

Reference: 2012/02596/01SPRN

Hearing:

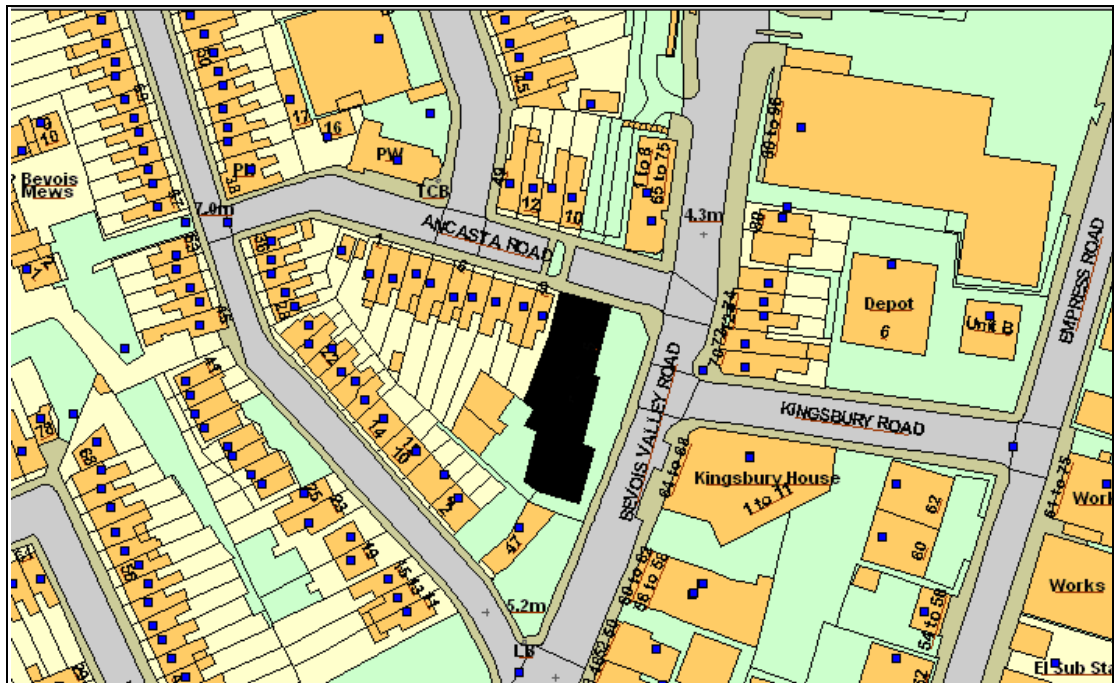
31st January 2013

### Application for Premises Licence

Premises Name: Sainsbury's Supermarkets  
 Premises Address: 47 - 65 Bevois Valley Road  
 Southampton  
 SO14 0JS

Application Date: 13th December 2012  
 Application Received Date: 14th December 2012

Application Valid Date: 14th December 2012



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## ***Representation From Responsible Authorities***

<b>Responsible Authority</b>	<b>Satisfactory?</b>	<b>Comments</b>
Child Protection Services - Licensing	Yes	
Hampshire Fire And Rescue - Licensing	Yes	
Environmental Health - Licensing	Yes	
Planning & Sustainability - Building Control - Licensing	Yes	
Primary Care Trust - Public Health Manager	Yes	
Planning & Sustainability - Development Control - Licensing	Yes	
Police - Licensing	Yes	
Trading Standards - Licensing	Yes	

## ***Other Representations***

<b>Name</b>	<b>Address</b>	<b>Contributor Type</b>
Ms. Steph Smith	30 Clausentum Road Southampton SO14 6RZ	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 make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its 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 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 Council which affects 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.

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 Sainsbury's Supermarkets Ltd  
(Insert name(s) of applicant)

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

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Sainsbury's 47-65 Bevois Valley Road			
Post town	Southampton	Post code	SO14 0JR

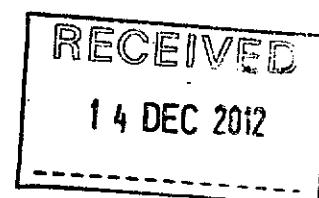
Telephone number at premises (if any)	
Non-domestic rateable value of premises	£

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)

1



- 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:

Please tick yes

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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

**SECOND INDIVIDUAL APPLICANT** (if applicable)

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

**(B) OTHER APPLICANTS**

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

Name Sainsbury's Supermarkets Ltd
Address 33 Holborn London EC1N 2HT
Registered number (where applicable) 03261722
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
E-mail address (optional) N/A

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day		Month		Year			
1	2	0	1	2	0	1	3

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

Day		Month		Year			

Please give a general description of the premises (please read guidance note1)

A supermarket which is to sell a broad range of groceries, household products and alcohol.

