

# Licensing (Licensing and Gambling) Sub-Committee

Wednesday, 30th October, 2019  
at 4.00 pm

**PLEASE NOTE TIME OF MEETING**

Council Chamber - Civic Centre

This meeting is open to the public

## **Members**

Three Members drawn from the Licensing Committee

## **Contacts**

Democratic Support Officer  
Pat Wood  
Tel: 023 8083 2302  
Email: [pat.wood@southampton.gov.uk](mailto:pat.wood@southampton.gov.uk)

Service Director - Transactions & Universal Services  
Mitch Sanders  
Tel: 023 8083 3613  
Email: [mitch.sanders@southampton.gov.uk](mailto:mitch.sanders@southampton.gov.uk)

## **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 4pm on a Wednesday evening.

## CONDUCT OF MEETING

### **Terms of Reference**

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

### **Business to be discussed**

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

### **Rules of Procedure**

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

### **Quorum 3**

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

## **DISCLOSURE OF INTERESTS**

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Pecuniary Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

### **DISCLOSABLE PECUNIARY INTERESTS**

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

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

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

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

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

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

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

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

- a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
- b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

## **Other Interests**

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

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

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

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

## **Principles of Decision Making**

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

## AGENDA

### 1 **ELECTION OF CHAIR**

To appoint a Chair for the purposes of this meeting.

### 2 **APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)**

To note any changes in the membership of the Sub-Committee made in accordance with the Licensing Act 2003.

### 3 **DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS**

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

### 4 **STATEMENT FROM THE CHAIR**

### 5 **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)** (Pages 1 - 8)

To approve and sign as a correct record the Minutes of the meetings held on 28 August 2019 and 4 September 2019 and to deal with any matters arising.

### 6 **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.

### 7 **APPLICATION FOR GRANT OF A PREMISES LICENCE - OLD BOND STORE, BACK OF THE WALLS, SOUTHAMPTON SO14 3HA** (Pages 9 - 80)

Application for grant of a premises licence - Old Bond Store, Back of The Walls, Southampton SO14 3HA

Tuesday, 22 October 2019

Service Director - Transactions and Universal Services

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# Agenda Item 5

Minutes of Licensing (Licensing and Gambling) Sub-Committee meetings:

- 28 August 2019
- 4 September 2019

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SOUTHAMPTON CITY COUNCIL  
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 28 AUGUST 2019

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Present: Councillors Mrs Blatchford, McEwing and Renyard

16. **ELECTION OF CHAIR**

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

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

**RESOLVED** that the minutes of the meetings held on 7 August 2019 and 14 August 2019 be approved and signed as a correct record.

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

**RESOLVED** that the Sub-Committee 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 Category 4 of paragraph 10.4 of the Council's Access to Information Procedure Rules, would be invited to return immediately following that private session at which time the matter would be determined and the decision of the Sub-Committee announced.

19. **APPLICATION FOR A VARIATION OF PREMISES LICENCE - BLACK DIAMOND, BASEMENT, 35 LONDON ROAD, SOUTHAMPTON SO15 2AD**

The Sub-Committee considered the report of the Service Director of Transactions and Universal Services for an application for a variation of a premises licence in respect of Black Diamond, Basement, 35 London Road, Southampton SO15 2AD.

The Licensing Manager, the applicant's solicitor together with a Director of the applicant company and her husband, the proposed manager for the premises, a local objector and Hampshire Constabulary were present and with the consent of the Chair addressed the meeting.

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

**RESOLVED** that the application be granted as amended and subject to additional conditions.

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

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

The Sub-Committee has considered very carefully the application for variation of a premises licence at Black Diamond, Basement, 35 London Road, Southampton SO15 2AD. It has given due regard to the Licensing Act 2003, the Licensing Objectives,

statutory guidance and the adopted statement of Licensing Policy and in particular the relevant Cumulative Impact Policy.

Human Rights and Equality legislation was borne in mind whilst making the decision.

The Sub-Committee noted that representations had been made by a number of residents and Hampshire Constabulary.

The Sub-Committee also noted that the application was amended

- so that the terminal hour is 0430 hours for all licensable activities. The premises will close at 0500 hours
- Late Night Refreshment to be Indoors only
- Supply of Alcohol to be for consumption both on the premises and off the premises but off sales are restricted to pre-purchased bottles no smaller than 70 cl which have been resealed by the premises

During the hearing the solicitor for the Applicant and the Police representative confirmed agreement of a number of additional conditions which were provided to the Sub-Committee, as attached, these to replace the conditions submitted by the applicant as part of their operating schedule (paragraph M(b) in the original application) apart from the condition that the “Permitted hours for licensable activities beyond 0200 hours (00.30 on Sundays) shall only be permissible when the premises are operating as a Sexual Entertainment Venue” which remains.

The Police representative confirmed to the Sub-Committee that in view of the agreed conditions Hampshire Constabulary would accept that the application will now not add to the Cumulative Impact already experienced within the designated area.

In light of all the above, the Sub-Committee has determined to grant the amended application subject to the additional conditions.

### Reasons

The Sub-Committee heard from the applicant’s representative, a Director of the company and the proposed Premises Manager.

Generally, the objectors are concerned that the variation sought will adversely impact all four licensing objectives, but particularly lead to an increase in public nuisance, crime and disorder.

One objector made representations at the hearing and was especially concerned about the safety of persons coming to the premises, the problems that would be generated by the proposed smoking area in terms of safety and noise and that no bottles should be taken off the premises.

The Sub-Committee considered all the objectors’ representations, written and oral, very carefully and considered the weight that should be given to them. On balance however, the Sub-Committee determined that the evidence presented to them had satisfied them that the proposed licensable activities will not lead to an increase in or add to the cumulative impact already experienced in the designated area.

The Sub-Committee also took into account the decision provided to it on behalf of the applicant in the case of Brewdog Bars Limited and that of Novus Leisure in coming to this decision.

There is a general right to review a premises licence which can be brought by residents or responsible authorities. In the event that the premises causes issues of concern the licence, in its entirety, can be considered at that stage where the evidence supports it.

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

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SOUTHAMPTON CITY COUNCIL  
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 4 SEPTEMBER 2019

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Present: Councillors Mrs Blatchford, Noon and Spicer

20. **ELECTION OF CHAIR**

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

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

**RESOLVED** that the Sub-Committee would 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 Category 4 of paragraph 10.4 of the Council's Access to Information Procedure Rules, would be invited to return immediately following that private session at which time the matter would be determined and the decision of the Sub-Committee announced.

22. **APPLICATION FOR GRANT OF A PREMISES LICENCE - KRUPA NEWS, 8 PARK STREET, SOUTHAMPTON SO16 4RJ**

The Sub-Committee considered the report of the Service Director of Transactions and Universal Services for an application for a premises licence in respect of Krupa News, 8 Park Street, Southampton, SO16 4RJ.

The applicants, Mr Rajendrakumar Patel and Mrs Bhavitabahen Patel; the applicant's representative Mr Jordan of PR Retail; PC Lee Scott from Hampshire Constabulary; Lucas Marshall and Vanessa Green from Trading Standards; the objectors Sandhya Goswami and her representative Mr Panchal were present and with the consent of the Chair, addressed the meeting.

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

**RESOLVED** that the premises licence be refused.

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

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

The Sub-Committee has considered very carefully the application for a premises licence at Krupa News, 8 Park Street, Southampton, SO16 4RJ. It has given due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted statement of Licensing Policy.

The Sub-Committee heard representations from the applicant and their representative Mr Jordan, together with objections from PC Scott Lee of Hampshire Constabulary;

Lucas Marshall and Vanessa Green, Officers from Trading Standards; and from local resident Sandhya Goswami and her representative Mr Panchal.

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

It was noted that the application was amended by the provision of proposed conditions and amendment of hours for the operation of the premises to between 0600 and 2200 hours and for the sale of alcohol to between 1000 and 2200 hours. It was also noted that the applicant accepted the draft conditions provided by the Hampshire Constabulary and proposed an additional twelve conditions.

In light of all the above the Sub-Committee has determined that the application should be refused.

### Reasons

The Sub-Committee strongly felt that the Licensing Objectives particularly with regard to crime and disorder and the protection of children from harm are paramount. Whilst the Sub-Committee noted the proposed conditions around training it was not convinced that the applicant would be robust enough to enforce these conditions.

The Sub-Committee were concerned about the recent under age sale of tobacco, which occurred on the same day as the licence application was received, and were therefore concerned that the applicant had not learnt anything, despite the 2016 under age sale of alcohol.

There was additional concern regarding lack of co-operation with Trading Standards and the Hampshire Constabulary. As a result the Sub-Committee had no confidence that the applicant would comply with the proposed conditions and whether they were taking the need to operate with due diligence and promote the Licensing Objectives seriously enough.

