Reference: 2012/01342/01SPRN

Hearing: 23rd August 2012

Application for Premises Licence

Premises Name:	Donya Limited	Application Date:	15th June 2012
Premises Address:	50 Oxford Street Southampton SO14 3DL	Application Received Date:	15th June 2012
		Application Valid Date:	15th June 2012

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Representation From Responsible Authorities

Responsible Authority	Satisfactory?	Comments
Child Protection Services - Licensing	Yes	

Hampshire Fire And Rescue - Licensing	Yes	
Environmental Health - Licensing	No	A representation is being made in light of concerns about the likelihood of public nuisance (noise nuisance) being caused by the proposed live music. P D Wainwright Principal EHO
Primary Care Trust - Public Health Manager	Yes	
Planning & Sustainability - Development Control - Licensing	Yes	
Police - Licensing	Yes	
Trading Standards - Licensing	Yes	

Other Representations

Name	Address	Contributor Type
Mr. Duncan Russell	12 Oxford Street Southampton SO14 3DJ	Resident
Mr. David Carter	17 Oxford Street Southampton SO14 3DJ	Resident

Legal Implications

1. The Licensing Act 2003 specifically restricts the grounds on which the Council, as Licensing Authority (LA), may refuse an application for a new Premises Licence, or impose conditions. Where relevant representations are made, the LA may refuse on the grounds that the licensing objectives are not met or the operating schedule is inadequate. Equally, conditions may be imposed where relevant and necessary. The LA may also refuse an application in part and thereby only permit some of the

licensable activities sought.

2. The decision making committee, in considering an application, must have regard to the adopted Statement of Licensing Policy and any relevant representations made by those directly affected.

3. An applicant for a new Premises Licence whose application has been refused, or who is aggrieved by conditions imposed, may appeal against the decision to the Magistrates' Court.

4. In considering this application the committee will sit in a quasi-judicial capacity and is thus obliged to consider applications in accordance with both the Licensing Act 2003 (Hearings) Regulations 2005, and amending secondary legislation and the rules of natural justice. The practical effect of this is that the committee must makes its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching it's decision.

   The committee must also have regard to:-

5. *Crime and Disorder Act 1998*
   Section 17 of the Crime and Disorder Act 1998 places the Council under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

6. *Human Rights Act 1998*
   The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon another persons Human Rights must be taken having regard to the principle of Proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the Council which affect another's rights must be no more onerous than is necessary in a democratic society. The matter set out in this report must be considered in light of the above obligations.

Insert name and address of relevant licensing authority and its reference number (optional)

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 Donya 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 50 Oxford Street	
Post town Southampton	**Post code** SO14 3DP

Telephone number at premises (if any)

Non-domestic rateable value of premises £

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

		Please tick ✓ Yes	
a)	an individual or individuals*	☐	please complete section (A)
b)	a person other than an individual*		
	i. as a limited company	☑	please complete section (B)
	ii. as a partnership	☐	please complete section (B)
	iii. as an unincorporated association or	☐	please complete section (B)
	iv. other (for example a statutory corporation)	☐	please complete section (B)
c)	a recognised club	☐	please complete section (B)
d)	a charity	☐	please complete section (B)
e)	the proprietor of an educational establishment	☐	please complete section (B)

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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 in respect of the carrying on of a regulated activity (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:

Please tick ✓ Yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☐
- I am making the application pursuant to a
  - statutory function or ☐
  - a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title (for example, Rev) ☐

Surname _____ **First names** _____

Please tick ✓ Yes

I am 18 years old or over ☐

Current postal address if different from premises address _____

Post Town _____ **Postcode** _____

Daytime contact telephone number _____

E-mail address (optional) _____

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title (for example, Rev) ☐

Surname | **First names**

Please tick ✓ Yes

I am 18 years old or over ☐

Current postal address if different from premises address

Post Town | **Postcode**

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned

Name Donya Limited
Address 12-14 Carlton Place Southampton Hampshire SO15 2EA
Registered number (where applicable) 07285298
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
0	1	0	8	2	0	1	2

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

Day		Month		Year			

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

Please give a general description of the premises (please read guidance note 1)

The premises are in the process of being converted into a restaurant and on the first and second floor with flats above.

