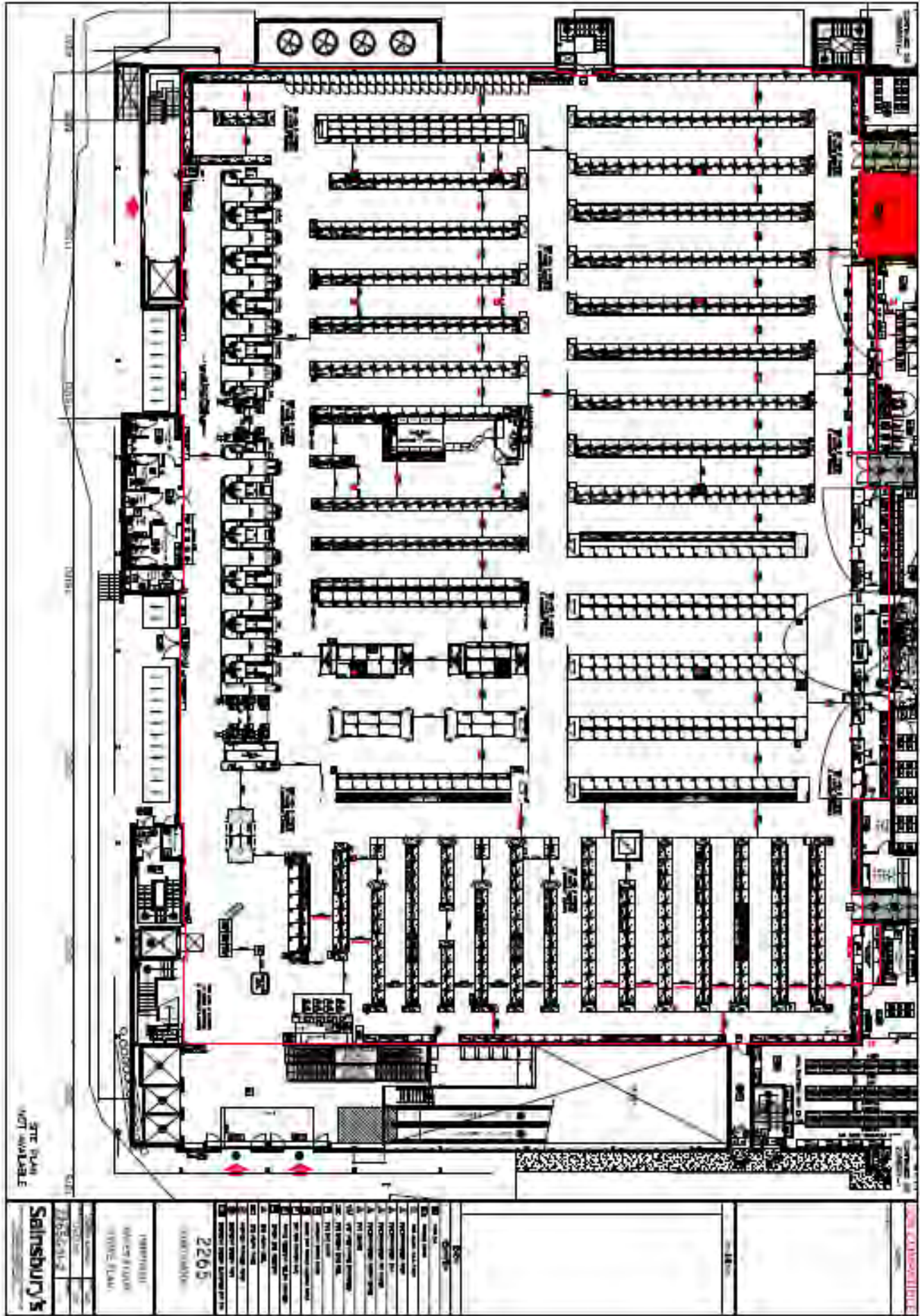
1 None

Annex 4 – Plans









STANTEC LOW  
 5775 14th Ave S  
 STE 300  
 BIRMINGHAM, AL 35205  
 TEL: 205.944.4444  
 FAX: 205.944.4444  
 WWW.STANTEC.COM