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

# Agenda Item 7

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

**SUBJECT** HEARING TO CONSIDER AN APPLICATION FOR GRANT OF A PREMISES LICENCE -  
The Old Bond Store Back of The Walls Southampton SO14 3HA

**DATE OF HEARING** 30<sup>th</sup> October 2019 at 16:00

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

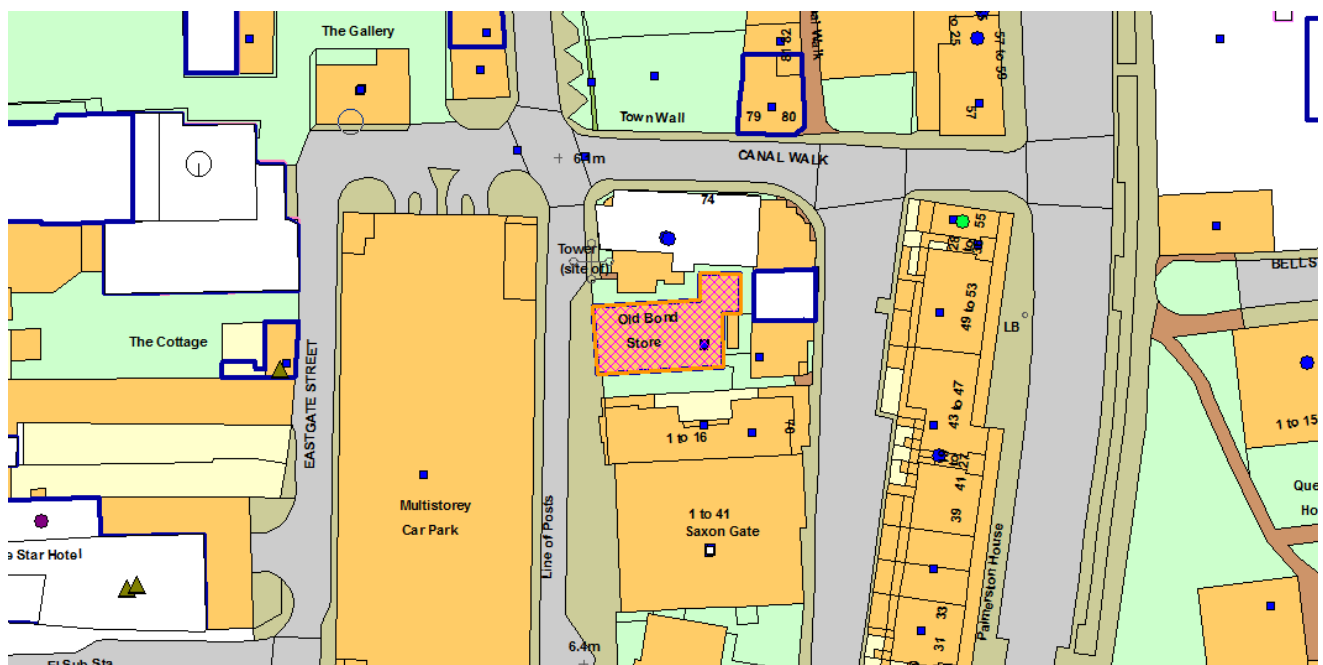
**E-mail** [licensing@southampton.gov.uk](mailto:licensing@southampton.gov.uk)

Application Date :16th September 2019

Application Received 16th September 2019

Application Valid 16th September 2019

Reference : **2019/05164/01SPRN**



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

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

Police - Licensing	Agreed Conditions
Trading Standards	Yes

### ***Other Representations***

<b>Name</b>	<b>Address</b>	<b>Contributor Type</b>
Mrs Elizabeth Kalinski-Moore	Flat 5, Saxon Gate, Back of The Walls, Southampton SO14 3HA	<b>Resident</b>
Ms. Katharine Hassan	Flat 30,74 Canal Walk, Southampton, SO14 3LE	<b>Resident</b>
Mr. Aaron Murphy	Flat 28, Bond Central,74 Canal Walk, Southampton SO14 3LE	<b>Resident</b>
Mr. Robert Hillary	Flat 9, Bond Central, 74 Canal Walk, Southampton. SO14 3LE	<b>Resident</b>
Mr. Andrew Adkins	Flat 17, Bond Central,74 Canal Walk, Southampton SO14 3LE	<b>Resident</b>
Mr. Stephen Uffendale	Flat 23,Bond Central,74 Canal Walk, Southampton SO14 3LE	<b>Resident</b>
Bartosz Haleska	Flat 7,Bond Central, 74 Canal Walk, Southampton SO14 3LE	<b>Resident</b>
Ms.Encarnacion Leal Abad	Flat 4,Bond Central, 74 Canal Walk, Southampton SO14 3LE	<b>Resident</b>
Ms L Wheeler	Flat 32, Saxon Gate, Back of The Walls, Southampton SO14 3HA	<b>Resident</b>
Ashley Marris	Flat 13, Bond Central,74 Canal Walk, Southampton SO14 3LE	<b>Resident</b>
Alja Mustar and Daniel Cantalejo Lopez	Flat 16, Bond Central,74 Canal Walk, Southampton SO14 3LE	<b>Residents</b>
Ran Tao	Flat 27, Bond Central,74 Canal Walk, Southampton SO14 3LE	<b>Resident</b>
Nadjah Peeroo	Flat 14, Bond Central,74 Canal Walk, Southampton SO14 3LE	<b>Resident</b>



Miriam and Gerta Kutt	Flat 24, Bond Central,74 Canal Walk, Southampton SO14 3LE	<b>Residents</b>
Matthew Cornelius	Flat 39, Saxon Gate, Back of The Walls, Southampton SO14 3HA	<b>Resident</b>
Mrs. Louise Speigal	5 Ashburton Road, Alresford Hampshire SO24 9HJ	<b>Leaseholder of a nearby premises</b>
Mr Alan M Horner	Flat 15, Bond Central,74 Canal Walk, Southampton SO14 3LE	<b>Resident</b>
Celina Mun Bapori	11 Saxon Gate, Back of the Walls, Southampton So14 3HA	<b>Resident</b>

## 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.

#### Equality Act 2010

Section 149 of the Equality Act 2010 requires the Council to have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act. It also requires the Council to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. This means having due regard to the need to removing or minimising disadvantages suffered, taking steps to meet the needs of persons, encouraging persons to participate in public life, tackling prejudice and promoting understanding. The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation

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

## Summary of application

<b>Applicant</b>	The Old Bond Store Ltd.
<b>Agent for licence Holder:</b>	Licensing Lawyers
<b>Proposed DPS</b>	Mr Philip Harland Doherty

This is an application for a new premises licence. The premises is a working space/function rooms, providing business facilities for private groups.

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

Opening Times Monday to Saturday      07:00 – 23.30	Supply by retail of alcohol (for consumption on and off the premises ) Monday to Saturday      11:00 – 23.00
Live Music Monday to Friday      15:00 – 22.30 Saturday      11:00 – 23:00	Recorded Music,. Monday to Saturday      08:00 – 22.45
Provision of late night refreshment Monday to Saturday      23:00 – 23.30	

The application has received seventeen representations from local residents. And one representation from a nearby property leaseholder.

Following discussions with the police the applicant amended the application on 26<sup>th</sup> September 2019 to include the following conditions:

*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.*

*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. Records shall be kept of this training, dated and signed by the staff member and trainer. Refresher training shall be completed at least every 12 months with documented records made and available for inspection by Police and other Responsible Authorities.*

*A written record shall be made of every incident of crime and disorder taking place on the premises, to include any action taken by staff. Every entry in the record shall be signed and dated by the person making it. This record shall be produced to a police officer or an authorised officer of the local authority on reasonable request. The record shall be retained for 12 months.*

*A written log shall be kept of all refusals including refusals to sell alcohol.*

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

*The record of refusals will be retained for 12 months.*

*A CCTV system shall be installed and will be maintained and operated at all times the premises are open to the public. Images shall be kept for a minimum of 31 days and shall be produced to authorised persons in a readily playable format when the premises are open and at all other times as soon as reasonably practical in compliance with data protection laws*

On the 14th October 2019 at 12:46 the applicant e-mailed asking to add the following conditions to the application:

- 1. A responsible person shall ensure the closure of all doors and windows (except for access and egress) at and after 21:00 hours when licensable activities are taking place.*
- 2. There shall be no bottle emptying between 21:00 and 08:00 hours*

*Application form – Pages 7-25*

*Plan –Pages 26-28*

*Covering letter from Licensing Lawyers to Licensing Team to accompany premises licence application -Page 29*

*Supporting information*

*1) Statement from Mr Phillip Doherty on behalf of The Bond Store Ltd.- Page 30*

*2)-Extracts from [www.ldbondstore.com](http://www.ldbondstore.com) –Page 31-32*

*E-mail adding Conditions to the application- Page 33*

*Police agreed conditions/amended application (conditions to be added) – Pages 34-39*

*Representation -Objecting – Pages 40-67*

*Hearing Procedure Notes – Pages 68-71*

**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 The Old Bond Store 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			
<b>Old Bond Store Back of the Walls Southampton, Hampshire</b>			
Post town	<b>Southampton</b>	Postcode	<b>SO14 3HA</b>
Telephone number at premises (if any)			
Non-domestic rateable value of premises		<b>£7,800</b>	

**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 <b>THE OLD BOND STORE LIMITED</b>
Address <b>The Old Bond Store, Back Of The Walls, Southampton, Hampshire, England, SO14 3HA</b>
Registered number (where applicable) <b>11520236</b>
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?  
**As soon as possible**

DD	MM	YYYY

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)  
 Working space/function rooms providing business facilities for private groups

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

--

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

**B**

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

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b>Please give further details</b> (please read guidance note 4)
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
Mon			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 5)
Tue			
Wed			
Thur			<b>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</b> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</b>	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>		Both <input type="checkbox"/>
Mon			<b>Please give further details here (please read guidance note 4)</b>	
Tue				
Wed			<b>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)</b>	
Thur				
Fri			<b>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)</b>	
Sat				
Sun				