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick ✓ **Yes**

Provision of regulated entertainment

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

Provision of entertainment facilities:

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

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

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

In all cases complete boxes N, O and P

A

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

B

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

C

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

D

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	✓
				Outdoors	
Day	Start	Finish		Both	
Mon	1100	0200	**Please give further details here** (please read guidance note 3)		
Tue	1100	0200			
Wed	1100	0200	**State any seasonal variations for the performance of live music** (please read guidance note 4) where the clocks go from GMT to BST, the Premises be allowed to remain open an extra hour to account for the change in times.		
Thur	1100	0200			
Fri	1100	0200	**Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list** (please read guidance note 5) On New Years Eve, the hours be extended from closing at 0230 on New Years day to 11am on News Years day.		
Sat	1100	0200			
Sun	1100	0200			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	✓
				Outdoors	
Day	Start	Finish		Both	
Mon	1100	0200	**Please give further details here** (please read guidance note 3)		
Tue	1100	0200			
Wed	1100	0200	**State any seasonal variations for the playing of recorded music** (please read guidance note 4) where the clocks go from GMT to BST, the Premises be allowed to remain open an extra hour to account for the change in times.		
Thur	1100	0200			
Fri	1100	0200	**Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list** (please read guidance note 5) On New Years Eve, the hours be extended from closing at 0230 on New Years day to 11am on News Years day.		
Sat	1100	0200			
Sun	1100	0200			

G

Performances of dance Standard days and timings (please read guidance note 6)			**Will the performance of dance take place indoors or outdoors or both** - please tick ✓ (please read guidance note 2)		
Day	Start	Finish		Indoors	✓
				Outdoors	
				Both	
Mon	1100	0200	**Please give further details here** (please read guidance note 3)		
Tue	1100	0200			
Wed	1100	0200	**State any seasonal variations for the performance of dance** (please read guidance note 4) where the clocks go from GMT to BST, the Premises be allowed to remain open an extra hour to account for the change in times.		
Thur	1100	0200			
Fri	1100	0200	**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** (please read guidance note 5) On New Years Eve, the hours be extended from closing at 0230 on New Years day to 11am on News Years day.		
Sat	1100	0200			
Sun	1100	0200			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			**Please give a description of the type of entertainment you will be providing**		
Day	Start	Finish	**Will this entertainment take place indoors or outdoors or both** - please tick ✓ (please read guidance note 2)	Indoors	✓
Mon	1100	0200		Outdoors	
				Both	
Tue	1100	0200	**Please give further details here** (please read guidance note 3)		
Wed	1100	0200			
Thur	1100	0200	**State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)** (please read guidance note 4) where the clocks go from GMT to BST, the Premises be allowed to remain open an extra hour to account for the change in times.		
Fri	1100	0200			
Sat	1100	0200	**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** (please read guidance note 5) On New Years Eve, the hours be extended from closing at 0230 on New Years day to 11am on News Years day.		
Sun	1100	0200			

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music be indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	✓
				Outdoors	
Day	Start	Finish		Both	
Mon	1100	0200	Please give further details here (please read guidance note 3)		
Tue	1100	0200			
Wed	1100	0200	State any seasonal variations for the provision of facilities for making music (please read guidance note 4) where the clocks go from GMT to BST, the Premises be allowed to remain open an extra hour to account for the change in times.		
Thur	1100	0200			
Fri	1100	0200	Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5) On New Years Eve, the hours be extended from closing at 0230 on New Years day to 11am on News Years day.		
Sat	1100	0200			
Sun	1100	0200			

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both - please tick ✓ (see guidance note 2)	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing Dance floor area within the restaurant facilities		
Mon	1100	0200	Please give further details here (please read guidance note 3) This may require moving of tables at certain times.		
Tue	1100	0200			
Wed	1100	0200	State any seasonal variations for providing dancing facilities (please read guidance note 4) where the clocks go from GMT to BST, the Premises be allowed to remain open an extra hour to account for the change in times.		
Thur	1100	0200			
Fri	1100	0200	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) On New Years Eve, the hours be extended from closing at 0230 on New Years day to 11am on News Years day.		
Sat	1100	0200			
Sun	1100	0200			