Situated at 47-65 Bevois Valley Road, Southampton, SO14 0JR.

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 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

Please tick yes

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

**Provision of 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**

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



**B**

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

**C**

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

D

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

E

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

**F**

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

**G**

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

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



**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)					
Mon	0700	2300						
Tue	0700	2300						
Wed	0700	2300						
Thur	0700	2300						
Fri	0700	2300						
Sat	0700	2300						
Sun	0700	2300						
						<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 5)		

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


**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 8)**

The premises will sell other age restricted products.

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)  The opening hours of the store are not a licensable activity and the applicant asks that the hours not be restricted by the premises licence.
Day	Start	Finish	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5)
Mon	0000	2400	
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	

**M** 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)**

The applicant is aware that the premises fall within the Bevois Valley Stress Area.

It believes that it will not add to the cumulative impact already being experienced in the area.

The applicant has discussed the application with the police and proposes the following steps that can be replicated as conditions on the premises licence.

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

1. The licence holder will ensure that the premises benefit from a CCTV system that operates at all times when licensable activities are taking place.
  2. The system will incorporate a camera covering each of the entrance doors and the main alcohol display area and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
  3. The system will incorporate a recording facility and any recording will be retained and stored in a suitable and secure manner for a minimum of 30 days and will be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
  4. The system must be able to export recorded images to a removable means e.g. CD/DVD and have its own software enabled to allow playback/review.
  5. A member of staff trained in the use of the CCTV system must be available at the premises at all times that the premises are open to the public.
  6. The system will display, on any recording, the correct time and date of the recording.
  7. An incidents register shall be maintained at the premises recording:
    - All incidents of crime and disorder occurring at the premises
    - Details of occasions when the police are called to the premises
- This register will be available for inspection by a police officer on request.

**c) Public safety**

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

**d) The prevention of public nuisance**

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

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

1. The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification bearing the customer's photograph, date of birth and the Proof of Age Standards Scheme (or similarly accredited scheme) hologram.

2. All cashiers shall be trained to record refusals of sales of alcohol in a refusals register. The register will contain:

- details of the time and date the refusal was made;
- the identity of the staff member refusing the sale;
- details of the alcohol the person attempted to purchase.

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

3. All staff engaged or to be engaged in the sale of alcohol on the premises shall receive the following training in age restricted sales:

- Induction training which must be completed and documented prior to the sale of alcohol by the staff member.
- Refresher/reinforcement training at intervals of no more than 6 months.

Training records will be kept at the premises available for inspection by a police officer on request.

**Please tick yes**

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

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

**Part 4 – Signatures** (please read guidance note 10)

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

Signature	
Date	13 December 2012
Capacity	Solicitors duly authorised on behalf of 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 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)

Winckworth Sherwood LLP  
 (Ref: EMF/26508/1493/RPB)  
 Minerva House  
 5 Montague Close

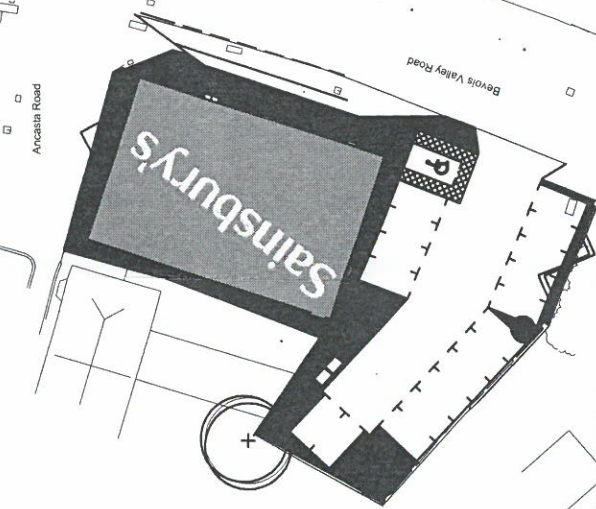
<b>Post town</b>	London	<b>Post code</b>	SE1 9BB
<b>Telephone number (if any)</b>			
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>			