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<p><b>Please give further details here</b> (please read guidance note 4)</p> <p>It is intended that live music will be performed at conferences, receptions, exhibitions and similar.</p> <p>It is not intended that live music will be played every day of the week, or necessarily to the extent of the hours applied for. Whilst this authorisation is sought, It is envisaged that the majority of performances of live music will be exempt from licensing by virtue of the Live music Act 2012</p> <p><b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)</p> <p><b>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</b> (please read guidance note 6)</p>		
Mon	15:00				
		22:30			
Tue	15:00				
		22:30			
Wed	15:00				
		22:30			
Thur	15:00				
		22:30			
Fri	15:00				
		22:30			
Sat	11:00				
		23:00			
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4) It is intended that recorded music will be performed at conferences, receptions, exhibitions and similar.		
Mon	08:00	22:45			
Tue	08:00	22:45	It is not intended that recorded music will be played every day of the week, or necessarily to the extent of the hours applied for. Whilst this authorisation is sought, it is envisaged that the majority of performances of recorded music will be exempt from licensing by virtue of the Live music Act 2012		
Wed	08:00	22:45			
Thur	08:00	22:45	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Fri	08:00	22:45			
Sat	09:00	22:45	<b>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</b> (please read guidance note 6)		
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
Wed					
Thur			<b>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</b> (please read guidance note 6)		
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 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 4)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
Fri					
Sat			<b>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</b> (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 checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish						
Mon	23:00		<b>Please give further details here</b> (please read guidance note 4)					
		23:30						
Tue	23:00							
		23:30						
Wed	23:00					<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
		23:30						
Thur	23:00							
		23:30						
Fri	23:00		<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 6)					
		23:30						
Sat	23:00							
		23:30						
Sun								

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption</b> – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00			
Fri	11:00	23:00			
Sat	11:00	23:00			
Sun					
			<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 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):**

<b>Name</b> Philip Harland Doherty	
<b>Date of birth</b>	
<b>Address</b>	
<b>Postcode</b>	
<b>Personal licence number (if known)</b> 2010/01210/02SPEN	
<b>Issuing licensing authority (if known)</b> 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).**

None

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	07:00		
		23:30	
Tue	07:00		
		23:30	
Wed	07:00		
		23:30	
Thur	07:00		
		23:30	
Fri	07:00		
		23:30	
Sat	07:00		
		23:30	
Sun			

**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)

## 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 10)**

1. All staff will be provided with training in relation to the licensing objectives that are commensurate with their duties. This will include the individual's responsibilities, age verification and licensing offences, as appropriate.
2. The primary use of the premises shall be the provision of office services including co-working facilities, shared workspace, private offices on flexible agreements, meeting rooms, conference rooms, exhibitions, meeting facilities, receptions, conferences and seminars. The sale of alcohol shall be incidental to that use.

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

3. An incident/refusals book shall be used to record any such instances of public disorder or when a refusal to serve alcohol is made. The logbook shall contain details such as the time and date of the incident/refusal and the member of staff making the record.

### **c) Public safety**

(All safety matters at the premises are adequately covered by statutory provisions such as The Health and Safety at Work (etc) Act 1974 and The Regulatory Reform (Fire Safety) Order 2005).

### **d) The prevention of public nuisance**

(Given the nature of the premises, it is not envisaged that any incidents of public nuisance will occur and therefore this objective will be sufficiently promoted through compliance with existing legislation, such as The Environmental Protection Act 1990 and The Noise Act 1996).

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

4. A challenge 25 scheme will be adopted in compliance with the age verification condition. Customers who appear to be under 25 years of age will be required to prove their age when purchasing alcohol. Suitable forms of identification will be a passport, 'pass' card or other identification recognised by the licensing authority in its statement of licensing policy.

(Given the nature of the premises it is not envisaged that children will be routinely present and therefore additional conditions are unnecessary).

**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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [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)</li> <li>• 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)</li> </ul>
--------------------	--

Signature	
Date	12 <sup>th</sup> September 2019
Capacity	Lawyers and agents for the applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 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)			
Licensing Lawyers 82e High Street			
Post town	Wallingford	Postcode	OX10 OBS
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) applications@licensinglawyers.co.uk			

Consent of individual to being specified as premises supervisor

I PHILIP HARLAND DOHERTY  
*[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 a new licence

by Old Bond Store Ltd  
\_\_\_\_\_

relating to a premises licence N/A  
*[number of existing licence, if any]*

for Old Bond Store  
\_\_\_\_\_

and any premises licence to be granted or varied in respect of this application made by  
*[name of applicant]* Old Bond Store Ltd

concerning the supply of alcohol at

*[name and address of premises to which application relates]* Old Bond Store, Back of the Walls, Southampton, SO14 3BH

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  
*[insert personal licence number, if any]* 2010/01210/02SPEN

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

Signed \_\_\_\_\_

Name (please print) PHILIP DOHERTY

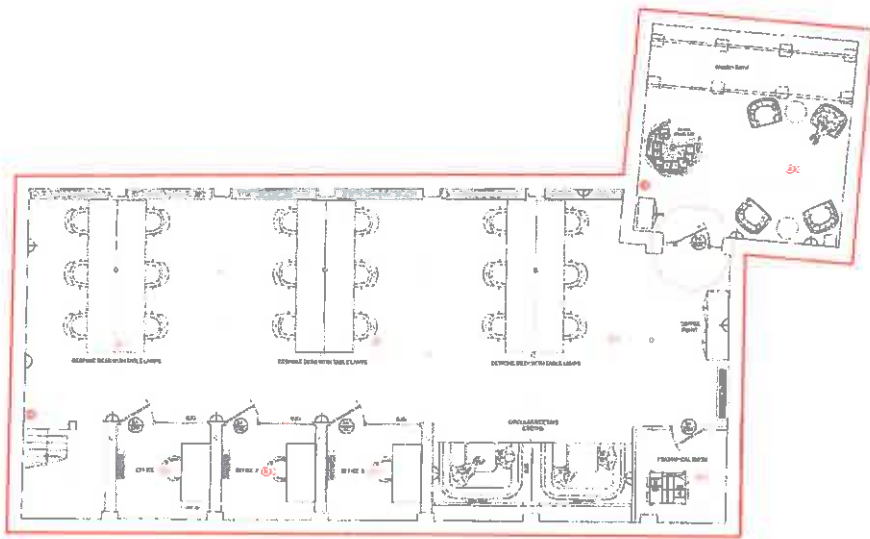
Date 23/8/19







-  SMOKE DETECTOR COMBINED BOUNDER
  -  SMOKE DETECTOR
  -  CEILING VOID DETECTOR
  -  HEAT DETECTOR/COMBINED BOUNDER
  -  SMOKE DETECTOR/BOUNDER & BEACON
  -  FA BREAK GLASS UNIT
  -  INTERFACE UNIT
- Area of Consideration



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1	ISSUED FOR TENDER	15/01/2024	PS
2	ISSUED FOR TENDER	15/01/2024	PS
3	ISSUED FOR TENDER	15/01/2024	PS
4	ISSUED FOR TENDER	15/01/2024	PS
5	ISSUED FOR TENDER	15/01/2024	PS

**SPACE**

Approved: \_\_\_\_\_

Project No: **GENERAL ARRANGEMENT - BASIS/EMT**

Drawn: **LIAM DOE**

Client: **THE OLD BOND STORE  
BLOCK OF THE WALLS  
200/200/PTCH  
SOA 504**

Scale:	As per	Scale to	As per
Job # of at	DATE	BY	PS
Drawing Number:	18080	BASE	GA X

Notes:



LICENSING  
LAWYERS

Prima House,  
267 Banbury Road,  
Oxford OX2 7HT

The Old Counting House  
82e High Street,  
Wallingford, Oxon,  
OX10 0PS

Licensing Team,  
Southampton and Eastleigh Licensing Partnership,  
PO Box 1767,  
Southampton  
SO18 9LA

Our Ref : OLD00733/19

Your Ref: 16 September 2019

Dear Sirs,

**RE: Premises licence application-Old Bond Store, Southampton, SO14 3HA**

We have been instructed to make an application for a premises licence in respect of the above premises and therefore we have pleasure in enclosing the application form, along with the supporting information. Arrangements are being made for the necessary site and press notices to be published.

The primary use of this particular premise is to provide working space and business facilities for small businesses. It is not intended to operate as a high volume or vertical drinking establishment and this is reflected within the operating schedule. Given the nature of the premises it is our opinion that the conditions we have proposed will sufficiently promote the licensing objectives, however our client is keen to discuss any concerns that may be raised by interested persons or the responsible authorities to avoid the need for a hearing. For that purpose, we would be grateful if you could provide our contact details, perhaps by showing a copy of this letter, to anyone who makes an enquiry concerning the application or suggests that they are proposing to make a representation.

In the event of any query, this matter is being dealt with by Mr Luke Williams who can be contacted via email at [lw@licensinglawyers.co.uk](mailto:lw@licensinglawyers.co.uk) or via direct line at 0844 556 1193.

Yours faithfully,

Licensing Lawyers

## Statement for Licence committee

Dear Committee,

I wish to take a little of your time to offer some background on the aims, nature and business of the Old Bond Store.

In essence the Old Bond Store is a primarily worked-focussed private members venue aiming towards the more senior levels of the local business community. As part of the swiftly diminishing distance between the work and social aspects of life we are looking to create a community of like-minded individuals who enjoy a social aspect of their time together and this in part is why we have sought the grant of a premises licence to authorise licensable activities on a limited number of occasions each year. The premises will operate for the majority of the time between the ordinary business hours of 8am and 6pm and so will *not* be carrying out licensable activities such as the sale of alcohol or performance of music during unsociable hours on a frequent basis.