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			**Please give a description of the type of entertainment facility you will be providing**		
Day	Start	Finish	**Will the entertainment facility be indoors or outdoors or both** - please tick ✓ (please read guidance note 2)	Indoors	✓
Mon	1100	0200		Outdoors	
				Both	
Tue	1100	0200	**Please give further details here** (please read guidance note 3)		
Wed	1100	0200			
			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)		
Thur	1100	0200	where the clocks go from GMT to BST, the Premises be allowed to remain open an extra hour to account for the change in times.		
Fri	1100	0200			
			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	1100	0200	On New Years Eve, the hours be extended from closing at 0230 on New Years day to 11am on News Years day.		
Sun	1100	0200			

L

Late night refreshment Standard days and timings (please read guidance note 6)			**Will the provision of late night refreshment take place indoors or outdoors or both** - please tick ✓ (please read guidance note 2)	Indoors	✓
Day	Start	Finish		Outdoors	
				Both	
Mon	2300	0200	**Please give further details here** (please read guidance note 3)		
Tue	2300	0200			
Wed	2300	0200	**State any seasonal variations for the provision of late night refreshment** (please read guidance note 4)		
			where the clocks go from GMT to BST, the Premises be allowed to remain open an extra hour to account for the change in times.		
Thur	2300	0200			
Fri	2300	0200	**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** (please read guidance note 5)		
Sat	2300	0200	On New Years Eve, the hours be extended from closing at 0230 on New Years day to 11am on News Years day.		
Sun	2300	0200			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			**Will the supply of alcohol be for consumption (Please tick box)** ✓ (please read guidance note 7)	On the premises	✓
Day	Start	Finish		Off the premises	
				Both	
Mon	1100	0200	**State any seasonal variations for the supply of alcohol** (please read guidance note 4) where the clocks go from GMT to BST, the Premises be allowed to remain open an extra hour to account for the change in times.		
Tue	1100	0200			
Wed	1100	0200			
Thur	1100	0200	**Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list** (please read guidance note 5) On New Years Eve, the hours be extended from closing at 0230 on New Years day to 11am on News Years day.		
Fri	1100	0200			
Sat	1100	0200			
Sun	1100	0200			

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

Name .....

Address

Postcode .....

Personal Licence number (if known) .....

Issuing licensing authority (if known) .....

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

No adult themed entertainment services are planned in respect of these premises, it is intended that the premises will be used as a restaurant with facilities for music and dancing.

O

Hours premises are open to the public
Standard days and timings (please read guidance note 6)

Day	Start	Finish
Mon	0730	0230
Tue	0730	0230
Wed	0730	0230
Thur	0730	0230
Fri	0730	0230
Sat	0730	0230
Sun	0730	0230

State any seasonal variations (please read guidance note 4)

where the clocks go from GMT to BST, the Premises be allowed to remain open an extra hour to account for the change in times.

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 5)

On New Years Eve, the hours be extended from closing at 0230 on New Years day to 11am on News Years day.

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

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

See attached sheet

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

See attached sheet

c) **Public safety**

See attached sheet

d) **The prevention of public nuisance**

See attached sheet

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

See attached sheet

Please tick ✓ Yes

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

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

Part 4 - Signatures (please read guidance note 10)

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

Signature [redacted]

Date 15th June 2012

Capacity SOLICITOR FOR THE APPLICANT

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

Signature .....

Date .....

Capacity .....

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

Paris Smith LLP
1 London Road
Southampton
Hampshire

Post town	**Post code** SO15 2AE
Telephone number (if any) [redacted]	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Notes for Guidance

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

APPLICATION FOR A PREMISES LICENCE

OPERATING SCHEDULE

BACKGROUND

The conversion of an existing office block located on the Junction of Oxford Street and Latimer Street into a restaurant based over two floors with a roof terrace and flats above, the roof terrace is also intended to have the facility to seat patrons of the restaurant. It is intended that there will be the possibility of moving tables to create a dance floor area in the event of a requirement for the same by virtue of small functions. The facility is intended to be a new build on an established office site, it has never previously held an alcohol licence. As far as the ground floor of the premises is concerned, there are two doorways, these are located in Oxford Street, or directly opposite the entrance from Latimer Street. There is no smoking within the premises, and people will be required to leave in order to smoke, they will not be entitled to take alcoholic beverages purchased for consumption on the premises outside of the premises. It is intended that the premises will be open to members of the public generally.

The relevant licensable activities to be conducted on the premises and intended times are shown in detail in Part 4 of the Operating Schedule on the Application for the Premises Licence.

The times during which it is proposed that relevant licensable activities are to take place.

