

Licensing (Licensing and Gambling) Sub-Committee

Wednesday, 4th September,
2019
at 6.00 pm

PLEASE NOTE TIME OF MEETING

Conference Room 3 - Civic
Centre

This meeting is open to the public

Members

Three Members drawn from the Licensing
Committee

Contacts

Democratic Support Officer
Pat Wood
Tel: 023 8083 2302
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Service Director - Transactions & Universal
Services

Mitch Sanders
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PUBLIC INFORMATION

The Members of the Licensing Committee are Councillors Mrs Blatchford, G Galton, B Harris, Kataria, McEwing, Noon, Prior, Renyard, Spicer, and Streets.

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 2019/20

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 - LEGAL ADVICE**

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 GRANT OF A PREMISES LICENCE - KRUPA NEWS, 8 PARK STREET, SOUTHAMPTON SO16 4RJ** (Pages 1 - 42)

Application for grant of a premises licence - Krupa News, 8 Park Street, Southampton SO16 4RJ.

Tuesday, 27 August 2019

Service Director - Transactions and Universal Services

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Agenda Item 6

DECISION-MAKER LICENSING (LICENSING & GAMBLING) SUB COMMITTEE

SUBJECT HEARING TO CONSIDER AN APPLICATION FOR GRANT OF A PREMISES LICENCE -
Krupa News 8 Park Street Southampton SO16 4RJ

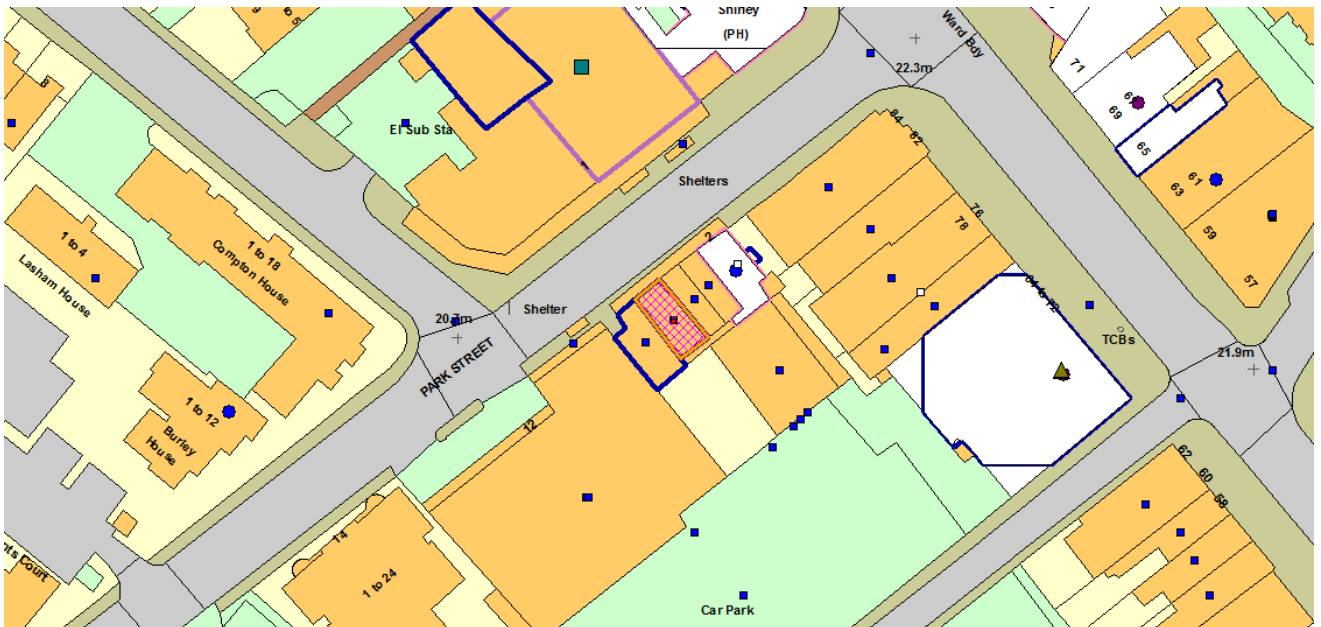
DATE OF HEARING 4th September 2019 at 18:00

REPORT OF SERVICE DIRECTOR – TRANSACTIONS & UNIVERSAL SERVICES

E-mail licensing@southampton.gov.uk

Application Date : 9th July 2019 Application Received 9th July 2019

Application Valid : 9th July 2019 Reference : **2019/03862/01SPRN**



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Representations from Responsible Authorities

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

Police - Licensing	No-	
Trading Standards	No	
<i>Other Representations</i>		
Name	Address	Contributor Type
Sandhya Goswami	18 Romsey Road, Southampton SO16 4DA	Resident
Petition	14 valid name address and signatures	Organiser has not provided their contact details

Legal Implications

1. The legislation specifically restricts the grounds on which the sub-committee may refuse an application for grant of a premises licence, or impose conditions. The legislation provides for a presumption of grant of an application for 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 grant 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. Only persons that made relevant representations or their representative, within the time limits, will be allowed to present evidence and this will be restricted to the points raised in their written representation. Any evidence used to expand upon specific points already raised in a written representation should be served upon all parties in good time before the hearing date in order to allow proper consideration. A failure to properly serve any such additional evidence in advance is likely to mean it cannot be produced or relied upon at the hearing.
6. 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 grant of a premises licence and the representations to it are annexed to this report.