We will be looking to run some later evening events on a limited number of occasions throughout the year and the licence application has been constructed to take all potential options into account. Our events will be ones driven and guided by our membership and will be based around business – formal seated dining events with a very limited amount of entertainment and the occasional music led event which would be managed by myself and my team to ensure that any noise leakage is kept to an absolute minimum.

We genuinely believe that The Old Bond Store will provide a benefit to the entire local community but do understand the concern of residents who have perhaps misunderstood the application and perceive it to be a nightclub/pub or traditional late night establishments. I did send letters to local residents who had raised concerns with the council, attempting to explain the reality of our application and the type of premises we are seeking to run and I fervently believe that if there was a clear understanding of the nature of the business we will be operating (as per the above) then they would understand the benefit the venue could bring.

Our solicitors participated in extensive discussions with both the police and Environmental Health during the consultation period in order to ensure that our operating schedule sufficiently promotes the licensing objectives; should local residents experience any public nuisance (including noise pollution) or crime & disorder I would be more than happy to meet with them directly and work towards a pragmatic solution. Of course it would also be open to local residents to call for a review of the premises licence in the unlikely event that any major issues arise.

Kind Regards,

Pip Doherty,

Head of Experience & Designated Premises Supervisor for The Old Bond Store



## CRAFTED FOR AND BY AMBITIOUS BUSINESS LEADERS

We are carefully curating the perfect off-site work environment for ambitious business leaders to get things done, not to be confused with a coworking space for students or start-ups.

Blending cutting edge technology with luxurious architectural design, set over three floors of an impressive 300 year old, 'Bonded Warehouse', nestled in the centre of Southampton, we'll be adding a refreshing twist of modern business concierge services that will ensure you and your guests achieve maximum productivity, whilst being 'properly looked after'.

Our members will come from far and wide but limited to those who understand. They're ambitious, original thinkers, all with interesting ideas and challenges, and like you, they value quality, style, privacy and hospitality.

Our members look forward to encountering like-minded leaders and benefiting from each-others knowledge and experience.



**AN EXCLUSIVE  
ENVIRONMENT  
TO MAKE  
AMAZING  
THINGS HAPPEN**

To ensure that every detail of our new club is perfectly positioned to the needs of its members, we have targeted a handful of individuals whose opinion we value and believe will benefit most from what is being created.

Be the first to experience and try the Old Bond Store. We will be organising launch events and private hosting's in the coming months and invite you to be part of a very special journey.

**Head, Karen**

---

**From:** Luke Williams  
**Sent:** 14 October 2019 12:46  
**To:** Head, Karen  
**Subject:** Old Bond Store Back of The Walls Southampton So14 3HANew Premises Licence Application

**CAUTION: This email originated from a non UK Government address. Do not click links or open attachments unless you recognise the sender and know the content is safe.**

Afternoon,

Please could you amend the above application to add the following conditions:

1. A responsible person shall ensure the closure of all doors and windows (except for access and egress) at and after 21:00 hours when licensable activities are taking place.
2. There shall be no bottle emptying between 21:00 and 08:00 hours

Kind Regards,

**Luke Williams,**



**Head, Karen**

---

**From:** Scott, Lee,  
**Sent:** 03 October 2019 14:47  
**To:** Licensing  
**Subject:** FW: Old Bond Store Southampton

**CAUTION: This email originated from a non .gov.uk address. Do not click links or open attachments unless you recognise the sender and know the content is safe.**

Good afternoon,

Hampshire Constabulary wish to make a representation however following consultation a hearing is not considered necessary. Can the negotiated and agreed conditions as per my sent e-mail dated 26/09 be added to the licence should it be granted.

Many Thanks

*PC 25597 Lee Scott  
Licensing Officer  
Licensing & Alcohol Harm Reduction Team  
Southampton Central Neighbourhood Police Office  
Southampton City Council  
Civic Centre  
Southampton  
SO14 7LY*

**From:** Luke Williams  
**Sent:** 03 October 2019 11:39  
**To:** Scott, Lee,25597  
**Subject:** Re: Old Bond Store Southampton

Morning,

Apologies for not getting back to you.

In my conversations with the licensing authority earlier this week I asked them to amend their application to include the conditions we had agreed upon (and remove any duplications).

Kind Regards,

**Luke Williams,**

Licensing Lawyers



Correspondence address:

The Old Counting House, 82e High Street, Wallingford, Oxfordshire, OX10 0BS

Head Office:

Prana House | 267 Banbury Road | Oxford | OX2 7UT

Upper Berkeley St | Marble Arch | London | W1H 5QL

[accounts@licensinglawyers.co.uk](mailto:accounts@licensinglawyers.co.uk)

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On 3 Oct 2019, at 11:24, <

Luke,

Sorry to be a pain, again, can I please just ask for a nod of approval for the final list as per below (26/09) as I will need to show the local authority it is agreed on both sides.

Thanks

Lee

**From:** Scott, Lee,25597  
**Sent:** 26 September 2019 11:28  
**To:** 'Luke Williams'  
**Subject:** RE: Old Bond Store Southampton

Luke,

Good point, I agree with your comment regarding the log weekly check and have removed as per below. The conditions are near identical to the application and I just wanted confirmation they are volunteered conditions and not just listed measures. This is just something I always wish to clarify that is all to save any concern when they are on the granted licence, I do not believe they are always automatically migrated across from app to licence either.

The time frames for the log retentions are fairly standard for Hampshire. Staff training times are flexible with regards to higher risk premises where we would look to request training to be refreshed at closer intervals however the longest is 12 months. This is seen as a suitable length for it to be taught and then refreshed at lower risk locations. It is used when reviewing any incident at the premises and also when discussing any issue such as a test purchase failure.

I have amended the list as discussed so the conditions if agreed will read as follows:-

*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.*

*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. Records shall be kept of this training, dated and signed by the staff member and trainer. Refresher training shall be completed at least every 12 months with documented records made and available for inspection by Police and other Responsible Authorities.*

*A written record shall be made of every incident of crime and disorder taking place on the premises, to include any action taken by staff. Every entry in the record shall be signed and dated by the person making it. This record shall be produced to a police officer or an authorised officer of the local authority on reasonable request. The record shall be retained for 12 months.*

*A written log shall be kept of all refusals including refusals to sell alcohol.*

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

*The record of refusals will be retained for 12 months.*

*A CCTV system shall be installed and will be maintained and operated at all times the premises are open to the public. Images shall be kept for a minimum of 31 days and shall be produced to authorised persons in a readily playable format when the premises are open and at all other times as soon as reasonably practical in compliance with data protection laws*

Many thanks

*PC 25597 Lee Scott  
Licensing Officer  
Licensing & Alcohol Harm Reduction Team  
Southampton Central Neighbourhood Police Office  
Southampton City Council  
Civic Centre  
Southampton  
SO14 7LY*

**From:** Luke Williams |  
**Sent:** 26 September 2019 10:59  
**To:** Scott, Lee,25597 <  
**Subject:** Re: Old Bond Store Southampton

Good Morning,

The other conditions regarding logs, training, challenge 25 etc seem almost identical to those already proposed, with perhaps the exception of specifying specific time frames. If these time frames are something that the police would wish to see on upon the licence our client has no issues with adopting them.



Kind Regards

Lee Scott

**From:** Scott, Lee,  
**Sent:** 17 September 2019 21:02  
**To:** [redacted]  
**Subject:** Old Bond Store Southampton

Good evening,

I have reviewed the premises licence application for the Old Bond Store, Southampton. I wish to propose the conditions at the bottom of this message to be added to the licence. No hidden surprises they are near enough a copy and paste of the application. If you could comment on these that would be very helpful.

There are however two considerations. The location of the venue is not covered by any public/ council CCTV cameras over requiring it as a licence condition I would like to ask what scope there is with the applicant to obtain CCTV and have a system running at the premises, could you liaise with the proposed DPS about this. I will propose the CCTV condition to be as follows:-

***The premises licence holder shall ensure that recordable CCTV is in place when licensable activity is taking place. This must be of a standard acceptable to the local Police. There shall be sufficient cameras to cover all primary public areas in addition to cameras covering the entrance, exit and external smoking areas.***

***Imagery obtained must be retained for a minimum of 31 days on a rolling basis. This must be made available in a format that can be viewed by Police and council officials and must be given to them on request***

The other issue is the proposed DPS. He is currently showing on our system as being the DPS at 3 other premises in the city and adding a 4<sup>th</sup> raises concern about the ability to be in control of the day to day running of this premises against the other 3 which is in itself an usually high number, we usually allow two with sound reasoning. While I appreciate the application states the venue is for office space and conferences, the sale of alcohol and music on the licence could see the premises being used more as proper gig/ concert venue than what has been stated on the application. This again forms reasoning for the CCTV request

Can you ask your client to explain how he intends to be in day to day control of 4 different premises simultaneously whilst they are in different areas of the

city or if he intends to remove himself from other locations.

Conditions sought :-

***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.***

***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. Records shall be kept of this training, dated and signed by the staff member and trainer. Refresher training shall be completed at least every 12 months with documented records made and available for inspection by Police and other Responsible Authorities.***

***A written record shall be made of every incident of crime and disorder taking place on the premises, to include any action taken by staff. Every entry in the record shall be signed and dated by the person making it. This record shall be produced to a police officer or an authorised officer of the local authority on reasonable request. The record shall be retained for 12 months.***

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

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

***The record of refusals will be retained for 12 months.***

Kind Regards.