Alcohol is supplied on the mandatory conditions imposed in respect of the premises licence by Southampton City Council. It will be sold from the main bar area on the ground floor in accordance with the plans annexed to the application. Alcohol is required to be supplied on and off the premises between 1100 hours and 0200 hours Monday to Sunday. It is intended that this may be extended in accordance with the change from GMT to BST and for the seasonal variation at New Year.

Regulated Entertainment

The premises will look to be able to provide regulated entertainment both in the ground floor bar area and first floor. The application is to provide regulated entertainment as necessary for the restaurant area.

Late Night Refreshment

The Premises Licence also requires late night refreshment for the premises, as it is intended that the premises will be open until 0230 hours. Late night refreshment is required along with alcohol and regulated entertainment to a time 30 minutes before the premises close.

At other times, it is proposed that the premises are open to the public, the premises will be open according to the hours contained in the licence application. It is proposed that the premises will shut half an hour after the final time allowed for the service of alcohol.

Where the licensable activities include the supply of alcohol the name and address of the individual to be specified as a designated premises supervisor.

The intended Designated Premises Supervisor has yet to be identified, however it is anticipated that the Lease to persons with personal licences will be available on the premises to undertake the roll of designated premises supervisor when the same has been decided. Before any sales take place, a Designated Premises Supervisor will be appointed.

Where the licensable activities include the supply of alcohol, whether the alcohol will be supplied for consumption on or off the premises.

The application provides for consumption both on or off the premises, although it is considered highly unlikely that there will be any off sales.

The steps which the Applicant proposes to take to promote the Licensing objectives.

The applicant intends to install a CCTV system, which would be of suitable standard for identification as required by the Police. The CCTV will have 28 days of storage of tape and there will be individuals on the premises who will have the ability to undertake a download of the material. A Challenge 25 Policy will be in place for persons attempting to purchase alcohol without the need for food, although the relevant licensing laws for the service alcohol with table meals will be applied. The Applicant would intend to take advantage of the statutory allowance for the consumption of alcohol over the Christmas and New Year bank holidays and indeed the hours allowed for New Years Eve to 0000 hours on the 2nd January

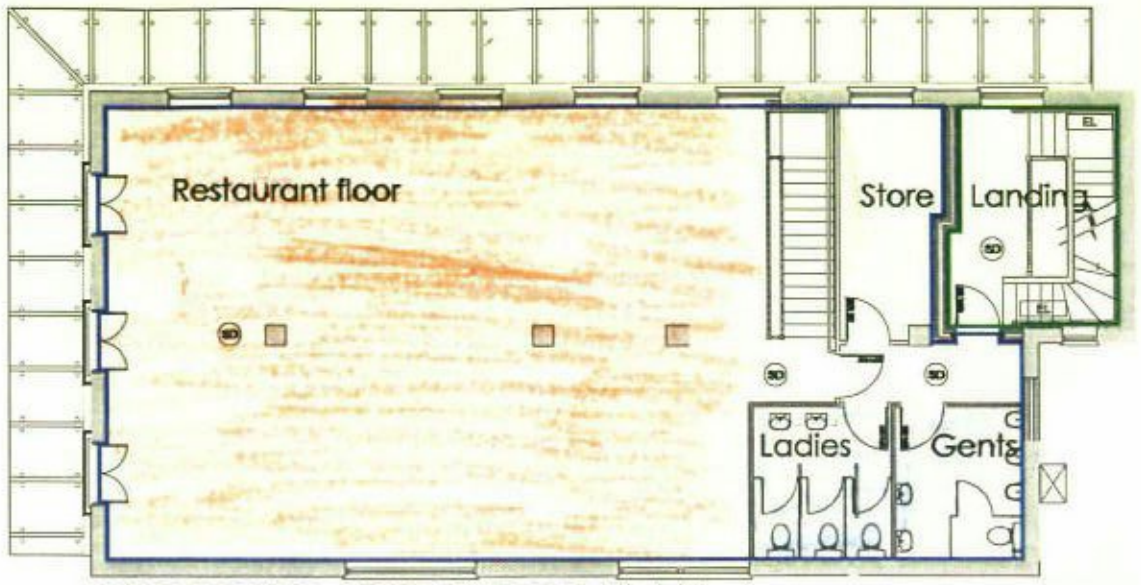
A refusals book will be kept detailing numbers, dates and times of incident and the description of people refused service of alcohol with reasons why. An incident book will remain on the premises at all times and will be available to the responsible authorities on request, it will provide details in accordance with the requirements of Hampshire Constabulary.