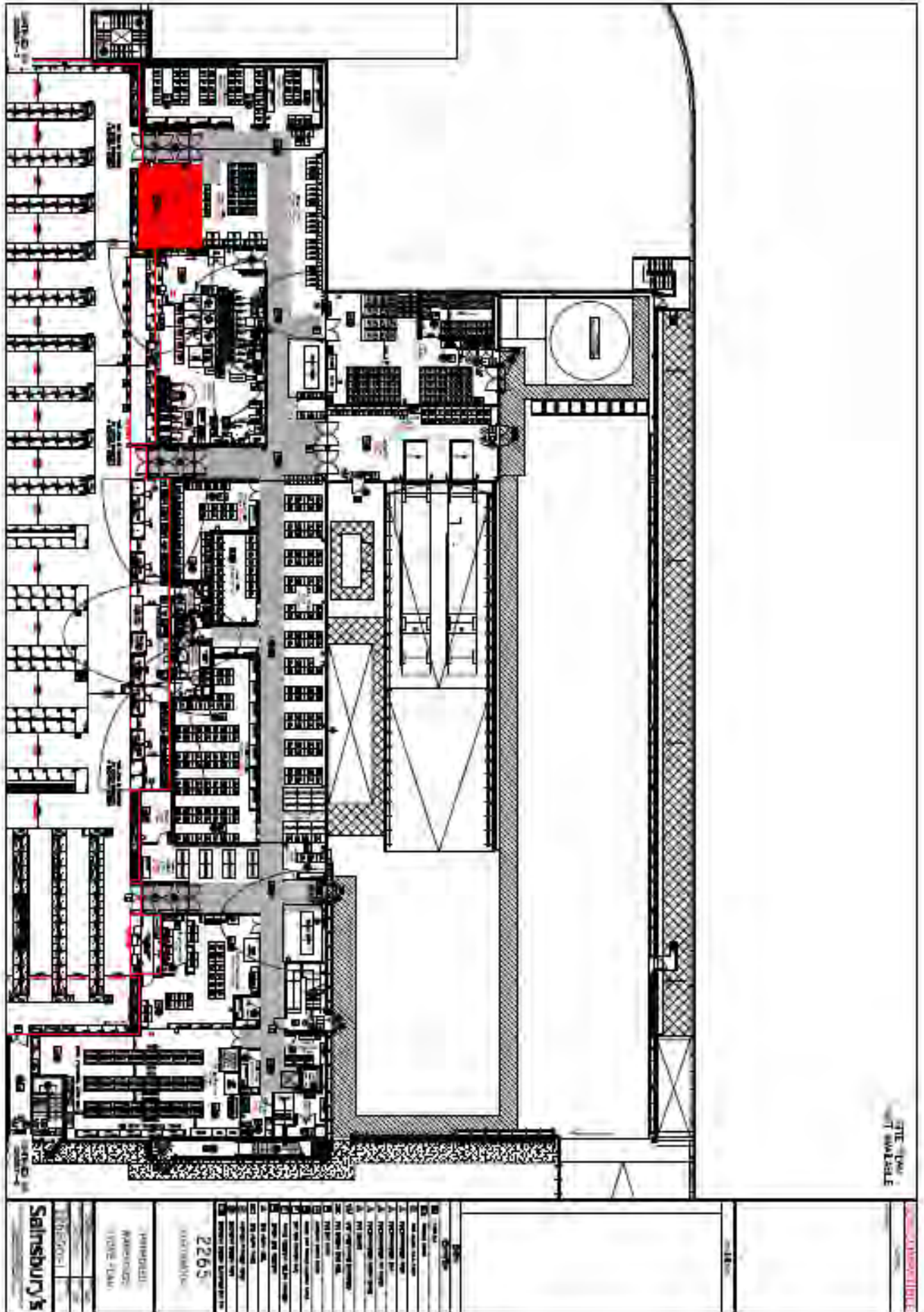
**Salisbury's**

2265

INDUSTRIAL  
 OFFICE FLOOR  
 SYMBOL PLAN

2265

NO.	DESCRIPTION
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Plan not reproduced to scale.