*PC 25597 Lee Scott  
Licensing Officer  
Licensing & Alcohol Harm Reduction Team  
Southampton Central Neighbourhood Police Office  
Southampton City Council  
Civic Centre  
Southampton  
SO14 7LY*

\*\*\*\*\*  
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From:

Subject: Old Bond Store License Objection

Date: 18 September 2019 22:30:23

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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.**

To whom it may concern,

I must make clear my deepest objection to the application for a license to serve alcohol at the Old Bond Store on Back of the Walls Southampton.

As a resident of Bond Central, in particular one of the flats situated closest to the entrance of the old bond store, I am greatly concerned that turning this venue into a location that serves alcohol will cause disturbance not only myself but all of my local neighbours.

We don't want more alcohol related crime fueled by this venue, especially as many of us have young children. There is already a major drugs problem taking place in the car park opposite the old bond store, and allowing this location to serve alcohol would most certainly exacerbate this already severe problem. I must therefore urge you not to grant the applicants this license.

Yours faithfully,

Robert Hillary  
Flat 9 Bond Central  
74 Canal Walk  
So143le

**From:**  
**To:** [Licensing](#)  
**Subject:** Re: Objection to a license application  
**Date:** 20 September 2019 12:53:41

---

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Thank you for your prompt reply,  
My address is  
Flat 17, Bond Central,  
74 Canal Walk,  
Southampton,  
Hampshire,  
So14 3le,

Please let me know if you require any further information,  
Kind regards,  
Andrew Adkins

On 20 Sep 2019, at 08:47, Licensing <[Licensing@southampton.gov.uk](mailto:Licensing@southampton.gov.uk)> wrote:

Good Morning Mr Adkins,

**Application for a Premises Licence - The Old Bond Store Ltd.**

**Old Bond Store The Old Bond Store Back of The Walls Southampton**

I refer to your recent email seeking to make representations to the above application under the Licensing Act 2003.

Having carefully considered your email, it does not appear to be a "relevant representation" within the meaning of the Act because:

**You have not provided your address**

In the circumstances, unless you can provide further information to clarify the position I am unable to accept your email as a representation which is capable of being considered by the Council in determining this application.

Kind regards,

Ian McGuinness

Ian McGuinness

Senior Licensing Officer

Southampton and Eastleigh Licensing Partnership

Southampton City Council

Post: Licensing - Southampton City Council

PO Box 1767, Southampton. SO18 9LA

-----Original Message-----

Subject: Objection to a license application

Good evening,

It has come to my attention that the old bond store has applied for a premises license.

I would like to object to the application due to the proximity of residential housing from the venue.

To the left of the old bond store is the bond central development (in which I reside) consisting of 36 flats, on the other side is both 70 canal walk (12 flats) and Saxon gate which has recently been redeveloped.

There is ample facilities within the city centre for licensed activities to take place which do not interfere with residential accommodation so it seems unnecessary to me to add an extra licensed venue, I believe this would contravene the 'prevention of public nuisance' licensing objective.

Also I feel this could contravene the 'prevention of crime and disorder' as the venue will be slightly off the beaten track on a one way side street I believe it would be a difficult area to police. Also there is a large homeless community in the east gate multi storey car park and I feel as though the intoxicated could harass the homeless, (as has been seen countless times in the London road/ Bedford place area) Please let me know if there is anything else I can do to help against my objection, Kind regards Andrew Adkins

This email is confidential but may have to be disclosed under the Freedom of Information Act 2000, Environmental Information Regulations 2004 or data protection legislation. If you are not the person or organisation it was meant for, apologies, please ignore it, delete it, and notify us. SCC does not make legally binding agreements or accept formal notices/proceedings by email. E-mails may be monitored. This email (and its attachments) is intended only for the use of the person(s) to whom it is addressed, and may contain information that is privileged and/or confidential. If it has come to you in error, you must take no action based on it, nor must you copy or show it to anyone.



To: [Licensing](#)  
Subject: Objection for 2019/05164/01SPRN  
Date: 22 September 2019 11:18:16

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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/Madame,

As an owner and resident of flat 7 Bond Central, 74 Canal Walk in Southampton, I would like to strongly object against licensing and planning permission for *The Old Bond Store Ltd*.

Current surrounding areas of my building are already out of control council but also police. Every day we witness drug abuse and dealing and antisocial behaviour. It is already very distressing for us as a family. Every day we are worried that something can happen to us, our neighbours or public just passing by.

We believe that granting permission and alcohol license would only increase already extremely high crime and public disorder in our neighbourhood. We want to protect our child from any harm and ensure their safety. Granting the planning permission and licensing would make it impossible to live here.

Yours faithfully,

Bartosz Haleska

**From:**  
**To:** [Licensing](#)  
**Subject:** Comments for Licensing Application 2019/05164/01SPRN  
**Date:** 24 September 2019 15:41:37

---

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 3:41 PM on 24 Sep 2019 from Mrs Elizabeth Kalinski-Moore.

### **Application Summary**

**Address:** The Old Bond Store Back of The Walls Southampton

**Proposal:** Premises Licence

**Case Officer:** Tricia Young

[Click for further information](#)

### **Customer Details**

**Name:** Mrs Elizabeth Kalinski-Moore

**Email:**

**Address:** Flat 5, Saxon Gate, Back of The Walls, Southampton SO14 3HA

### **Comments Details**

**Commenter Type:** Neighbour

**Stance:** Customer objects to the Licensing Application

**Reasons for comment:**

**Comments:** 3:41 PM on 24 Sep 2019 This road is manly residential apart from the car park opposite. The site is situated in the middle of 2 residential blocks and will cause a lot of issues for neighbours in the area. It will be a public nuisance the road is very empty and noise travels very far also the people will spread onto the street and we already have an issue with drugs being dealt within the car park. This will further compound this issue increasing the crime and disorder in the area. My further worry is in our block we have an open court yard area, if people use the entrance for cover and having a smoke this will cause a great disturbance to all the flats. The noise echoes in this open space and the freeholders have put a contract in place on all leasers that no music will be played after 7pm and the properties due to this. I ask you to consider the impact this will have on all residence in the area. The road is not suitable for this establishment and it would be better placed in higher retail established area.

**From:**  
**To:** [Licensing](#)  
**Subject:** Reference 2019/05164/01SPRN - Late night music and alcohol retail application for Old Bond Store  
**Date:** 20 September 2019 13:27:21

---

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Good afternoon.

I have just discovered that an application has been submitted to allow live music and alcohol sale for The Old Bond Store and I have to my strong opposition for this known.

I live in Bond Central (Flat number 28, SO14 3LE), the block of flats that are directly behind The Old Bond Store and if this application is granted it will have a severe impact on all residents living in the block.

For one, we have many young children living in this block (myself included as I have a 2 year son), so having a venue where live music could potentially be played 6 out of 7 nights in the week, late into the evening would not only have a detrimental effect on our children. From our residence, you can hear live music being played from Heartbreakers bar (post code SO14 1JX) so I can't even imagine the volumes we would be subjected to being right next to our homes.

Safety is also a huge concern, having somewhere supplying alcohol from the morning right into the early hours of the morning, where no other location near our residence does, will increase the very likely situation of drunk and disorderly behaviour, noise nuisance, crime, littering and public defecation.

I can assure you none of the residents want our homes submitted to these conditions, especially where this will directly affect the safety of our families.

Please seriously consider the effect of granting this licence on not just our building of 34 homes, but the other homes in the vicinity.

Thank you for your time and I truly hope you make the right decision on this application for all the homeowners and residents in the area.

Kind regards

**Aaron Murphy**

**From:**  
**To:** [Licensing](#)  
**Subject:** Licencing objection  
**Date:** 20 September 2019 17:19:29

---

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Dear Sir/Madam

Please could you advise on the process of objecting to a licensing application or forward this objection to the relevant department.

I understand that an application has been made for a licence to serve alcohol and play music at the Old Bond store under the company name The Old Bond Store Ltd, reference number 2019/05164/01SPRN and I wish to raise my objection.

My primary concern is the proximity to residential property. I myself live in the block located behind the Old Bond store known as Bond central. The building surrounds the bond store and in some locations is less the 2 metres from it. The Bond store also joins other property the both of its side. A venue of this type is likely to disturb residents and their families, many of which have children. I also know of residents who work shifts in key areas such as the NHS who struggle to get rest and would likely be further disturbed.

There is also an outside area to the right hand side of the bond store. I have concerns that this may be opened to the public creating a further disturbance and noise. This may also present a risk from things such as discarded cigarettes to joining properties.

The area already has problems with disorder and drug use, especially opposite the venue in the car park. I feel that adding a venue would only escalate the problem. This is likely to increase incidents of crime and disorder in an area that already has little or no policing.

The proposed property has very little outside space and customers are likely to congregate out the front of the venue. This presents a great risk to their safety as the frontage meets the roadway in addition to the safety of the road users.

Overall I believe that using the building as a licensed premises is likely to create a public nuisance, increase crime and present a risk to the public. There is also danger that a venue of this type may present a risk to the fabric of the building which represents significant historic interest.

Please could you confirm that my complaint has been received and added to the objection process.