The Applicant will ensure that staff are trained regarding appropriate precautions to prevent the sale of alcohol to persons who may be not of age. Records will be kept of such training, signed and dated by the member of staff such training will be as a minimum of six monthly. Such records will be available for inspection by the responsible authorities.

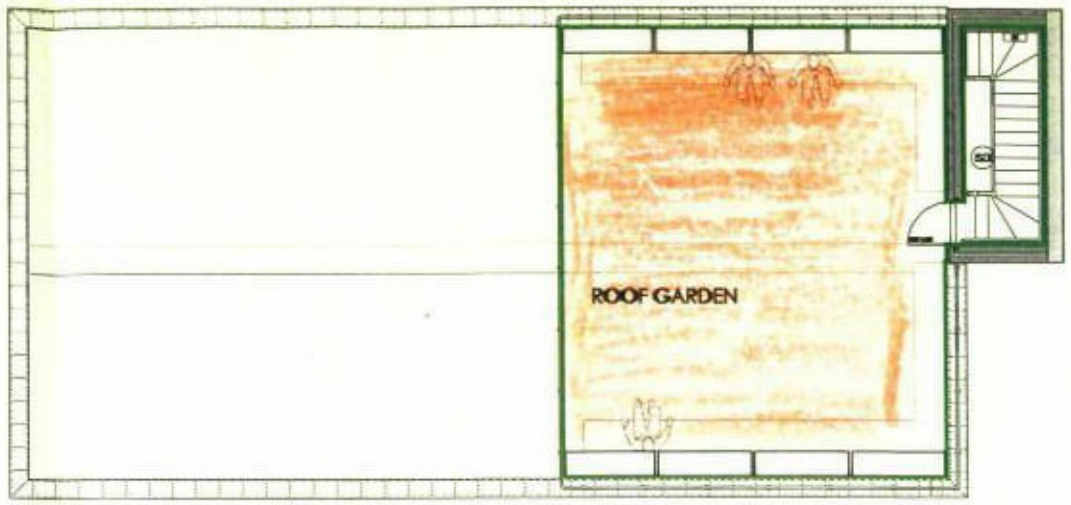
Dated this 15 day of June 2012

.....

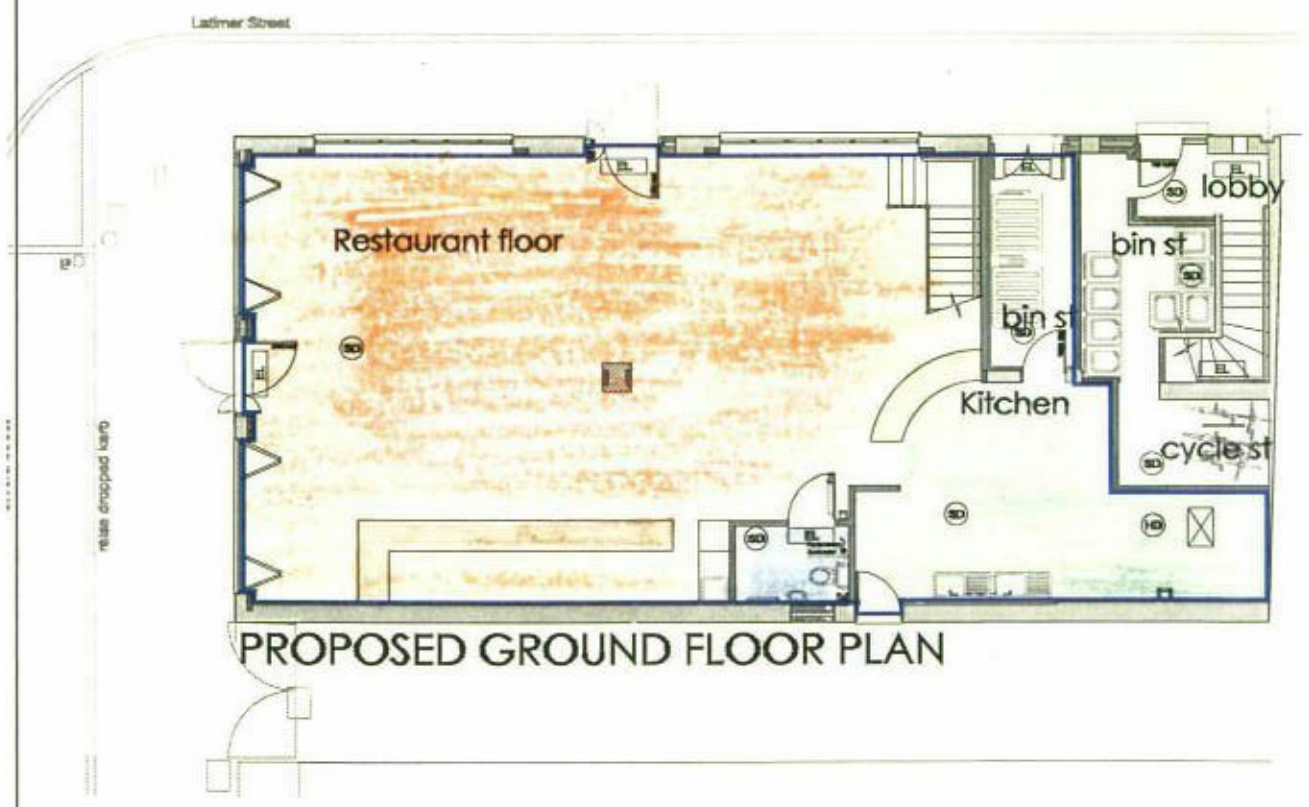
Paris Smith LLP
Solicitors for the Applicant