Summary of application

Applicant	Krupa News Shirley Ltd.
Agent for licence Holder:	No Agent
Proposed DPS	Mrs. Bhavitabahen Patel

This is an application for a new premises licence. The premises is a convenience store, which offers the following services newspaper, lottery, pay point, tobacco and dairy products.

The new premises licence application is for the following licensable hours and activities:

Opening Times Everyday 06:00 – 00:00	Supply by retail of alcohol (for consumption off the premises) Everyday 07:00 – 00:00
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The application has received representations from Hampshire Constabulary, Southampton City Councils Trading Standards Department., one local representation and a local petition with 14 valid name and addresses. The lead petitioner has not been identified, so we have been unable to correspond with them and invite them to the hearing.

Application form and plan – Pages 5 to 27

Hampshire Constabulary Representation – Pages 28 to 33

Trading Standards Representation – Pages 34 to 35

Local Representation- Pages 36 to 37

Petition- Page 38

Hearing Procedure Notes-Pages 39 to 42

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 KRUPA NEWS SHIRLEY LIMITED

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
KRUPA NEWS 8 PARK STREET			
Post town	SOUTHAMPTON	Postcode	SO164RJ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 8900.00

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) 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 in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England 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 (by ticking yes to one box below):

- 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		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

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		
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes			
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential 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	KRUPA NEWS SHIRLEY LIMITED
Address	8 PARK STREET SOUTHAMPTON SO16 4RJ
Registered number (where applicable)	079 111 88
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY
Telephone number (if any)	

E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY
09 08 2019

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

DD MM YYYY
[] [] [] [] [] [] [] []

Please give a general description of the premises (please read guidance note 1)
The premises is a Convenience store offers services like, NEWS PAPER, Lottery, Pay Point, Soft drinks, Dairy products in the Shirley area of Southampton. The store intend to start Alcoholic drinks sales.

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

Not applicable

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

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

Provision of regulated entertainment (please read guidance note 2)

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 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
			State any seasonal variations for performing plays (please read guidance note 5)		
Tue					
			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 6)		
Wed					
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed					
Thur			<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 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</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 4)</u>		
Mon					
			<u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)</u>		
Tue					
			<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 (please read guidance note 6)</u>		
Wed					
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Wed					
Thur			<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 6)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		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 4)			
Mon						
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)			
Wed						
Thur			<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 6)			
Fri						
Sat						
Sun						

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	
			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 4)	
Mon				
Tue				
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)	
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 6)	
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 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<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 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)		
Mon					
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Tue					
			<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 6)		
Wed					
Thur					
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	07.00	00.00			
Tue	07.00	00.00			
Wed	07.00	00.00			
Thur	07.00	00.00			
Fri	07.00	00.00			
Sat	07.00	00.00			
Sun	07.00	00.00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	MRS BHAVITABAHEN PATEL
Date of birth	
Address	
Postcode	
Personal licence number (if known)	2012/01623/02 SPEN
Issuing licensing authority (if known)	SOUTHAMPTON CITY COUNCIL

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 9).

— NOT APPLICABLE —

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>	<p><u>State any seasonal variations (please read guidance note 5)</u></p> <p style="text-align: center;">— N. A. —</p>																								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Day</th> <th style="width: 20%;">Start</th> <th style="width: 20%;">Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td>06.00</td> <td>00.00</td> </tr> <tr> <td>Tue</td> <td>06.00</td> <td>00.00</td> </tr> <tr> <td>Wed</td> <td>06.00</td> <td>00.00</td> </tr> <tr> <td>Thur</td> <td>06.00</td> <td>00.00</td> </tr> <tr> <td>Fri</td> <td>06.00</td> <td>00.00</td> </tr> <tr> <td>Sat</td> <td>06.00</td> <td>00.00</td> </tr> <tr> <td>Sun</td> <td>06.00</td> <td>00.00</td> </tr> </tbody> </table>	Day	Start	Finish	Mon	06.00	00.00	Tue	06.00	00.00	Wed	06.00	00.00	Thur	06.00	00.00	Fri	06.00	00.00	Sat	06.00	00.00	Sun	06.00	00.00	<p><u>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 (please read guidance note 6)</u></p> <p style="text-align: center;">— N. A. —</p>
Day	Start	Finish																							
Mon	06.00	00.00																							
Tue	06.00	00.00																							
Wed	06.00	00.00																							
Thur	06.00	00.00																							
Fri	06.00	00.00																							
Sat	06.00	00.00																							
Sun	06.00	00.00																							

M

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

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

SEE ATTACHED

b) The prevention of crime and disorder

SEE ATTACHED

c) Public safety

SEE ATTACHED

d) The prevention of public nuisance

SEE ATTACHED

e) The protection of children from harm

SEE ATTACHED

Checklist:

Please tick to indicate agreement

- 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 designated 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.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> ● [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). ● The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking
--------------------	--

	service which confirmed their right to work (please see note 15)
Signature	
Date	09/07/19
Capacity	Director.

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). 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 14)			
SHOP ADDRESS			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

P

a) General

The premises is a convenience store offers services like newspaper, lottery, pay point, soft drinks and dairy products. The company wishes to operate the premises for sale of alcoholic drinks.

b) The Prevention of Crime & Disorder

CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. Recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an authorised officer or a police officer (subject to the Data Protection Act 1998) within 24 hours of any request.

All instances of crime and disorder shall be reported to the police.

An incident book shall be used to record all instances of public order.

The holder of the premises licence shall subscribe to and participate fully in the local Pub/Club/Shop Watch Scheme.