Kindest regards

Stephen Uffendale  
Flat 23, Bond central.  
SO14 3LE

From:  
To: [Licensing](#)  
Subject: 2019/05164/01SPRN Katharine Hassan Objection  
Date: 24 September 2019 19:57:15

---

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Dear SCC Licensing Team,

[Ref: 2019/05164/01SPRN \(The Bond Store\)](#) LINK

The above referenced licence application has come to my attention, I am a local resident and live adjacent to the subject site. My address is: Flat 30 Bond Central, 74 Canal Walk, SO14 3LE. I have outlined the reasons on which I object to the Licensing Application.

#### 1) Planning Use/ Planning Law

SCC Planning Application Ref: [18/02127/FUL](#) "Change of use to an office building (Class B1) (Retrospective) (Submitted in conjunction with 18/02128/LBC)."

The subject property has an existing business use class that is B1 (a) Office. There is no Permitted Development from this Use Class to use class A4 (drinking establishments) or use class A3 (cafe/restaurant). The application and uses applied for within the application are; part e) live music f) recorded music along with provision of late night refreshments and supply of alcohol. If refreshments is indeed meaning to be a food offering Office Use Class again is unsuitable. The application states that the licence is required for "Conferences, receptions, exhibitions and similar", the current permitted use does not allow for these activities to take place, as they would constitute a D1 use. Given the extent of the hours proposed for this licence, including late evenings and weekends, this is will not simply be an ancillary activity to the existing Office Use.

Listed Building Consent ref: [19/00865/LBC](#) was approved for the applicant to complete listed building alterations to the subject property for use as an Office not any other use class. The access and design statement clearer refers to office use multiple times. Local Plan Policies do not support the use of the subject property as a drinking/ entertainment establishment, it is located outside of the High Street and Bargate Evening Zone (Policy AP8) and is also located outside of any Secondary or Primary Retail zones.

Full Planning Permission for the change of use/ and or development will be required and will be subject to the proper planning process and community consultation. The application for this licence is premature and irrelevant to the existing property. Planning permission for the change of use and any additional required development should be sought first. The current Office use cannot justify a music/ alcohol licence.

In the event that this licence is unsuitably granted under the existing use, the number of events could be capped to a very small amount per year by a condition to demonstrate that the use is not being changed.

## 2) Public Nuisance

I am also objecting on the grounds of public nuisance, the subject property has residential development on three of its boundaries, it is positioned in very close proximity to the surrounding residential development and maybe as close as 1 - 2m at points. The music and potentially drunk people will interfere with the residents right to quiet enjoyment of their properties and create noise disturbance. No existing resident took up a Lease or purchased a nearby property next to The Bond Store as a music establishment as it did not exist. Antisocial behaviour is high around the area already, music events and persons that have been consuming alcohol could cause more noise and other disturbances which is unfair to residents.

## 3) Public Safety

I am also objecting on the grounds of public safety. The site is not located within a nighttime zone (Local Plan/ City Centre Area Action Plan) and lacks any public or natural surveillance. Residents already have to frequently face people urinating on walls, dropping rubbish, taking drugs and even left behind defecations on private land, which are all existing issues which are hazardous to the adults and children. Permitting this licence could cause more unwanted antisocial behaviour and be of a safety concern to local residents.

## 4) The prevention of Crime and Disorder

The above three points all entail crime and disorder. By not permitting this licence, unlawful planning use may be prevented along with a prevention of Public Nuisance and Public H&S concerns.

For the reasons outlined above, the Bond Store is a completely inappropriate building and location for the intended Licence regarding application **2019/05164/01SPRN**.

Please phone or email me if required.

Kind regards,

Katharine Hassan

**From:**  
**To:** [Licensing](#)  
**Subject:** Application for a Premises Licence. Reference 2019/05164/01SPRN  
**Date:** 29 September 2019 19:04:02

---

To whom it may concern

My name is Encarnacion Leal Abad and My address is flat 4 bond central, 74 Canal Walk, Southampton SO14 3LE . I'm a middle-age woman and live alone in the ground floor.

It has come to my attention that the building next door to mine "Old Bond Store" on Back of The Walls is applying for a licence both to play music and to serve alcohol until late night.

My main concern is my own safety because I usually walk to go to my job. I work in Red Funnel Island Of Wight ferries and I work very unsocial hours, sometimes I start 03.30 in the morning or 04.15 and sometimes I finish 22.30, 23.30 or 02.30 in the morning. It will be more people around my building probably some of them drank, and probably this club will attract some crime and disorder. I will feel very scared and stressed walking down to the docks.

Thank you and I hope you consider my concern

Kindest regards

Enca  
Sent from my iPad

**From:**  
**To:** [Licensing](#)  
**Subject:** Reference 2019/05164/01SPRN The Old Bond Store Limited- Objective to a license application  
**Date:** 27 September 2019 21:52:33

---

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Licensing Team

Lucy Wheeler

Southampton and Eastleigh Licensing Partnership

32 Saxon Gate

PO Box 1767

Back of the Walls

Southampton

Southampton

SO18 9LA

SO14 3HA

Dear Sir/Madam,

I am writing to you in connection to the notice of license for live music and alcohol issued for a property at the back of Saxon Gate, Back of the Walls, Southampton, SO14 3HA. I wish to strongly oppose the proposed plans for The Old Bond Store. Having lived in Southampton since 2015, I understand that the Old Bond Store is a former bonded warehouse which was built in the 19th Century. Bonded warehouses like these would have once been common in Southampton, but this unfortunately is the only surviving example. There is already a weatherspoons and other bars and restaurant facilities within close proximity of Back of the Walls. I therefore strongly object against the visual, historic and archaeological qualities of the building being changed, as it's the only surviving example and should remain as it is.

Furthermore I reside within Saxon Gate in a Block of Flats situated within Back of the Walls. The music levels at Back of the Walls are already questionable due to Austin House, the Student Block opposite Saxon Gate and the NCP Carpark where there is often conflict amongst the homeless people that take shelter there. I work full time and attend university full time and have just bought my first home. I am just one example of a resident who resides within Back of the Walls who's health and wellbeing should be considered. Canal Walk Flats and Canal Studios will also be impacted by the proposed changes. Especially when the license is for live music and alcohol between the hours of 11:00-23:30 Monday-Friday (music to stop at 10:30) and 11:00-23:00 Saturday (music to stop at 23:00). Please take this email as a formal objection towards the proposed license.

If you require any further information or evidence from me, please do not hesitate to



contact me personally

Kindest Regards

Lucy Wheeler  
Resident at Saxon Gate



**From:**  
**To:** [Licensing](#)  
**Subject:** Re: Ref 2019/05164/01SPRN  
**Date:** 30 September 2019 12:42:14

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Hi

Its flat 13. So143le.

Kind regards

Ashley

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Dear Ashley Marris,

Can you please e-mail your full address, as the flat number and post code is still missing from your e-mail.

We require this information by the 14<sup>th</sup> October 2019 ,for your representation to be valid.

Kind regards

**Karen Head**

Licensing Officer

Southampton and Eastleigh Licensing Partnership

**Southampton City Council**

Post: Licensing - Southampton City Council  
PO Box1767,Southampton SO18 9LA

---

**From:** ]  
**Sent:** 29 September 2019 22:31  
**To:**  
**Subject:** Re: Ref 2019/05164/01SPRN

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EDIT - Sorry. Forgot to include my address before, so it's below with a slightly amended message.

Ashley Marris  
Bond Central  
74 Canal Southampton

Dear Southampton Licensong Authority,

I object to The Old Bond Store being granted a licence for serving alcohol.

This is a most unsuitable location for a place to drink, it is closely surrounded by residential buildings. My building is home to many young children. It is not appropriate to expose them in such close proximity to drunk people, the detritus of drunk people, or to have their sleep dustubed by noisey drunks and loud music. A negative impact on their rest, in turn their education. The rest of adults too will be disturbed, loud music late at night, with peoples bedrooms all around Bond Store. There would be no escape from the noise, and many times worse in summer when you need to keep windows open. In places, you can stretch your arms and touch the Bond Store and the block of flats I live in!

The noise of the venue and drunks woul be bad. As would the increased levels of disorder. People urinating against residential building walls and the car park opposite. Broken glass from bottles (which could injure children and pets). Increased crime from drunks fighting and vandalizing property. It isn't hard to imagine people leaving the pub/club and jumping the fence to get into our building, and that is a very scary prospect. I wouldn't feel safe walking through the building at night.

With the multi story car park opposite, how tempting would it be for drunks to continue the party in there?

Music and alcohol so close to such relatively quiet rediential buildings seem like madness.

And not very safe for women, so many dark corners and side areas to get pulled into and raped.

Very concerned about how such a licensing request could get consideration.

Also, the building only gained permission for renovations due to the planning permission requested, for becoming offices. Sounds like someone trying to play the system.

Cannot object strongly enough.

Yours sincerely

Ashley Marris

---

**Sent:** 05 October 2019 19:29

**To:** Licensing <Licensing@southampton.gov.uk>

**Subject:** Objection for licensing for live music, recorded music, provision of late night refreshment, supply by retail of alcohol was filed in for the premises 'The old Bond Store Ltd' ref 2019/05164/01SPRN

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Dear Sir/Madam,

I am writing to object to the above application.