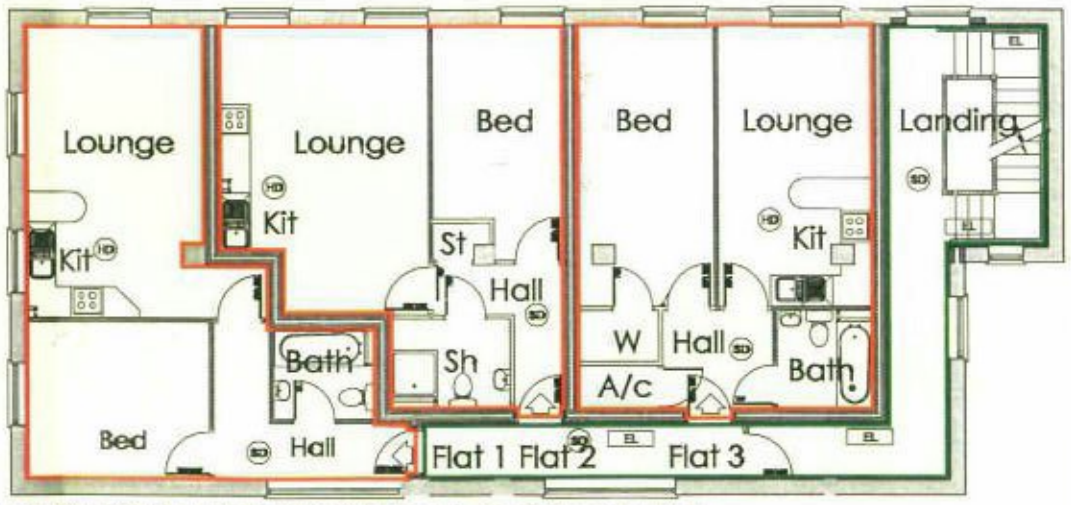
PROPOSED FIRST FLOOR PLAN



PROPOSED ROOF TERRACE PLAN



PROPOSED GROUND FLOOR PLAN



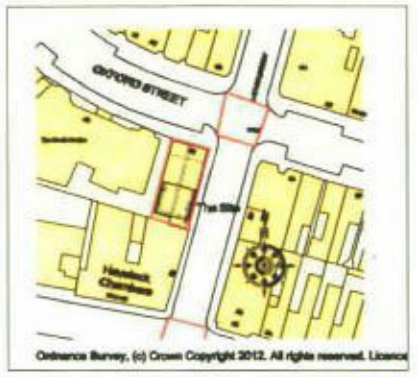
PROPOSED SECOND FLOOR PLAN

Legend:

SD SMOKE DETECTOR

HD HEAT DETECTOR

- Restaurant and bar licensed to sell intoxicating liqueur
- Shared freehold & amenity space
- Private accommodation space
- KITCHEN
- BAR
- TOILETS
- CONSUMPTION OF ALCOHOL



Location plan scale 1/1250

NOTES

1) WHEN CONSIDERED BY A PLANNING DEPARTMENT; IT IS SATISFACTORY TO SCALE FROM THIS DRAWING.