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

**Hampshire Constabulary is a responsible authority and wish to make a representation regarding under the Licensing Act 2003, regarding the:**

<input type="checkbox"/> 1: Grant for a personal licence	(Object within 14 days)
<input type="checkbox"/> 2: Grant for a temporary event notice (TEN)	(Object within 3 days)
<input type="checkbox"/> 3: Transfer of a premises licence	(Object within 14 days)
<input type="checkbox"/> 4: Variation of designated premises supervisor	(Object within 14 days)
<input checked="" type="checkbox"/> 5: Grant/Variation of a premises licence/club prem' certificate	(Object within 28 days)
<input type="checkbox"/> 6: Minor variations	(Object within 10 working days)

Name of Applicant:	Sainsburys Supermarkets Ltd
Name of Proposed DPS:	

Details of relevant conviction ( Personal Licence Applications ONLY)
N/A

Postal address of premises:	Sainsbury's 202 - 224 Portswood Road Southampton
Postcode:	SO17 2BE

**Details of responsible authority applicant**

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title /Rank:	PC 2903
Surname: Swallow	First Names: Brian
Current postal address :	Alcohol & Entertainment Licensing Officer Licensing and Alcohol Harm Reduction Team Southampton Central Neighbourhood Police Office Southampton City Council Civic Centre Southampton
Postcode:	SO14 7LY
Daytime telephone number:	101 - ext [REDACTED]
E-mail address: (optional)	[REDACTED]@hampshire.pnn.police.uk

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003

This application to object relates to the following licensing objective(s)

- |   |                                     |  |
|---|-------------------------------------|--|
| 1) The prevention of crime and disorder | <input checked="" type="checkbox"/> | <i>Please select<br/>one or more<br/>boxes</i> |
| 2) Public safety                        | <input type="checkbox"/>            |  |
| 3) The prevention of public nuisance    | <input type="checkbox"/>            |  |
| 4) The protection of children from harm | <input type="checkbox"/>            |  |

Please state the ground(s) for representation:

An application has been submitted to vary an existing premises licence by increasing the licensable activities of the supply of alcohol at a large supermarket.

The venues current premises licence allows for the supply of alcohol off the premises from 07:00 - 23:00 daily. This application is requesting to extend this to - 06:00 - 00:00 daily. The current licence also allows for the store to be open 24 hours a day. However, it currently operates (as obtained from the venues website at the time of writing) Monday - Friday 07:00 - 23:00. Saturday 07:00 - 22:00 and Sunday 11:00 - 17:00 with, I assume seasonal variations.

I would strongly suggest that if this application is granted, the store opening hours would be amended to reflect the supply of alcohol timings.

The venue is situated on a main road in a busy part of town. The area, Portswood, has several outlets that have a premises licences that benefit from the licensable activity of the supply alcohol off the premises.

As such, alcohol fuelled crime and disorder and anti-social behaviour is prevalent within the area. The venue in question is not exempt from this. In fact the venue suffers disproportionately more.

Initial research on the police crime recording system (RMS) shows that there have been at least 36 reported thefts at the store within the last 6 months. With at least 50% of these involving the theft of alcohol from the store.

To have the availability of alcohol in a retail unit that already suffers from high levels of theft of alcohol increased, can but only lead to an increase in crime.

The applicant has not offered any changes to the current premises licence in way of conditions or diligence to mitigate any increase in crime. I would suggest that as the licence was recently amended and updated in 2014, there is little that could be offered. I would consider the potential need for SIA security to be conditioned upon the licence to act as a visible deterrent to potential thieves. However, I note from my records that most of the incidents are reported by store security, so the venue currently operates them.

The Chief Officer of Police is therefore satisfied that if this application is granted, the licensing objectives of the prevention of crime and disorder cannot be met as crime will increase

**It is an offence, under section 158 of the Licensing Act 2003 to make a false statement in or in connection with this representation**

Police recommendations (including any conditions)

Refuse application

Signature of Officer Completing

Name	<u>Brian Swallow</u>	Collar Number:	<u>2903</u>
Signature:	<u>B Swallow</u>	Date:	<u>30/08/17</u>

Signature of Authorising Officer

Name	<u>Inspector Justin ROBERTS</u>	Collar Number:	<u>2841</u>
Signature:	<u>Justin ROBERTS</u>	Date:	<u>30/08/17</u>

**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Sainsbury's Portswood  
**Date:** 20 September 2017 15:07:29  
**Attachments:** [image001.png](#)

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Dear Licensing / Robert

The police would accept these amendments to the application for the above premises. We make representation on the application but based on the amendments a hearing is not necessary.