My name is Alja Mustar and I live with my partner Daniel Cantalejo Lopez at the address: Bond central, 74 canal walk, flat 16, SO14 3LE. It has come to our attention the licensing for live music, recorded music, provision of late night refreshment, supply by retail of alcohol was filed in for the premises 'The old Bond Store Ltd' ref 2019/05164/01SPRN. Granting the licensing above would have a serious effect on all residents, as the amount of noise that will be generated will be unbearable. Bear in mind two flats next to us have young children under the age of 5. Ourselves are professionals who have to wake up early in the morning to go to work, therefore sleep hygiene is important as noise caused by 'The old Bond Store Ltd' could lead to sleep deprivation. Flat is on the 1st floor facing back of the premises. While premises is under construction, it has been build in ventilation sytem oppsite our windows, when entering flat leading to bathroom. Ventilation can cause noise 24/7, 7 days a week in a case if premises sell food, strong, unpleasant smell will be ventilated. These bring us to another concern with sound proof. 'The old Bond Store Ltd' was built in 1802, we believe constructor is limited, how much isolation is or can be built in walls. When investigation how many bars is already offering live music, we discovered there are at least 20 bars in the area. All nigt life is located on the Oxford street, High Street, Above bar Street, London Road, Bedford pl. Building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest. We suggest building is converted into office space, museum or residential property. Another major concern we have would be intoxicated customers potentially fouling, vomiting, destroying residential property and littering. There would also be increased noise and pollution from taxis and cars picking up customers late at night. Not to imagine customers visible vapouring outside premises, consequently smoke coming inside flats. Potentially there would be increase of a crime as intoxicated customer could become aggressive, violent towards each other or residents.

Overall, granting licensing above would certainly not be in the best interest of Bond Central residents or residents of Canal walk. We would strongly urge you to reconsider your decision.

Alja Mustar, Daniel Cantalejo Lopez

**Head, Karen**

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**From:**  
**Sent:** 04 October 2019 19:19  
**To:** Licensing  
**Subject:** Objection for 2019/05164/01SPRN

**CAUTION: This email originated from a non UK Government address. Do not click links or open attachments unless you recognise the sender and know the content is safe.**

Dear Sir/Madame,

As an owner and resident of Flat 27 Bond Central, 74 Canal Walk in Southampton, I would like to strongly object against licensing and planning permission for The Old Bond Store Ltd.

Current surrounding areas of my building are already out of control council but also police. Every day we witness drug abuse and dealing and antisocial behaviour. It is already very distressing for us as a family. Every day we are worried that something can happen to us, our neighbours or public just passing by.

More reasons are as follows:

1. This is a family residential area, with loads of kids and young children, a store has licence to serve alcohol can have a bad harm and influence.
2. Public safety gets worse with increased drunk / night out people , there are already a lot of homeless people and drug dealers stay overnight in the East street car park storage, the increasing drunk people can increase the safety issue for both themselves and the residents in the area, especially there are few student accommodations nearby.

We believe that granting permission and alcohol license would only increase already extremely high crime and public disorder in our neighbourhood. We want to protect our child from any harm and ensure their safety. Granting the planning permission and licensing would make it impossible to live here.

Yours faithfully,

Ran Tao

**Head, Karen**

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**From:**  
**Sent:** 08 October 2019 21:53  
**To:** Licensing  
**Subject:** Objection for licensing for live music, recorded music, provision of late night refreshment, supply by retail of alcohol was filed in for the premises 'The old Bond Store Ltd' ref 2019/05164/01SPRN

**CAUTION: This email originated from a non UK Government address. Do not click links or open attachments unless you recognise the sender and know the content is safe.**

Dear Sir/Madam,

I am writing to object to the above application.

My name is Nadjah Peeroo and I live with my two kids aged of 5 years old and 11 months old at the address: Bond central, 74 canal walk, flat 14, SO14 3LE. It has come to our attention the licensing for live music, recorded music, provision of late night refreshment, supply by retail of alcohol was filed in for the premises 'The old Bond Store Ltd' ref 2019/05164/01SPRN. Granting the licensing above would have a serious effect on all residents, as the amount of noise that will be generated will be unbearable. The Kids go to bed early and the 5 years old one has to wake up early for school. This will undoubtedly affect their sleep. I have my neighbour who has a little baby too. Sleep hygiene is important as noise caused by 'The old Bond Store Ltd' could lead to sleep deprivation. On top our Flat is on the 1st floor facing back of the premises. While premises is under construction, it has been build in ventilation sytem oppsite our windows, when entering flat leading to bathroom. Ventilation can cause noise 24/7, 7 days a week in a case if premises sell food, strong, unpleasant smell will be ventilated. These bring us to another concern with sound proof.

'The old Bond Store Ltd' was built in 1802, we believe constructor is limited, how much isolation is or can be built in walls. When investigation how many bars is already offering live music, we discovered there are at least 20 bars in the area. All night life is located on the Oxford street, High Street, Above bar Street, London Road, Bedford pl. Building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest. We suggest building is converted into office space, museum or residential property.

Another major concern we have would be intoxicated customers potentially fouling, vomiting, destroying residential property and littering. Such environment can be harmful for kids. There would also be increased noise and pollution from taxis and cars picking up customers late at night. Not to imagine customers visible vapouring outside premises, consequently smoke coming inside flats. Potentially there would be increase of a crime as intoxicated customer could become aggressive, violent towards each other or residents.

Overall, granting licensing above would certainly not be in the best interest of Bond Central residents of Canal walk and our Children. We would strongly urge you to reconsider your decision.

Many Thanks,

NADJAH PEEROO



**LICENSING**  
**Southampton City Council**  
Civic Centre  
**Southampton**  
**SO14 7LY**

9<sup>th</sup> October 2019

**OBJECTION to 2019/05164/01SPRN**  
Old Bond Store, Back of The Walls, Southampton SO14 3HA

Dear Mr/Mrs SCC Case Officer

I live adjacent to the proposed licensing site and am writing to ask that SCC refuse this licensing application from The Old Bond Store Ltd.

Herein are my comments and objections relating to this licensing application:

1. The planned licensing site will be located directly under my (and many others' home) windows and balconies; this will lead to a loss of privacy and will certainly impact on the peaceful enjoyment of our homes.
2. The location for this kind of licensable activities such as live music, provision of late-night refreshment, recorded music play and selling of alcohol will be ethically contradictory to the values of families with children and people living right next door. It directly endangers the safety of residents, crime and disorder.  
It will be is an inappropriate location for this kind of activities. Such a premise should be in the area where it cannot interfere with residences' and families' peace, home enjoyment, values and safety.
3. My previous experience living next door to the building with similar licensed activities cause unbearable anxiety, stress and possible depression by noise and smoke pollution which pose direct risk and harm for the health of the people of surrounding homes. Especially considering that all the above is going on until very late at night and often beyond usual closing times. Allowing that to go on and take place for long enough, can cause mental illness problems for many innocent residents.

It should be something one strong, healthy government and society is always called to do – protect and improve their public health and safety.

Therefore, I ask that SCC refuse this Licensing Application and encourage The Old Bond Store Ltd. to consider finding different location that is more suitable for the planned 'Old Bond Store'.

Yours Sincerely,



Ms Miriam Kutt



Ms Gerta Kutt

24 Bond Central, 74 Canal Walk, Southampton, SO14 3LE

**Head, Karen**

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**From:**  
**Sent:** 10 October 2019 18:31  
**To:** Licensing  
**Subject:** Representation to license application: 2019/05164:01SPRN - the old bond store LTD

**CAUTION: This email originated from a non UK Government address. Do not click links or open attachments unless you recognise the sender and know the content is safe.**

Dear Sir/Madam,

I am writing to object to the application of a Premises Licence by The Old Bond Store LTD in regards to The Old Bond Store, Back of the Walls, Southampton. I understand the licence requests the following:

Supply by retail of alcohol and live music. Monday – Friday 11:00-23:30hrs (Music to cease at 22:30hrs).  
Saturday 11:00-23:00hrs (Music to cease at 23:00hrs).

My details are:

Matthew Cornelius  
39 Saxon gate,  
Back of the walls,  
Southampton,  
SO14 3HA

I make representations to object the licence on the following grounds (as per the licensing objectives).

**The prevention of crime and disorder:**

The opening of an establishment selling alcohol into the evening hours will increase the risk of crime and disorder. Multiple studies across many countries have shown that the higher the density of alcohol selling establishments, the higher the crime rate.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/216977/Violence-prevention.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/216977/Violence-prevention.pdf) – Please see this study from The Department of Public health England, Chapter 5, pages 40,42.

I believe this study is referenced in the SCC statement of licensing policy 2016-2021.

The immediate area of Back of the Walls is, fortunately, a low crime area (as per review of [police.uk](https://www.police.uk) statistics) with residential units and a multi-storey car park present. However, this will likely increase should the licence be granted given that 20% of violent incidents occur around or in alcohol establishments (as per the above study).

Furthermore, there is a small vulnerable population of rough sleepers that reside in the car park and they will be at heightened risk of crime from the increased foot traffic and intoxicated patrons.

**Public safety:**

Any establishment that sells alcohol will allow persons to become intoxicated and therefore impair their judgement and increase risk-taking. This will undoubtedly have a negative effect on public safety, be it

from a higher risk of violent incidents (as outlined above) to patrons walking or falling into the road beside the venue or otherwise injuring themselves.

Back Of The Walls is used to access the multi-storey car park and as such has light traffic at almost all hours of the day. This will also likely increase with personal vehicles of patrons or increased taxi attendance, There is no designated kerb to the road and minimal distinction of pedestrian walkways from the carriageway further increasing the risk of collision.

The prevention of public nuisance:

Back Of the Walls is currently a residential street that is quiet and apart from occasional disturbances due to the rough sleepers in the car park, there is minimal anti-social behaviour. In the evenings' after 7pm any noise echoes in the road and the increased noise from live music and intoxicated patrons will cause a nuisance to the residents surrounding the venue. The venue closing time of 2330hrs and music ceasing at 2230hrs will impact residents sleeping and evening arrangements due to the increased noise of the venue and persons leaving it at closing time.