The sale of intoxicating liquor will not be made to persons where there are grounds to believe that the sale will result in crime or disorder.

c) Public Safety

We will endeavour to insure that the premises are safe both staff and the general public, a fire risk assessment will be taken.

d) The prevention of public nuisance

Noise and vibration must not emanate from the premises so as to cause a nuisance to nearby properties.

Prominent clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and nearby area quietly.

e) The protection of children from harm

The licensee shall adopt the Challenge 25 and the BII National Standards Proof of Age Scheme. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The licensee shall keep records of training and instruction given to staff.

The licensee shall regularly monitor staff to check how they are dealing with young people who ask for alcohol and other age restricted products.

The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards eg citizen card, a passport, or uk driving licence bearing the photograph and date of birth of the bearer. The licensee and staff should note any refusal to sell to young people in a refusals log. The refusals log shall be made available for inspection by the Licensing Team, Police or Trading Standards.

SOUTHAMPTON AND EASTLEIGH LICENSING PARTNERSHIP

Consent of individual to being specified as premises supervisor

I BHAVITABAHEN PATEL
[full name of prospective premises supervisor]

of

.....
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

[type

GRANT OF PREMISES LICENCE
of application]

by

KRUPA NEWS SHIRLEY LIMITED
[name of applicant]

relating to a premises licence 8 PARK STREET, SOUTHAMPTON, SO164RJ
[number of existing licence, if any]

for

8 PARK STREET, SOUTHAMPTON, SO164RJ
[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

KRUPA NEWS SHIRLEY LIMITED
[name of applicant]

concerning the supply of alcohol at

8 PARK STREET, Southampton, SO164RJ
[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

2012/01623/02SPEN
[insert personal licence number, if any]

Personal licence issuing authority

Southampton City Council
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

Name (please print)

BHAVITABAHEN PATEL

Date

08/07/2019

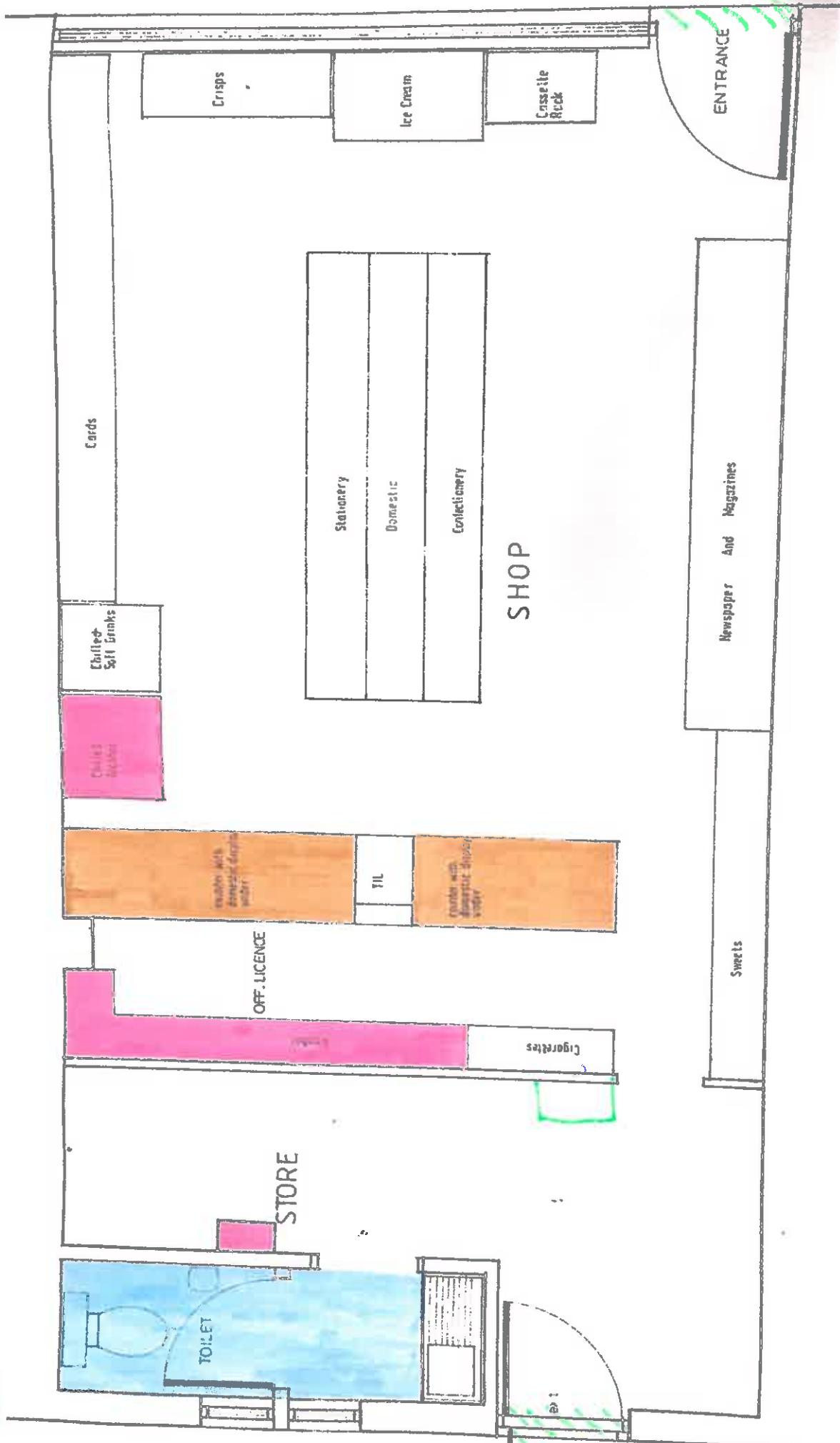
The Council is collecting this information in order to perform this service or function, and if further information is needed in order to do so, you may be contacted using the details provided.