2) WHENEVER POSSIBLE USE FIGURED DIMENSIONS. ALL ARE MILLIMETERS.

3) THIRD PARTIES ARE TO CHECK YOU HAVE THE LATEST DRAWING BY CONTACTING THE CLIENT

RICS

Rev	Date	Details

maloto
property consultants limited

STATUS: Licensing plan

CLIENT: Donya Ltd

PROJECT: Conversion at 50 Oxford St. Southampton. SO14 3DP.

DRAWING TITLE: Proposed Licensing Plan.

SCALES:	REF: H11-116-006	DATE: 28/05/12
1:100 & 1:1250	AUTHOR: MNEC	REV:

Paris Smith

Licensing Team
Southampton City Council

DX 115710 - SOUTHAMPTON 17

Our ref	CGM/mcm/96143/6
Your ref	
Date	20 June 2012
Direct line	[redacted]
Direct fax	
Email	c[redacted]

Dear Sirs

Application for a Premises Licence
Mr F. Panjganj - 50 Oxford Street, Southampton

We write further the above and the recent application.

We have been informed by our client, that it is no longer his intention to use the roof terrace as an area for the consumption of alcohol, this will be restricted to users of the flats only, and not for patrons of the establishment.

Yours faithfully

[redacted]

Paris Smith LLP

D:\CLIENTS\96143\R\CORRES\20120620.CGM.MCM.LCT.LICENSING.162206.DOC

Number 1 London Road Southampton Hampshire SO15 2AE
t: 023 8048 2482 f: 023 8063 1835
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Paris Smith is a trading style of Paris Smith LLP which is a Limited Liability Partnership
Registered in England number OC308962

Subject: FW: Application for a Premises License, Donya Limited - 50 Oxford Street Southampton.

Attachments: Response from applicant.TIF

Good Morning

This is to confirm that we have no objections to the above application. The applicant has confirmed the following:

The licence is for on sales only

The roof terrace will only be used by the occupants of the flats and not open to the public and they have agreed to the following conditions as listed below.

CCTV

Training

Challenge 25

Refusals book

Incident book

Regards

Sarah
PC 21071 NORRIS
Western Licensing Team
DDI 02380 674768

Subject: Application for a Premises License, Donya Limited - 50 Oxford Street Southampton.

Your Ref: CGM/mcm/96143/6

Sir,

I am the police licensing officer for the city centre area of Southampton and I have received the application you have submitted for Donya Limited, 50 Oxford Street Southampton. We are currently awaiting a response from the local beat team for the area for their opinion on the application and their response will guide us on whether we wish to make representations or not.

Whilst I await that response I wanted to make contact with yourselves about the application and ask that you clarify a few things.

With reference to the roof terrace is there going to be music played and if so what time will this cease.

To access the roof terrace patrons are going to have to go past the second floor where the flats are going to be situated. Are the flats going to be privately rented or will they be used for staff?

The application states that the supply of alcohol will be for consumption **on** the premises however the operating schedule states that the application provides for consumption both **on** and **off** the premises.
There are numerous steps that you have outlined that you intend to take to promote the four licensing objections and I would ask that you consider the conditions that we currently advise to support the licensing objectives. The below is the current wording that we put forward with regards to conditions, they may seem rather lengthy but this is due to a Home Office visit last year. On their attendance they looked at our license conditions and stated that we could not use "to the reasonable satisfaction of Hampshire Constabulary" as this was not fair to the license holder to know what was to our satisfaction. This has then meant that we have detailed exactly what we expect from each condition

CCTV
The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system should be able to cope with strobe lighting and all levels of illumination throughout the premises as well as outside areas.
CCTV warning signs to be fitted in public places.
The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.
The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.
The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.
There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered must be in a viewable format on either disc or VHS. Footage supplied in a digital format on CD or DVD will also have a copy of the CCTV system software enabled on the disc to allow playback.
In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Southampton Police Licensing Unit.

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

All staff will receive refresher training every six months as a minimum and that records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.
All training records will be made immediately available for inspection by Hampshire Constabulary and the licensing Authority upon request. Training records will be kept for a minimum period of two years. Training records will be kept on the licensed premises to which they relate to

Challenge 25
There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.
Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the ◆PASS◆ logo and the persons date of birth.