Regards

*PC 2903 Brian Swallow*

*Licensing Officer*

*Licensing and Alcohol Harm Reduction Team*

*Southampton Central neighbourhood Police Office*

*Southampton City Council*

*Civic Centre*

*Southampton*

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

---

**From:** Robert Botka [REDACTED]  
**Sent:** 18 September 2017 17:49  
**To:** [Licensing@southampton.gov.uk](mailto:Licensing@southampton.gov.uk)  
**Cc:** Charlotte Edwards [REDACTED]  
[REDACTED]  
**Subject:** Sainsbury's Portswood

Dear Leena/Karen

Thank you for sending the representations from the police and from Dr Buckle.

I am instructed to amend the application as follows:

1. The hours for the sale of alcohol to remain as existing ie 0700 to 2300 save as set out below

2. 'Seasonal periods' means the period 14 days before Christmas, Christmas Day and up to and including the day 7 days after Christmas Day each year and the period from and including the Monday prior to Good Friday up to and including Sunday following Easter Monday each year.

The hours for the sale of alcohol during the seasonal periods shall be 0600 to 24000.

3. The restriction on the times the licence authorises the sale of alcohol do not apply to the processing of on line sales and the preparation of such orders for delivery. For the avoidance of doubt the said processing and preparation of on line orders may take place at any time.

Please confirm that you agree that the inclusion of condition 3 would not result in the late night levy attaching to these premises. The purpose of this variation is to allow for a little more flexibility during the Christmas and Easter periods but also to allow the store to process orders during the night.

We very much hope that the amendment to the application will be satisfactory to the police and to Dr Buckle and that the hearing on 11 October will not be required.

Kind regards

Robert

---

**Robert Botkai**  
Partner

**Winckworth**  
Sherwood

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**From:** [Sue Lewis](#)  
**To:** [Licensing](#)  
**Subject:** [REDACTED]  
**Date:** 19 September 2017 18:50:13

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Licensing Application no.201/03350/01SPRV

Dear Sirs/ Madame

I am very concerned that Sainsbury's has asked for permission to extend their licence to sell alcohol off premises from 6 am until midnight. I think it is a very cynical and anti-social move. Cynical because the application coincides with the building of over 400 student living units in close proximity to 202-224 Portswood Road, plus the imminent arrival of an enormous number of students on the old B&Q site. I like students living in the area but I am not so keen on the extra noise and anti-social behaviour in the evening from Thursday till Sunday. I think there are already enough outlets for buying alcohol. I do not understand why any retail trader needs to sell alcohol from 6 am.

The other point I would like to make is that Portswood High Street has a problem with homeless people who also have an alcohol problem. Whilst I feel very sorry for them it does discourage some potential shoppers from the area. Recently a bench had to be removed from outside the Tenovus charity shop because the drinkers were causing a problem. I would not like to make it even easier for this group of people to extend their drinking day by selling alcohol so early in the morning.

The local police and ambulance service are already overstretched and have to concentrate considerable resources on the city centre at the weekends because of drunkenness and anti-social behaviour. Would their resources be able to also cope with policing the Portswood area. I would be interested to see if they have to respond to more incidents in the area as the new student accommodation is occupied in the coming weeks. Local residents are rather fed up with the city council kowtowing to large organisations and property developers. I feel for the residents in the immediate vicinity and all they have to put up with on a regular basis. Since Sainsbury's was granted permission to build a retail outlet on the bus garage site they have renege on several points: they have extended the opening hours, they sold on the other half of the site so families lost out on the opportunity for affordable housing and they do not have doctors or dentists surgeries on site because the rent was pitched too high.

Yours faithfully

Susan Lewis  
1 Russell Place  
Portswood  
SO17 1NU

Sent from my iPad

**From:** [Rose family](#)  
**To:** [Licensing](#)  
**Cc:** [REDACTED]  
**Subject:** Sainsburys Portswood application 2017/03350/O1SPRV  
**Date:** 19 September 2017 08:56:09

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**CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.**

Dear Sir/Madam, we are writing to urge you to reject this application for an extension of licensing for Sainsburys. As local residents we strongly feel that this will lead to increased problems in this area, particularly with it encouraging people leaving the local pubs and bars after 11 and using Sainsburys as a source of late night cheap alcohol. This will lead to more anti social behaviour in the early hours of the morning as the already drunken state of the purchasers will mean the alcohol will likely be consumed and discarded in the street and our gardens (as litter, vomit and urine). There is already a plentiful supply of drunken behaviour in this area due to existing licensing decisions and to agree this one will lead to more of it on the street, rather than in the venues, and also an increase in people coming to the area to add to it. Further more the Sainsburys site is also due to become the home to a large number of elderly people, such increase in licensing hours is not respectful to that situation either.