In performing this service, the Council may be required to share your information with other organisations or departments, but it will only do so when it is necessary in order for the service to be provided.

The Council may also share your personal information for the purposes of the prevention, investigation, detection, or prosecution of criminal offences, but will not share your personal information, or use it for this, or any other purpose, unless provided for by law.

For more detail about how we handle your personal data please see our privacy policies:
For Southampton City Council applications: <http://www.southampton.gov.uk/privacy>
For Eastleigh Borough Council applications: <https://www.eastleigh.gov.uk/privacy>

FIRE EXTINGUISHER
FIRE EXIT





Form for representations/objections from Hampshire Constabulary

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- under the Licensing Act 2003, regarding the:

<input checked="" type="checkbox"/>	1: New Premises licence/club prem certificate	Representation within 28 days
<input type="checkbox"/>	2: Variation of premises licence/club prem certificate	Representation within 28 days
<input type="checkbox"/>	3: Minor variation of premises licence/club prem certificate	Representation within 10 days
<input type="checkbox"/>	4: Variation of DPS	Object within 14 days
<input type="checkbox"/>	5: Transfer of premises licence	Object within 14 days
<input type="checkbox"/>	6: Standard temporary event notice	Object within 3 working days
<input type="checkbox"/>	7: Late temporary event notice	Object with 3 working days
<input type="checkbox"/>	8: Application for a personal licence	Object within 14 days
<input type="checkbox"/>	9: Provisional statement	Representation within 28 days
<input type="checkbox"/>	10: Ancillary sales notice	Object within 3 working days
<input type="checkbox"/>	11: Interim authority notice	Object within 2 working days

Name of Applicant:	Krupa News shirley limited
Name of Proposed DPS:	Bhavitabahen PATEL

Details of relevant conviction (Personal Licence Applications ONLY)

Postal address of premises:	Krupa News 8 Park Street Shirley Southampton
Postcode:	SO16 4RJ

Details of responsible authority applicant

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other title / Rank:	Constable
Surname:	SCOTT	First Names:	LEE		
Current postal address	POLICE LICENSING, CIVIC CENTRE, SOUTHAMPTON, HAMPSHIRE, UK, SO14 7LY				
Postcode:	SO14 7LY				
Daytime telephone number:					
E-mail address: (optional)					

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



Form for representations/objections from Hampshire Constabulary

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

- 1) The prevention of crime and disorder
- 2) Public safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

*Please select
one or more
boxes*

Please state the ground(s) for -representation-:

On behalf of the Chief Officer of Police for Hampshire Constabulary, I am making a representation to the application for a new premises licence for the premises at:
8 Park Street (currently City News)
Shirley,
Southampton
SO16 4RJ

The representation is made against the application to grant a licence for the premises to supply alcohol by retail for consumption off the premises.
The application for the sale of alcohol by retail is for 7 days a week between 0700-0000

The protection of children from harm licensing objective is the forefront reason for making this representation.

This is based upon previous and current information that at the store there is a lacking of discipline and diligence with respect to the retailing of age restricted products.

The venue previously held a premises licence which was issued by Southampton City Council on 01/10/2015. The premises licence number was 2015/02657/01SPRN. The licence was subsequently surrendered by the premises licence holder on 18/10/2016. The proposed DPS for this application was the DPS when the previous licence was in existence.

On the 6th October 2016 a test purchase was made at the store and they failed as they sold a 4x pack of Fosters lager to a 15 year old child. This was a combined police and trading standards operation and the purchase was observed by a plain clothed police officer. At the time of the sale the DPS and premises licence holder were both present in the store. When this failure was raised there were no employment or training records for the subject male who made the sale, he was described as being a friend of a friend just helping out. Following this failure the previously held licence above was surrendered ahead of any review or enforcement action taken against the premises licence holder.

I must also add that the person employed by the then DPS and again proposed DPS was working illegally as an overstayer on their UK visa and the employee became subject to immigration enforcement matters.

While this was some time ago police became aware that a partner agency namely Southampton city council trading standards conducted a test purchase operation in Southampton on 9th July 2019. The premises for which the application is made was subject to a tobacco test purchase. I have been advised that this store failed such a test purchase operation and trading standards are managing that offence.



Form for representations/objections from Hampshire Constabulary

Not only was it a straight forward sale on this occasion the member of staff who made the sale was a 15/16 year old boy.

Therefore it gives me concern that while considering and completing a premises licence application, the premises are still not compliant with selling other age restricted products, and the practises therefore at the venue do not encourage me that responsible sales and controls will be taking place.

I visited the store at midday of 18/07/19 and saw that there were two young males sat on the floor of the store with a basket stocking the shelves. I observed the store for a few minutes from a bus stop opposite and it was clear that these males within the store were working.

As I entered the store one of the young males had gone out the back but I saw one of them behind the till with his older adult colleague.

The young male provided me a date of birth which places him as 16 years and 1 month old. He told me he was employed at the store on work experience for 1 week only.

The other young male was not seen as he had gone out of the back of the shop floor, away from public areas.

The other male at the till was an adult and he eventually agreed he was in charge and currently managing the store. the proposed DPS and premises licence applicant were not present.

I discussed with the male his role and asked to see his training records. He looked lost and confused and could not provide me with any record of training and said he had been told not to sell cigarettes to persons under 18 only.