**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.

NOTES  
DO NOT SCALE

SITE PLAN  
Scale 1:700



REVISIONS

SYMBOL	DESCRIPTION
□	MAIN AIR
□	PREMISE SWITCH
○	FIRE ALARM CALL POINT
△	FIRE EXTINGUISHER WATER
△	FIRE EXTINGUISHER FOAM
△	FIRE EXTINGUISHER DRY POWDER
△	FIRE EXTINGUISHER CHEM DROGUE
△	FIRE BLANKET
▽	OFF MULTIPURPOSE EXTINGUISHER
■	FIRE FIGHTING HOSE REEL
□	FIRE EXIT DOORS
□	DOORS WITH ELECTRIC HINGED LOCKS
□	DOORS WITH ELECTRIC HINGED LOCKS
□	EXIT SIGN (FLUORESCENT)
□	SMOKE DETECTOR CEILING MOUNTED
□	HIDDEN FIRE DETECTOR
□	FIRE ALARM BELL
□	FIRE ALARM PANEL
□	AUTOMATIC SPRINKLER POINTS
□	EMERGENCY LIGHTING POINT
□	EMERGENCY LIGHTING ILLUMINATED EXIT BOX

9470  
BEVOIS  
VALLEY ROAD

PROPOSED  
GROUND FLOOR  
STORE PLAN

ISSUED BY: JOANNE SURGUY  
 DRAWN BY: JOANNE SURGUY  
 DATE: 10.12.2012  
 PROJECT: 9470G01-1

**Sainsbury's**  
 31 HOLDSWICH LONDON EC1A 1JY  
 TEL: 020 7591 5000 FAX: 020 7591 5100

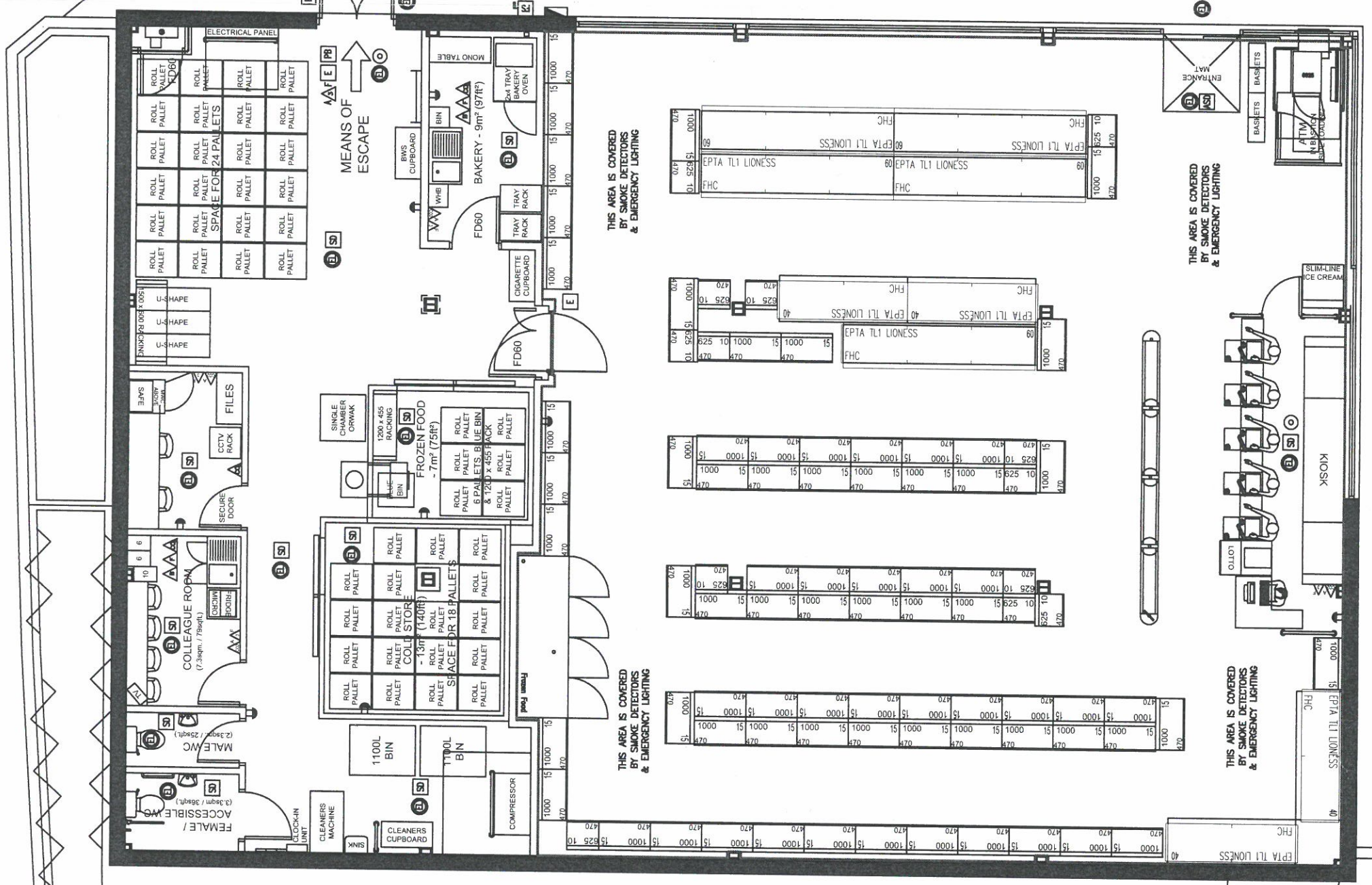
RECEIVED  
 14 DEC 2012

BACKUP AREA - APPROX.  
GIA. 127m<sup>2</sup> (1,367ft<sup>2</sup>)

DELIVERIES

ENTRANCE

SALES AREA - APPROX.  
GIA. 252m<sup>2</sup> (2,713ft<sup>2</sup>)



THIS AREA IS COVERED BY SMOKE DETECTORS & EMERGENCY LIGHTING

THIS AREA IS COVERED BY SMOKE DETECTORS & EMERGENCY LIGHTING

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THIS AREA IS COVERED BY SMOKE DETECTORS & EMERGENCY LIGHTING

**Objection to Application** - 2012/02596  
/01SPRN

Sainsburys Supermarket  
Ltd.

I am writing to object to this application for a license to sell alcohol between the hours of 0700 and 23.00 00 at 49-65 Bevois Valley Road SO14 OJS.

I am a local resident who has lived 100 yards away from the proposed location since 1976. I am apparently not within the area where a statutory notification was sent to 86 landowners and residents. I saw the notice on a fence at the junction of Earl's Road and Bevois Valley road on 17 December 2012. In my street there are 4 families with children aged fewer than 3, another couple of families with children aged 4-12, several older people some with disabilities and plenty of working people. I have included this information in order to refute the suggestion that may be made that this is a student area where standards of behaviour and levels of alcohol misuse can be more flexible than in some other residential areas of the city and any additional alcohol sales activity cannot add to the problems already felt in the area