The effects of alcohol driven antisocial behaviour are a significant concern in this area and it is important that the licensing committee demonstrate recognition of that in rejection of this application.

Thank you  
Mr & Mrs Rose  
124 Highfield Lane

**From:** [V.Coleman](#)  
**To:** [Licensing](#)  
**Subject:** Licencing application  
**Date:** 18 September 2017 19:43:56

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Verena Coleman  
Flat 1  
16 Spring Crescent  
Portswood  
Southampton  
SO17 2GA

18.9.17

Application 2017/03350/01SPRV

Dear Sir/Madam

I wish to object to the above application on the grounds:

1) Public Nuisance and its prevention and public safety.

The area of central Portswood and the district centre is already blighted by alcohol related night time antisocial behavior and is already the location of too many off licenses, restaurants, and shops that have late night licenses to serve and sell alcohol.

There is no need for a further source of late night alcohol sales which will further draw people into the district centre via the densely populated side streets that surround this location and which routinely are the site for drunken noise nuisance, antisocial behaviour and vandalism.

Another extension of any license would further exacerbate these problems. The residential area that surrounds this site is densely populated including children and pensioners and yet central Portswood has been turned into the site of an ever expanding night time economy. The police do not have appeared in recent times to engage with either local residents or councillors in terms of representations or responses to licencing applications.

However it is certain that action is required as there are apparently no late night police patrols in the Portswood area other than at the start of the University term (as confirmed by local constabulary to local residents during local residents meetings). Outside of this time there appear to be no late night patrols to deal with any disorder which includes large numbers of large groups of drunk people moving through the area to and from licensed premises late at night.

It is also very sad that the development of the site that was occupied by the bus depot and had (presumably) 106 agreement has seemed to deliver so little back to the local community in these terms: no social housing, no GP surgery etc.

I am commenting via letter as I was unable to log into the site and did not receive an email to assist with this.

Yours Sincerely

Verena Coleman

**From:** [Chris Swann](#)  
**To:** [Licensing](#)  
**Subject:** Licensing Application 2017/03350/01SPRV  
**Date:** 18 September 2017 15:25:27

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CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir or Madam.

I should like to object to Sainsbury's request for permission to retail alcohol from 6am to midnight every day of the week.

Unless the whole store is to be opened during those hours (which would also attract complaints) then I do not believe that extended hours should be granted purely for the sale of alcohol. Its pricing policies and location are likely to attract customers from a distance as well as locally, and the additional traffic at those times would just add to the noise pollution in the area, which grows with every extended opening, every extract fan installed and the growing stream of people.

I am also opposed to stores going out of their way to attract sales of materials which can pose a health risk, particularly at times which are out of normal shopping hours. Those purchasing alcohol at 6 in the morning and at midnight will pretty certainly include some or many with alcohol problems as well as other shoppers.

The further extension of opening times in the Portswood Broadway and adjacent areas will just add to the existing noise, litter and antisocial behaviour problems which increase steadily as the area shifts from retail to catering.

Yours Faithfully.

CWL Swann  
32 Abbots Way  
Highfield  
Southampton  
SO17 1NS

**From:** [Chapman C.B.](#)  
**To:** [Licensing](#)  
**Cc:** [REDACTED]  
**Subject:** RE: Licensing Application No. 2017/o3350/01SPRV  
**Date:** 18 September 2017 14:28:30

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Licensing, Southampton City Council

I have been advised by Karen Head, Licensing Officer, that the objection below would not be considered valid.

To follow her advice I would like my concerns to be considered in the context of:

1. the prevention of crime and disorder,
2. the prevention of public nuisance.

Our neighbourhood has more than enough fallout from students and others creating noise and other nuisance when licensed premises close at 11:00pm, and although the extent to which this may involve crime and other disorder is debatable, I believe the city ought to take a responsible approach to looking after the best interests of residents as well as those who would like to purchase or sell alcohol. If it fails to do so this will in itself need attention in my view.