I was shown a refusals log and noted 3 refusals in 2019. One has been made since the tobacco test purchase failure.

The young male working was a relative of the applicant and DPS. I do not believe there has been any sufficient training given relating to age restricted products.

I re-visited the store on Tuesday 23rd July 2019 to check the CCTV system and I viewed dates at the start of July. The young male who said he was on work experience was not seen within the footage that I viewed.

The proposed DPS was present within the store and she kindly showed me the training records held. The training records consisted of 2 training sheets signed by Parth Patel and the proposed DPS Bhavitabehen Patel, both state the training was provided by the applicant of this licence Mr Rajendrakumar Patel. There is no evidence of actual training other than these signed sheets. It was alarming to see that the documents that have been signed to confirm training relate to the Licensing Act 2005 Scotland. It relates to regulations under the Scottish licensing Act, not the Licensing Act 2003 that is in force in England and Wales. Therefore I do not believe any formal training has taken place and these sheets are signed purporting that a form of training has taken place. However the fact it mentions law for another country several times and that this has been overlooked again enforces the view of a complete lack of dilligence and respect to the Act and the control of age restricted products. Photographs of the training sheets have been taken see Appendix A

Whilst in the store I could not see any signage such as 'it is illegal to sell tobacco related products to under 18 year olds'.

The male who I spoke to on my initial visit seemed very apprehensive and did not want to answer my



Form for representations/objections from Hampshire Constabulary

questions.

I also saw in the corner of the store behind the till area and within the till display cabinet that there were products connected with the use of drugs such as bongs and cannabis grinders.

To summarise I do not believe the applicant or prospective DPS have offered or undertaken any formal training to the staff that are working in the store. The male present during my initial visit was left in a position of responsibility to manage the store and it was clear he had no idea if there was any training records or where they were. The store are currently failing to show and sort of dilligence and they wish to take on further responsibility by selling alocohol. I believe the applicant, DPS and the staff are ill prepared and cannot satisfy that they will uphold the licensing objectives. They have not learned from their experience 3 years ago as evidenced by the cigarette sale to a juvenile, by a juvenile and therefore no licence should be granted.

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)

Not to issue the premises licence to the applicant. I do not believe the store would work proactively to engage with the licence and any attached conditions.

If granted I would like the following conditions to be added to the licence:-

1) The premises licence holder shall ensure that a system is in place to ensure that every individual who appears to be under 25 years of age seeking to purchase or be supplied with alcohol at or from the premises, shall produce acceptable means of identification and age confirmation. Acceptable identification shall be a passport, photo driving licence or PASS accredited photo ID. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.

2) No beers, ciders or lager of 6.5% ABV or over shall be sold by retail unless they in a pack of 4 or more as supplied by the manufacturer

3) The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside areas.

CCTV warning signs to be fitted in public places.

The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 31 days.

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

The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.

There shall be sufficient members of trained staff at the premises during operating hours to be able



Form for representations/objections from Hampshire Constabulary

to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered must be in a format that can be viewed on readily available equipment without the need for specialist software.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Hampshire Police Licensing Unit within 24 hours, and arrangements made to repair the fault without delay.

A competent trained person in the use of and operation of the CCTV must be in attendance at the premises at all times that licensable activities take place and there must be a person present, nominated by the data controller, who is able to fully operate the CCTV system to be able to download at the times of the visit onto a CD/DVD/USB stick any information lawfully requested by any Responsible Authority.

4) The Designated Premises Supervisor, or an appointed deputy (who holds the written authorisation of the DPS) who also holds a personal licence, will be on the premises at all times when they are open for licensable activities.

5) A written record shall be made of every under 25 ID challenge and any subsequent refusal to sell alcohol to a person who is drunk or apparently aged under 18 years. Each entry shall be signed and dated by the person making it. The record shall be checked and counter signed by the DPS on at least a weekly basis and shall be produced to a police officer or authorised officer of the local authority on reasonable request. The record will be retained for a period of 12 months.

6) The premises licence holder shall ensure that a training package is in place in order for all staff involved with the sale or supply of alcohol to be sufficiently trained in licensing matters proportionate to their role and aware of their responsibilities. Particular attention should be paid to underage sales / ID verification and the refusal of alcohol sales to drunk person. Records shall be kept of this training, dated and signed by the staff member and trainer. Refresher training shall be completed at least every 6 months again with documented records made and to be available for inspection from Police and other responsible authorities.

A written record shall be retained at each bar to show the staff that have been authorised to sell alcohol. This shall be made available to the Police and other responsible authorities on request.

7) The premises licence holder shall ensure that all tills have a prompt message to question staff over the age and condition of the customer when alcohol is purchased i.e1, 1. . 'ID confirmed' and 'checked - not drunk'.