Refusals book
A refusals book will be kept and maintained at the premises and will be available for police inspection upon request. All refusals for the sale of alcohol and the reasons for refusal should be recorded. Any age challenge or identification seizures should also be recorded.

Incident book
An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request. Any incidents that include physical altercation or disorder, physical ejection, injury, id seizure or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.
If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry.
At the close of business on each day the incident book will be checked by the manager on duty where any entries will be reviewed and signed. If incidents have occurred the duty manager will de-brief door staff at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book.
If you have any questions or queries then I am contactable on 02380 674768 or by e-mail

Sarah
PC 21071 NORRIS
Western Licensing Team
DDI 02380 674768

Regulatory Services Division
Southampton City Council
Floor 5
One Guildhall Square
Southampton
SO14 7FP

Direct dial: 023 8091 7584
Fax: 023 8083 3079
Email: peter.wainwright@southampton.gov.uk

Please ask for: Peter Wainwright
Our ref: 2012/01342/01SPRN

Licensing Authority
Southampton City Council
Southbrook Rise
4 – 8 Millbrook Road East
Southampton
SO15 1YG

28th June 2012

Dear Sir/Madam,

Licensing Act 2003
50 Oxford Street, Southampton

I refer to the application for a new premises licence, dated 15th June 2012, for the above premises.

There are concerns about the likelihood of public nuisance (noise nuisance) from live music as there are no control measures detailed in the application which would protect any future occupiers of the proposed apartments on the top floor of the building and residents in the vicinity of Oxford Street/ Latimer Street, Southampton.

In light of these concerns I am making a formal representation, on behalf of the Environmental Health Service, in relation to one of the licensing objectives: namely the prevention of public nuisance.

Should you need any further clarification concerning this matter then please do not hesitate to contact me.

Yours sincerely

Peter Wainwright
Environmental Health – Principal Environmental Health Officer

McGuiness, Ian

From: [redacted]
Sent:
To:
Cc:
Subject: 2012/01342/01SPRN - Comments

Dear sir,

I believe there is a licensing application from Donya regarding 50 Oxford St which I would like to comment on. Application 2012/01342/01SPRN.

I am an Oxford Street resident and since the opening of Cargo the noise in our street has increased dramatically with loud music playing until midnight frequently on Friday, Saturday and Sunday evenings and many people outside in the street with the obvious noise and disturbance.

I believe the license requested by Donya for 50 Oxford St would allow loud music, live music and other entertainment until 2pm every night of the week. I believe this to be excessive and unnecessary and as a local resident (the property is only 20 yards from my house) I object to the disturbance from loud music continuing beyond midnight and the accompanying disturbance from customers leaving the premises late at night with taxis and cars arriving and departing from outside the premises.

When I moved to Oxford St 6 years ago the Northern section (above Latimer St) had 3 restaurants (Prezzo, Charlie Chans and Willows) it was quiet by 11pm and we were told that the council wanted to encourage residential ownership in that section of Oxford St. Since then Willows has been replaced by Cargo, the Booth Centre has re-opened and with the prospect of another busy late night bar/club opening I am concerned that the whole nature of this part of the street is changing and will not be suitable for residential occupation.

I see the application talks about sound proofing and so on in order to reduce noise levels but as the renovations include large patio doors at the front it is obvious that these will be open during the summer months and there will be no soundproofing effect at all - which is exactly the situation with Cargo at present.

I would request that the license is limited to midnight on all evenings and that license period be limited to 3-6 months so that a review be made based on the actual noise levels experienced.

Best regards,

David Carter

17 Oxford St, Southampton SO14 3DJ

[redacted]

[redacted]

Sent: 17 July 2012 14:35
To: Licensing
Subject: 50 Oxford Street

Good Afternoon,

I was wanting to raise an objection to the license being applied for at 50 Oxford street. It is out of keeping to have a nightclub open until 2 am in a residential street.

To what address should I write. ?

Is it enough to state that we are concerned by the increase in noise, especially after Cargo□s licence sees a lot of noise at the weekends behind Oxford street and that is only until 11pm □ but still wakes up my 4 year old son who complains of what he calls □drunken idiots□.

Should I carry out a noise survey?

Kind Regards

Duncan Russell
12 Oxford Street.

outlook signature

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