Yours sincerely

Prof C B Chapman  
10 Brookvale Road  
Southampton  
SO17 1QP

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**From:** Chapman C.B.  
**Sent:** 17 September 2017 09:57  
**To:** [REDACTED]@outhampton.gov.uk  
**Cc:** [REDACTED]  
**Subject:** RE: Licensing Application No. 2017/o3350/01SPRV

Licensing, Southampton City Council

I would like to object to this application.

The extended hours would be excessive given the location in a densely populated area and the pressure it would put on competitive outlets.

Yours sincerely

Prof C B Chapman  
10 Brookvale Road  
Southampton  
SO17 1QP

Licensing Application **2017/03350/01SPRV**

Licensing

Southampton City Council

PO Box 1767

Southampton SO18 9LA

18 September 2017

To Whom It May Concern

I wish to object to this application for an extension of the hours during which alcohol can be sold at this large retail outlet. This application represents a further expansion of the night time economy of this DC where a very large – and growing – number of students now reside. There are already some 20 licensed premises in this DC but none of these as of now sells alcohol for 18 hours a day 7/7. If this application were granted, then the other licensed premises would be under commercial pressure to follow suit and this, in turn, would bring with it the added risk of drunkenness and anti-social behaviour in the DC. This would affect adversely the lives of the residents in the surrounding area.

I do not see any justification for this application. Buying alcohol at 6 am on a Sunday morning cannot reasonably be regarded as necessary. I ask you to refuse this application and so check the creeping development of this DC which is turning it into a major centre for the consumption of alcohol in the City. At a time when police and A&E services in the City are stretched, the last thing we should be doing is encouraging the increased consumption of alcohol.

I ask you therefore as responsible members of the licensing committee to refuse this application.

Yours sincerely

Alastair Duke

18 Abbots Way

Highfield

Southampton SO17B1NS

Copies to local councillors: 

3 Russell Place  
Highfield  
Southampton  
SO17 1NU  
17 Septemebr 2017

Dear Sir

Licensing Application no. 2017/03350/01SPRV by Sainsburys Supermarket at 202-224 Portswood Road, Southampton SO17 2BE

Variation of premises licence for the supply by retail of alcohol off premises from 6am to 12 midnight Monday to Sunday ( 7 days a week)- ( current hours : 7am-11pm Monday to Sunday) .

**I strongly object to the above application because of the significant harm to the amenity of local residents.**

This proposal to extend the opening hours would be far in excess of what is permitted for other licensed premises within the centre. A major supermarket which is open for the sale of alcohol for 18 hours a day, including Sundays, would be likely to act as a magnet attracting customers from much further afield and increase the probability of drunken anti-social behaviour in Portswood and its environs.

Portswood District Centre lies in a predominantly residential area. There are large numbers of dwellings in the immediate vicinity of Sainsbury's, including dwellings in Portswood Road, St. Denys Road, Highfield Lane, Shaftesbury Avenue and Abbots Way. There are flats for old people directly opposite the site. If the application is allowed, it would be likely to cause noise and disturbance to local residents late at night close to the application site and in the wider area, and to set an undesirable precedent for similar proposals for late night extensions elsewhere in Portswood District Centre.

As a resident in the nearby Portswood Residents' Gardens Conservation Area, I have plenty of direct experience of the noise and nuisance caused by late night revellers congregating in parts of Portswood District Centre outside licensed premises or wending their way home, shouting and singing, dropping litter and occasionally breaking branches off young trees in the street. Extended opening hours at Sainsbury's would be very likely to increase these adverse effects on nearby residents which would be totally unacceptable.

Furthermore, there would be a significant cumulative effects of this proposal on top of the large number of existing pubs, take-aways and music venues in Portswood, Highfield and Bevois Valley which harm residential amenity.

Finally, if allowed the proposal would set an undesirable precedent and other venues in the District Centre would seek later hours than have been allowed by planning conditions or on appeal in the past, especially on Sundays.



It is simply not reasonable to allow such late night operation of alcohol sales so close to homes and to a quiet Conservation Area of family dwellings. Portswood District Centre should be a local shopping and service centre for surrounding neighbourhoods, not one of the eating, drinking and music hot-spots of the night-time economy. Areas such as the Civic Centre and waterfront are much better suited to this role.

I would be grateful if you would refer this application to the Panel for consideration.