Signature of Officer Completing

Name LEE SCOTT

Collar Number: 25597

Signature: _____

Date: 18/07/2019

25/7/19 - completed

Signature of Authorising Officer

Name APS PETER VINCENT

Collar Number: 21451



RESTRICTED

G89
Page 6 of 6

**Form for representations/objections
from Hampshire Constabulary**

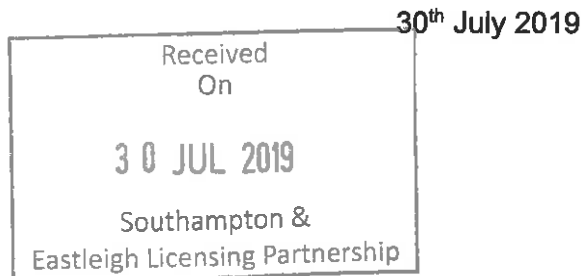
Signature: P J Vincentr Date: 19/07/19

Trading Standards Service
Southampton City Council
Civic Centre
Southampton SO14 7LY

Direct dial:
Fax:
Email: I

Please ask for: Lucas Marshall
Our ref:
Your ref:

Licensing
Southampton City Council
PO Box 1767
Southampton
SO18 9LA



Dear Sir/Madam

Licensing Act 2003

I write with reference to Krupa News Shirley Ltd's application for a premises licence at 8 Park Street, Southampton, SO16 4RJ, a copy of which has been received by Southampton City Council's Trading Standards Service. I wish to notify you that Trading Standards make representation to object to the granting of a licence to Krupa News Shirley Ltd, and outline the reasons for the objection below.

Krupa News Shirley Ltd currently trades as a convenience store at 8 Park Street, Southampton. The directors of the company are Rajendrakumar and Bhavitababen Patel. A Premises Licence has previously been held by Bhavitababen Patel at 8 Park Street. However this was surrendered following joint Police/Trading Standards work conducted at the premises: in October 2016 alcohol had been sold by a person who was not permitted to work in the UK to a 15 year old child.

On 9th July 2019 Southampton City Council's Trading Standards Service conducted an under age sales exercise. A 17 year old girl, acting under my instructions, purchased a packet of cigarettes from 8 Park Street, Southampton. The cigarettes were sold to the child by the 15 year old son of Rajendrakumar and Bhavitababen Patel. It is alleged that this fact constitutes an offence under Section 7(1) of the Children and Young Persons Act 1933 (as amended).

Immediately following the sale I questioned Rajendrakumar regarding diligence exercised in the prevention of under age sales at the premises. I would expect that a company in the business of selling age restricted goods would have records evidencing training for each person working at the premises, however there were no such records for his son.

On 19th July 2019 I interviewed Rajendrakumar Patel, who identified himself as the managing director of Krupa News Shirley Ltd. Patel did not appear to accept that all persons who work at the premises, including those who are there on a short term basis, are likely to sell age restricted products and as such should be trained to the same standard as permanent staff. The attitude of the business appears unchanged since the Premises Licence was surrendered in 2016, when their untrained, unpaid, illegally working employee sold alcohol to a 15 year old.

During interview Rajendrakumar Patel was questioned regarding the Licensing Objectives and how he intended to meet them. It was clear that he had little knowledge of the Objectives and that he had copied details of how he would meet them into his Premises Licence Application from information that he had found on the internet.

Trading Standards have concerns regarding Krupa News Shirley Ltd's ability to meet the Licensing Objectives, to prevent crime and disorder and the protection of children from harm and therefore object to a licence being granted.

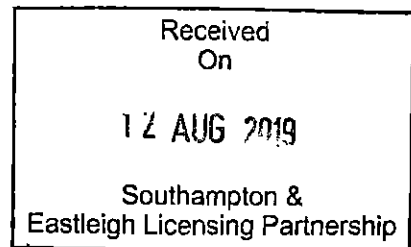
Yours faithfully

Lucas Marshall
Trading Standards Officer

Cc. Hampshire Constabulary, Licensing, Civic Centre, Southampton SO14 7LY
Krupa News Shirley Ltd, 8 Park Street, Southampton, SO16 4RJ

If you require this letter or future correspondence from us in a different format (e.g. tape, Braille, or disc) please do not hesitate to let us know.

Sandhya Goswami
18 Romsey Road
Shirley
Southampton
SO16 4RJ



10TH August 2019

The Licensing Team
Southampton City Council
P. O. Box 1767
Southampton
SO18 9LA

RE: License Application For Krupa News, 8 Park Street Southampton SO16 4RJ

Dear Sirs

I would like to make my representations to the above application on the four licensing objectives.

I strongly oppose the application and granting the license will undermine the four licensing objectives.

Prevention Of Crime and Disorder

The late opening hours will create more noise and criminal activities around the area. The applicant does not show any CCTV on the outside of the premises and no alarm system is in place. The same family had a premises license in the parade for a different shop and criminal activities were carried out by employing an illegal person to the best of my knowledge. I am concerned that these poor business practices are likely to be replicated if the new license is granted.

Public Safety

The applicant does not show any measures to be taken for the above objective apart from the risk assessment. Prevention of street drinkers and safety measures are not in place, the area is struggling with litter collection. Unfortunately, we have witnessed a rise in issues with substance abuse and drug dealing within the vicinity of the proposed premises and adding the availability of alcohol in the late hours after the pubs are closed will be a huge concern to us. There is no provision made of when the deliveries are going to take place which again will be a huge concern to the safety and public nuisance.

Public Nuisance

What action is to be taken to stop the noise emanating from the premises ? Are the windows double glazed? How will the people be stopped from drinking outside the premises during the late hours in the night? There are many unanswered questions and I am sure the responsible authorities will be concerned with the records of the present applicant and its associates.

The Protection Of Children From Harm

There are four schools around the area and the applicant has not shown how this will be taken care of during term time. From my knowledge this being a newsagent shop, we have noticed during term time the shop is visited by children in the mornings going to the school and during the school leaving time in the afternoon from 15.00hrs onwards.

The applicant clearly does not understand the councils licensing policy nor the licensing act 2003 as the Blue Notice required by law was not visible contravening the Licensing act and after this was brought to the notice the application had to be restarted.