I have read the application thoroughly, spoken to the local police, the SCC Licensing department, the Hants Constabulary Licensing dept, the Safeguarding Board, the PCT, Trading Standards and have spoken to some local residents. I have looked at the planning application made in August 2012, the report of the Planning and Development Manager to the Planning and Rights of Way Panel and the minutes of several licensing committee meetings relating to the provision of similar licenses in the last 12 months. I will be notifying my councillors of my objection

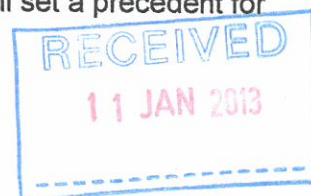
Bevois Valley Road is part of an area covered by the Cumulative Impact policy. The effect of the CIP is that additional licensed premises or significant variation of hours of operating are unlikely to be permitted unless the applicant can demonstrate to the council, as Licensing Authority, that the intended changes will not have an adverse impact on the area.

Objections to the application can only be made under the 4 licensing conditions namely  
The prevention of crime and disorder  
Public safety  
The prevention of public nuisance  
The protection of children from harm

Local residents objecting to the original planning application earlier in 2012 mentioned their fears of problems around crime and disorder, public safety and nuisance from anti social elements in the immediate area. The planning decision "noted that the development was a departure from the local plan and there were material considerations including the impact on nearby residential amenity from noise, lighting traffic and associated activity. But these are not judged to have sufficient weight to justify a refusal"

I believe that the residents' concerns are genuine and the license to sell alcohol will have an adverse effect on the area.

The committee may wish to be mindful that this licensing application will set a precedent for the following reasons



- The store to which the license applies has not yet been approved or begun construction.
- There is no history of off sales alcohol on the site or on the side of the road which backs immediately onto a long established residential area with a church ,a community pub and a primary school .
- The application is a departure from the local plan
- Bevois Valley is a CIP area with an additional Street prostitution issue
- Responsible authorities find it difficult and sometimes impossible to provide evidence at the required level to refuse license because the information is not in the public domain or mechanisms are not in place to collect it [ I attach more information in this on separate sheet ] If statutory services cannot provide evidence of links to the licensing objectives how can the applicant show evidence at this time that the sale of alcohol will not have an adverse impact on the area ?