It is likely that patrons will use the courtyard of Saxon Gate as shelter whilst smoking should it rain as there appears to be no outdoor smoking provision at the venue, this will cause noise disturbance and unwanted pollution to residents.

Any queues forming for entry will form up outside of residential properties (ground floor level flats either side of the venue). This will cause disruption to residents and feel intimidating to those with people stood outside their windows.

For these reasons I believe that the licence application must be refused.

Respectfully submitted for your consideration,

Matthew Cornelius

**Head, Karen**

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**From:**  
**Sent:** 14 October 2019 10:00  
**To:** Licensing  
**Subject:** RE: Application reference 2019/05164/01SPRN

**CAUTION: This email originated from a non UK Government address. Do not click links or open attachments unless you recognise the sender and know the content is safe.**

My full address is 5 Ashburton Road, Alresford, Hampshire. SO24 9HJ.

I own 16 Bond Central, 74 Canal Walk, Southampton. SO14 3LE.

Thankyou.

Louise Speigal

Sent from Samsung Mobile on O2

----- Original message -----

Subject: RE: Application reference 2019/05164/01SPRN

Dear Mrs Louise Speigal,

Application for a Premises Licence The Old Bond Store Back Of the Walls

Thank you for your email.

Your representation in the current form is deemed invalid.

Can you please e-mail us by 14th October 2019 (by midnight) your full home address.

If we receive this by midnight tonight your representation will then be valid and included in the hearing report.

The full application can be viewed on the public register see link below (click on green box accept terms and conditions and quote ref ( 2019/05164/01SPRN)).

Kind Regards

Karen Head

Licensing Officer

Southampton and Eastleigh Licensing Partnership

Southampton City Council

Web: [www.southampton.gov.uk/licensing](http://www.southampton.gov.uk/licensing)

Post: Licensing - Southampton City Council

PO Box1767,Southampton SO18 9LA

**To:** Licensing <[Licensing@southampton.gov.uk](mailto:Licensing@southampton.gov.uk)>

**Subject:** Application reference 2019/05164/01SPRN

**CAUTION: This email originated from a non UK Government address. Do not click links or open attachments unless you recognise the sender and know the content is safe.**

Application reference 2019/05164/01SPRN

Name: Mrs Louise Speigal. Owner of the leasehold of 16 Bond Central, 74 Canal Walk, Southampton.  
Hampshire. SO14 3LE

I wholly object to this application for the following reasons.

Bond Central is a block of apartments which effectively wraps around the property in question (Old Bond Store). It is directly and tightly next to this building. There are many people living in Bond Central (36 flats in total) including families with children. Children aged between 0-7 years old typically go to bed at 7pm and they are in need of between 11 and 12 hours sleep at night. The application in question proposes to play live music from 15:00 until 22:30 Monday to Friday and until 23:00 on Saturday nights. It also proposes to play recorded music from 08:00 - 22:45 Monday to Friday. Due to the very close proximity of this building to Bond Central, this will directly affect the sleep of young children, therefore causing sleep deprivation. Lack of restorative sleep can compromise the physical and emotional health of children and interfere with normal growth and development.

I believe that by allowing this establishment to operate, there will be an increase in crime and disorder in the vicinity. The application in question proposes to serve alcohol between 11:00 and 23:30 from Monday to Saturday. Research shows that alcohol use indeed increases the risk of criminal behaviour, and that there is an especially strong and consistent correlation between alcohol abuse and violent crimes. In such a location, which is strongly residential, this establishment is totally misplaced, and is suited more to a high street retail area.

It is an absolute certainty that granting this licence will prove to be a public nuisance to many people. There are 36 flats in Bond Central, 16 flats in Canal walk flats and a further 41 flats in Saxon Gate. It will prove to be a public nuisance outside the flats, and it will prove to be a public nuisance inside each flat. In 2011, the World Health Organisation released a report titled 'Burden of disease from environmental noise'. Exposure to prolonged or excessive noise has been shown to cause a range of health problems ranging from stress, poor concentration, productivity losses in the workplace, and communication difficulties and fatigue from lack of sleep, to more serious issues such as cardiovascular disease, cognitive impairment, tinnitus and hearing loss.

In the tenancy agreement that is drawn up for my tenants in Bond Central, it says the following:

#### 6.25 Nuisance and Noise

Not to do upon or in connection with the premises anything which shall be or tend to be nuisance, annoyance or cause damage to the landlord or to any neighbouring or adjacent property or the owners or occupiers thereof.

6.26 Not to hold or conduct any social gathering and not to play any musical instrument or use any gramophone stereo radio or television or other musical or electrical instrument or other means of reproducing music or sound in such manner as to be audible outside the premises or likely to cause nuisance or annoyance or inconvenience to the occupiers of any neighbouring adjoining or adjacent property.

My tenants and many tenants in this block of flats, will have signed something similar. They all adhere to this because it is absolutely paramount in a community of people, that there is not any nuisance or annoyance or inconvenience, backed by evidence from the World Health Organisation. This application will absolutely cause nuisance, annoyance and inconvenience.

The tenancy agreement also gives my tenants a right to quiet enjoyment.

I would urge Southampton City council to think about public safety in this area if you were to grant this licence. It is a predominantly a residential area, with the exception of East Street Car Park. Fire is considered the biggest danger in most nightclubs. If there was a fire in the proposed building, there would be detrimental and possible tragic effects to the 3 blocks that wrap around the building is such close proximity. Another risk to public safety is the use of cigarettes. Because all the clientele will be required to go outside the building for smoking, this will very quickly filter through the close proximity of any flat that has its window open, which can result in passive smoking.

I strongly urge Southampton City Council to consider the impact that granting this licence would have on so many people, in such a detrimental way.



This email is confidential but may have to be disclosed under the Freedom of Information Act 2000, Environmental Information Regulations 2004 or data protection legislation. If you are not the person or organisation it was meant for, apologies, please ignore it, delete it, and notify us. SCC does not make legally binding agreements or accept formal notices/proceedings by email. E-mails may be monitored. This email (and its attachments) is intended only for the use of the person(s) to whom it is addressed, and may contain information that is privileged and/or confidential. If it has come to you in error, you must take no action based on it, nor must you copy or show it to anyone.

**Head, Karen**

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**From:**  
**Sent:** 14 October 2019 12:06  
**To:** Licensing  
**Subject:** Reference 2019/05164/01SPRN

**CAUTION: This email originated from a non UK Government address. Do not click links or open attachments unless you recognise the sender and know the content is safe.**

Flat 15, Bond Central  
74 Canal Walk  
Southampton SO14 3LE

14th October 2019

**Re Application for a Premises Licence Reference 2019/05164/01SPRN  
By The Old Bond Store Ltd  
Old Bond Store, Back of The Walls, Southampton SO14 3HA**

Dear Sirs

I wish to strongly OBJECT to The Old Bond Store Ltd's application for an alcohol licence.

The entrance door to Flat 15 is just Twenty feet from the the rear of the Old Bond Store. In fact the Bond Central complex borders both the rear and side of the Old Bond store (the side being just a few feet away). The requested extended hours, live and recorded music is likely to cause a serious Public nuisance to the residents of Bond Central given its close proximity.

Yours sincerely

Alan M Horner



## Head, Karen

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**From:**  
**Sent:** 14 October 2019 11:39  
**To:** Licensing  
**Subject:** RE: Objection to a licence Ref: 2019/05164/01SPRN

**CAUTION: This email originated from a non UK Government address. Do not click links or open attachments unless you recognise the sender and know the content is safe.**

Dear Karen,

Thank you for your previous email. I would like to re-submit my representation. Please see email below.

**Reference** 2019/05164/01SPRN  
**Applicant** The Old Bond Store Ltd

I am sending this email to give my comments and objection to the licence mentioned above.

I live in Saxon Gate and even though my building is not directly connected to the intended establishment it is extremely close and I am sure that I will be affected by it.

I have to say that this type of entertainment is very inconvenient specially for people who decided to move there because of the nice residential area. I moved to that area not only because of the new property but also because is a very quiet place to live and I feel safe living there. This establishment (that provides alcohol until late-night) is definitely something that could ruin that quietness on the area. Alcohol brings drunk people. I am not saying that every person going there is going to get drunk but definitely the incidence of drunk people is going to increase alongside all of the adverse effects of it (sickness around, people not using appropriate toilets but the streets, wonderers around the buildings etc...). My building, has the main gates open and there is people living in the ground floor and their "terraces are very accessible", definitely we will see people going inside our building and it is very unfair that we have to have that extra worry in our life. It is also very unfair for people living in the ground floor right next to the establishment, their privacy and sense of safety is going to be compromised and the noise could be detrimental. This is the most concerning part of this idea.

Furthermore, we have no guarantee that the place is going to be sound proof and/or if the doors are going to be closed at all times and even if they are closed people coming in and out continuously is going to be a problem, specially again, to this people living on ground or first floors.

I think that Southampton Centre has a lot of areas (not residential) were this type of establishment can be placed and it would be very considerate to move it to them. Definitely, this is not something beneficial for any resident who has been living in the quiet area for years (neither to the new people who has selected the area to start their life) and only beneficial for whoever decided to create this type of venue in a residential area.

Yours sincerely,

Celina Mun Bapori

11 Saxon Gate,  
Back of the Walls.  
Southampton  
SO14 3HA

## **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.

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