The council will be aware that businesses in this situation will sometimes make applications for new licenses in alternative locations and under different names, including that of friends or family members etc. in an effort to get around a previous license which is surrendered or revoked. Although there is some evidence of a direct correlation between the applicant and the license holder of a shop nearby, the council is obliged to scrutinise all such matters in detail in an effort to ensure the Prevention Of Crime and Disorder.

In consideration of this application I would strongly urge the Licensing Team to refuse the application. I am willing if required to attend the licensing sub committees meeting. I can be contacted on the above address or can be emailed for any further details required.

Yours Faithfully

Sandhya Goswami

Petition to Stop Retail Sale of Alcohol at Krupa News Shirley Ltd, Krupa News,

8 Park Street Southampton SO16 4RJ

Petition Summary : We the local residents are very concerned with the above application as the four licensing objectives will be at a risk on the following grounds

Crime and Disorder: There will be an increase in street drinkers in the area attracting more crime. The applicant has not shown any control on the strength of alcohol to be sold.

Public Safety: Apart from fire risk assessment there is no other safety shown such as where the alcohol will be purchased from as this is the same family that had a nearby shop when breaching the licensing conditions.

Children From Harm: This objective was to the best of our knowledge breached previously by the same family and we do not have confident.

NAME	ADDRESS	SIGN	DATE	COMMENT
C Budgett	12 Fairfax Court SO19 6FU		8.8.19	I AGREE WITH THE STATEMENT ABOVE
Billy Cook	67 Neptune Court		8.8.19	I agree with the statement
Barb Williams	5 Dennison Court SO14 8NY		8.8.19	I AGREE WITH ABOVE STATEMENT
S. Litwin	2A LEMON ROAD		8.8.19	I AGREE WITH THAT
M. MARY-NANDEKON	50164FI 45 ST. EDMUND ROAD		8.8.19	I AGREE WITH ABOVE STATEMENT
PETER HOOPER	18 PARK STREET.		"	
Tim Dunan	29 carline road		8.8.19	I AGREE
Sally Roggebi			8.8.19	Roggebi
P. BRENT	23, MAY BUSH CT./ IRVING ROAD		8.8.19	- YES -
SMATHEWN	16 RAMSEY RD SHIRLEY		8-8-19	I AGREE
C. LUKINS	9 didcot Road		8.8.19	I AGREE
J. NORROD.	FLAT 1 PARK ST		8/8/19	I AGREE
Lukas Fizek	12 Penny Road SO16 9HW		8/8/19	I agree
C. BOTHAM	Flat 16, 14 Park Street.		8/8/19	I agree.
Z. MCLLARD	CADICE 6 PARK ST SHIRLEY		8/8/19	I agree

Received
On
12 AUG 2019
Southampton &
Eastleigh Licensing Partnership

Procedure – Applications etc. under the Licensing Act 2003 or Gambling Act 2005

1. A hearing will be held to decide applications, etc., under the Licensing Act 2003, where there have been relevant representations from one or more of the responsible authorities or other persons. The parties to the hearing will have the chance to be heard. They are also entitled to be helped or represented by another person if due written notice is given in advance.
2. Hearings will take place before a Sub-Committee comprising three members of the Licensing Committee. One of these members will be elected Chair of the Sub-Committee for that hearing.
3. Please note that for day time hearings the Sub-Committee will normally adjourn for lunch at 1:00 p.m. and that comfort breaks will be taken at the discretion of the Chair at appropriate points during the meeting.

Preliminary matters

4. The Chair will introduce those present.
5. The Chair will check whether any of the Sub-Committee members has a “disclosable pecuniary”, “personal” or “pecuniary” interest.
6. The Chair will check whether all the parties are present at the hearing, and if any are not, whether they have told the Council that they do not wish to attend or be represented. If any party who was expected to attend has not done so, the Sub-Committee will decide whether to hold the hearing in that party’s absence, or to adjourn it to another date. Hearings will be adjourned if the Sub-Committee considers this necessary in the public interest, if that is possible. If the Sub-Committee decides to hold the hearing in a party’s absence, they will still consider any written information received.
7. In the case of an application for variation or a new licence, the Sub-Committee’s legal advisor will ask the applicant or their advisor for confirmation that the required public notices have been displayed where they can conveniently be read from the exterior of the premises and that notice was given in a local newspaper within eleven working days of the day on which the application was received by the licensing authority.
8. Normally, hearings will be open to the public. However, the Sub-Committee may exclude the public from the hearing (or part of it) if they think the public interest in doing so outweighs the public interest in having the hearing in public. If the public are excluded, any of the parties to the hearing, and/or anyone helping or representing them, may also be excluded.
9. The Chair will propose a motion that the public and the press be excluded from the hearing while the Sub-Committee considers the matter. Ordinarily the legal advisor and democratic support officer will remain (see paragraph 30 (b) below).
10. The Openness of Local Government Bodies Regulations 2014 provide an entitlement for the public to film, photograph and audibly record (“record”) public meetings. However, by virtue of Schedule 6, paragraph 58 of the Licensing Act 2003 and section 101 (15) of the Local Government Act 1972, Licensing Act 2003 hearings are not covered by the entitlement to film as of right. The Council’s general approach is to encourage openness and transparency in all its dealings and the general presumption is that filming or recording of hearings shall generally be permitted where due notice has been provided in advance of the hearing. Nonetheless the following shall apply:

- i) Filming / recording / photographing hearings shall only be permitted with the express permission of the Chair. Such permission may include restrictions to protect children, vulnerable persons or others that object to being filmed / photographed / recorded.
 - ii) Requests to film / record / photograph should be made with sufficient notice in advance of the hearing. Late requests may not be granted if there shall be a delay to proceedings as a result.
 - iii) Every party to the hearing and any witnesses shall have the opportunity to object and those representations shall be considered by the Sub-Committee.
 - iv) No filming, photography or sound recording shall be permitted of any person under 18 years of age.
 - v) No person shall be put under any pressure to consent to such and no payment for such consent shall be given.
 - vi) The Chair shall have the final say as to whether any filming, photography or recording is allowed (including the extent to which permission is granted e.g. the parts of the meeting, the individuals concerned or the arrangement of the recording equipment).
 - vii) All directions given by the Chair shall be fully complied with and the Chair shall have the absolute discretion to withdraw permission to film, photograph or record in the event the same causes an obstruction or interferes with the general conduct of the hearing, including the impeding of the giving of proper evidence.
11. A party may have asked for someone else to appear at the hearing to make a point or points that may help the Sub-Committee reach a decision. It is up to the Sub-Committee to decide whether that person should be heard, although permission will not be refused unreasonably. Such a person is referred to as a “witness” in this procedure.
12. Where application has been made, in advance of the hearing, that it should be conducted in private (e.g. by the Police in review or summary review proceedings) reports shall be prepared and presented as confidential so that the Committee can make a meaningful determination in accordance with Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005 to exclude the press and public. It is important to note that reports presenting Licensing Act 2003 matters are not required to be published in advance. However, certain limited information must be published in accordance with the Licensing Act 2003 (Licensing Authority’s Register) (Other Information) Regulations 2005 and section 8 of the Licensing Act 2003.
13. The Chair will then explain the procedure that will follow.

General information on the conduct of the hearing

14. Each party is entitled to:
- (a) Give further information in response to any point that the Council told them before the hearing they would like clarified;
 - (b) With the permission of the Chair, seek clarification on any point by any other party;
 - (c) Address the Sub-Committee.
15. Members of the Sub-Committee may also seek clarification of any party or witness.
16. At the Chair’s discretion, the Sub-Committee’s legal advisor may ask any questions he or she thinks are relevant.

17. Unless the Council has requested in advance that a particular point be clarified, new documentary or other evidence may not be submitted for the first time at the hearing, unless all the other parties agree.
18. Members of the Sub-Committee will have read all the papers included in the agenda for the hearing before the hearing starts. The parties are requested not to spend unnecessary time repeating evidence which is already in the papers and which is not disputed.
19. Evidence that is not relevant to the case, or to the promotion of the four licensing objectives, will be disregarded.

Hearing Procedure

20. If any party has asked permission for a witness or witnesses to appear, the Sub-Committee will decide whether they should be heard (see paragraph 10 above).
21. All parties will be allowed a similar (and maximum) amount of time to put their case, and ask questions of other parties, subject to the Chair's discretion to not hear repetitive matters or questions.

The applicant

22. The applicant for the licence (or their representative) or the applicant in review proceedings, may present their case.
23. If the Sub-Committee permits, the applicant may call those witnesses whose names have been provided in advance to support their application.
24. Where a group of witnesses wish to speak in support of the application for similar reasons, one person should, where possible, act as spokesperson for the whole group. The Sub-Committee may reasonably refuse permission for a witness to be heard if their evidence simply repeats points already made.
25. The Chair will invite those making representations to seek clarification on any point made by the applicant. The Chair will decide in which order those making representations will be invited to put their questions.
26. Members of the Sub-Committee or the Legal Advisor, if so permitted by the Chair, may also seek clarification of the applicant or any of their witnesses.

The representations

27. Where there is more than one person making a representation, the Chair will decide the order in which they may put their case. If there is a representation from one or more of the responsible authorities, their representatives will normally be invited to put their case first.
28. The following procedure will apply to each person making a representation in turn:-
 - (a) The person making a representation (or their representative) may present their case.
 - (b) If the Sub-Committee permits, the person making a representation may call those witnesses whose names have been provided in advance to support their objection.
 - (c) Where a group of witnesses wish to speak in support of the objection for similar reasons, where possible, one person should act as spokesperson for the whole group. The Sub-Committee may reasonably refuse permission for a witness to be heard if their evidence simply repeats points already made.

(d) The Chair will invite the applicant to seek clarification on any points made by those making representations.

(e) Members of the Sub-Committee or the Legal Advisor, if so permitted by the Chair, may seek clarification of those making representations or any witnesses.

Summing up

29. The Chair will invite each person making a representation to make a final statement or sum up their case.

30. The Chair will invite the applicant to make a final statement or sum up their case.

Sub-Committee's decision

31.

(a) At the end of the hearing the Sub-Committee will move to private session whilst it considers the matter.

(b) The Sub-Committee's legal advisor will remain to provide legal advice and the democratic services officer will remain to record the decision. Details of any legal advice will be recorded and referenced in the decision and reasons.

(c) The parties will be invited to wait to be informed of the outcome.

(d) As soon as the decision is reached, the public and press will be invited to return to the room in which the hearing took place, and the Chair will announce the decision and the reasons for it.

(e) If a room is available, the Committee may retire to deliberate and make its decision

(f) All parties will be formally notified in writing of the decision and reasons as soon as possible.

In most cases the Sub-Committee will announce the decision at the conclusion of the hearing. In certain cases where this is not possible due to time constraints (and the Hearings Regulations permit – Regulation 26 (1) sets out those hearings where delay is not possible) the decision shall be made within 5 working days beginning with the day of the hearing or the last day of the hearing.