Yours faithfully

Rosalind Rutt

5 Russell Place  
Highfield  
Southampton  
SO17 1NU

15<sup>th</sup> September 2017

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

Dear Sirs

**Reference. : 2017/03350/01SPRV**

**Variation of Premises Licence Application by Sainsburys Supermarket at 202-224 Portswood Road, Southampton SO17 2BE for the supply by retail of alcohol off premises from 6am to 12 midnight Monday to Sunday.**

I write to strongly object to this application to increase the existing hours for the sale of alcohol from 7am to 11pm, to 6am to 12 midnight.

**1. The hours sought for the sale of alcohol- 7am to 12 midnight- 18 hours a day- 7 days a week –would be excessive, particularly on Sunday.** The premises are on the edge of the Portswood District Centre (DC) where there are more than 20 licensed premises. **None of those premises licensed to sell alcohol, within the District Centre, have such long hours or are licensed to sell it as early as 6am.** The majority of shops selling alcohol locally close at midnight, or before, especially on Sundays. If granted, others would be forced to seek longer hours in order to compete, increasing the sale and consumption of alcohol in the area.

**2. Such increased hours from such a large Superstore, selling alcohol at discounted supermarket prices, would lead to a huge increase in the amount of alcohol consumed; attract people from outside the area and consequently an increased risk of drunkenness and rowdy behaviour causing :**

**a ) Noise and disturbance and**

**b) Anti- social behaviour**

**c) Litter ( discarded cans and bottles) and**

**d) even Crime ( e.g. damage to cars)**

**--- in the DC- at extremely early hours and late- and even later after closing hours with people congregating outside the premises,**

**---and on their way home through the nearby residential roads, in the early hours, after closing time, when the only police cover is centrally monitored ( local police now cover for the whole City, rather than the local area, so there is no specific police cover in the area).**

**3. Such extended hours would be particularly unsuitable here. Sainsburys Superstore is situated at the edge of Portswood District Centre, which is a small District Centre, 200 metres long, and surrounded predominantly by a densely**

**populated residential area. Local residents nearby and in nearby roads, all of which are residential, would be adversely affected by all of 2) above.**

In particular, the houses opposite, and the Churchill retirement home being built next door - as well as Victoria Lodge, an old peoples home on Highfield Lane opposite would be affected. In addition, it should be noted that student accommodation, for 433 students, is being built next door on Portswood Road. Extended hours would encourage students to continue drinking early and late.

4. Portswood Residents Gardens Conservation Area (comprising Highfield Lane, Abbotts Way, Russell Place and Brookvale Road), whose key feature is that of a 'quiet residential area' is within 50 metres of the premises, - and whose roads lie on the way back to the University, for students, would similarly be adversely affected by all of 2) above.

**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. Such long and early hours for an off licence, would increase this, at unacceptably early and late hours.

b) We already suffer from **litter in Russell Place**, and regularly collect empty cans and bottles. Such long hours selling alcohol off the premises is likely to add to this.

6. The extended hours would necessitate earlier store opening- leading to noise and disturbance from customers and staff arriving ,on foot or by car, even earlier (e.g. 5am), and departing even later( e.g. 1am). This would be unacceptable for a predominantly residential area..

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:** [Scurlock R.G.](#)  
**To:** [Licensing](#)  
**Cc:** [REDACTED]  
**Subject:** Licensing Application re 2017/03350/01SPRY  
**Date:** 15 September 2017 14:59:29

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Objection re:

The Licensing Application re: 2017/03350/01SPRY by Sainsbury Supermarket.

We object strongly to the request for expansion of Sainsbury's opening hours from 06.00 to 24.00, on seven days per week. for the sale of alcohol, for the following reasons:

1. Sainsbury's has made this application for expansion previously and has had the request refused: what valid change of circumstances have they for re-applying?
2. If granted, this would be recognized as a reason for all the many other alcohol outlets in the neighbourhood to expand their own opening hours.
3. Living in a residential area, close to Sainsbury's, we and other residents do not want any additional associated noise - and the disturbances/anti-social behaviour which can result - from very early in the day, 0.60 hours to very late at night, beyond 23.00 hours.

Yours faithfully,

R.G. and M.M.Scurlock

22, Brookvale Road,

Southampton.

SO17 1QP

From: [JENIFER ARNOLD](#)  
To: [Licensing](#)  
Cc: [REDACTED]  
Subject: Sainsbury's Application no. 2017/03350/01  
Date: 15 September 2017 09:50:22

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**CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.**

I wish to register my opposition to this application for extended licensing hours from 6 am to midnight every day of the week.

This new Sainsbury's has had both good and bad effects on the local community.

The opportunity to shop at any reasonable time is welcomed, but additional hours for buying, and possibly consuming alcohol locally, could have a detrimental impact on the residential area. Noise and disturbance could increase as well as litter which is already a problem in this area.

Can a demand for such extended hours be proved? As a society, do we really want to encourage alcohol consumption to increase - just for the benefit of large firms' profits?

Medical evidence shows the problems that alcoholism can bring. Surely Local Councils should be trying to dissuade people from excessive drinking if they are concerned for the Health and Welfare of their citizens?

Jenifer Arnold  
Oak cottage  
Highfield Lane  
SO17 1NQ

From: [Richard Buckle](#)  
To: [Licensing](#)  
Cc: [REDACTED]  
Subject: Licensing applic. 2017/03350/01SPRV - Sainsbury  
Date: 12 September 2017 13:49:34

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**CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.**

Dear Sirs, we oppose this application because (a) site - Sainsbury's is immediately adjacent to the Portswood District Centre (DC), both of which are closely surrounded by densely populated residential properties. (b) no need for additional provision of alcohol. -there is already an excess provision for the consumption of alcohol here - off licenses, public houses, eating houses & retail providers - on average one every 10 metres in the DC. (c) Hours. already Sainsbury's can sell alcohol for 16 hours every day (including Sundays). This application is too early at 6 am and too late at 12 midnight- 18 hours a day : the very early 6am and late 12 pm will have a particularly disturbing effect on the neighbourhood.(d)Deleterious effects - the increased provision of alcohol will result in increased consumption and so to increased drunkenness leading to increased noise, disturbance , anti-social behaviour and crime affecting local residents.(e) Major drinking centre in Southampton - the further increase in alcohol supply will further increase the appeal for clients to come from outside the area to the DC making it a major drinking area in the city with the expected consequences (f) Health. this application is designed to increase the sale of alcohol by Sainsbury's and its total consumption of alcohol in the area ,and it constitutes a cynical disregard for the Government and Ministry of Health's warnings of the dangers regarding the increasing incidence of alcohol related diseases. namely alcoholic liver damage, cirrhosis and later cancer of the liver.

It is for these reasons we oppose this application and ask you to refuse it.

Thank you , Yours faithfully,

Dr. Richard Buckle, Planning Group, Portswood Residents Gardens CA.

Address Dr. Richard Buckle , 29. Abbotts Way, Highfield, Southampton, SO17 1NW



This email has been checked for viruses by AVG antivirus software.

[www.avg.com](http://www.avg.com)

**From:** [Ian Edwards](#)  
**To:** [Licensing](#)  
**Cc:** [REDACTED]  
**Subject:** Ref. 2017/03350/01SPRV  
**Date:** 14 September 2017 23:25:30

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Dear Sirs,

Licensing Application variation of Premises Licence Sainsburys Supermarket, 202 - 204 Portswood Road

As neighbouring residents to this supermarket, we wish to object to the application for a variation of the premises licence.

The hours which are sought are from 6.am to midnight every day, which are an excessive number of hours for a premises in what is a predominantly local and residential area.

There are already many shops in Portswood which are allowed to sell alcohol, but none from as early as 6.00am, and most of which shut earlier than midnight, especially on Sunday.

Such excessive hours would lead to the attraction of people from outside the immediate area, which would increase a risk of crime and disorder, particularly in the early morning and late at night. It would also be a risk of antisocial behaviour, especially amongst those who already sit drinking alcohol in Portswood Road during the day, and would be an added attraction for the many students who pass through the local residential area after a night out in the clubs in the middle of town.

Such activity is a public safety concern to those of us who live in the residential areas around Portswood Road.

Already we have to clear up alcohol bottles left by those who have passed through the locality at night and such a public nuisance would only be exacerbated by this extension of hours.

We would be grateful if these matters of prevention of crime and disorder, public safety, and public nuisance are considered by the committee who decide this application.

Yours faithfully,

Ian and Sue Edwards

34 Abbots Way,  
Portswood,  
Southampton SO17 1NS

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