In my personal experience as a resident of the area I can say that BV Road requires a significant amount of policing in order to maintain public safety. It is a focus for street drinking, prostitution, anti social behaviours, nuisance and crime and disorder including theft and assault. Operation Fortress on drugs and Vice officers identify this area as a hot spot for these activities.

Much of the information the police have is not in the public domain However the crime record on line shows that in 30 day period in December 2012 there were several incidents in the area of Bevois Valley Road . The majority of these incidents happen on the eastern side of Bevois Valley Road where all the shops and clubs are located.

My experience of the area and the 4 licensing objectives is as follows

#### **The prevention of Crime and disorder**

According to the information supplied on the application form this objective seems to relate only to crime and disorder within the shop. My observations as a resident over many years is that there will be instances of theft, intimidation and abuse within the shop. I have feared for staff members at local shops when they deal with the small but easily identifiable number of people under the influence of alcohol drugs or other substances or who have mental health issues. I have sometimes stayed in a shop in order to be available as a witness if a situation develops

Following further checking with SCC licensing I understand that this objective also refers to the prevention of crime and disorder incidents in the area which are precipitated by the license activities. At present the majority of the alcohol outlets in BV are pubs and clubs which have some process for monitoring and control of drinking by their customers. The proposed new off sales license will have less control over the behaviour of people using the premises as they wait around the area or move along neighbouring roads such as Ancaster, Earls and Clausentum .My neighbour has noted that many drinkers and clubbers now use Clausentum Road rather than Bevois Valley Road or Empress road to make their way home in a northerly direction ,presumably because it is safer from traffic and potential theft and assault . I fear that the new license premises may increase the prevalence of crime in this street.

I believe that local people will be exposed to more potential crime and disorder as a result this license. My own experience of drinkers , dealers and pimps in this area is that their contribution to crime and disorder will include intimidation, abuse , aggressive behaviour, assault , public defecating ,urinating, vomiting and the presence of dogs who may be used in an aggressive fashion



Evidence of damage to cars in the area was referred to by an objector to the original planning application and I reiterate this now in relation to the license. I think the license will also have an adverse effect on trespass and vandalism in the immediate area and on drink driving.

Street prostitution is a unique element in Southampton and specifically in the BV area. In my experience one of the "gateways" to the area of most intense activity is Kingsbury Road, immediately opposite the license application site. Levels of street prostitution activity vary according to the time of year, with more visible activity during the spring summer and autumn than in the winter. Sex workers are often on the street 24 hours a day. I have seen them myself on many occasions and from the main road they can be seen and often heard screaming late at night.

I believe it's likely that people associated with this activity namely sex workers, pimps, punters, drug dealers, substance misusers and opportunist criminals will have greater access to alcohol if it is on sale at this new off sales venue; This may make their behaviour more extreme. They will be attracted to the store front and car park when the shop is both open and closed as these may provide an ideal "safe" place for hidden activities such as drug dealing, sex acts etc [punters and sex workers are often themselves the victims of assault and theft]. The delivery area lay-by will encourage more car based punters, pimps, dealers and opportunist criminals to stop on Bevois Valley road itself.

#### **Public safety**

I believe that the presence of this off sales license will have an adverse effect on local public safety.

It will increase the number of people on the street immediately next to a residential area. My experience is that some of these people will be potentially abusive aggressive and intimidating. Their presence will discourage people from going out. There will also be threats from dogs, broken glass and cans, vomit, faeces and urine and possibly drug paraphernalia. I have in the past challenged people's behaviour on the street, asking them to be quiet, to deal drugs somewhere else and called for medical help for them but I am increasingly reluctant to do this as I get older, have less supportive local services likely to help me, and the behaviour of the individuals becomes more frightening. I think the presence of these new licensed premises will just make matters worse by providing apparently legitimate reasons for people to wait around from 7am to 11pm. I also fear that the deliveries of alcohol will be a potential traffic hazard as the Lorries turn into and away from the site. There is a significant volume of traffic using BV road and 3 dangerous junctions at Mount Pleasant, Earl's Road and Kingsbury road where site lines are already often blocked by buses and lorries

#### **The prevention of public nuisance**

I understand that public nuisance is classified as litter, noise and lighting. There will inevitably be additional noise from these premises both through users, the infrastructure of the building and the deliveries. There will also be many issues which are already listed under crime disorder and public safety above.

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

According to the application form, safeguarding concerns are limited to not selling alcohol to underage drinkers. I understand that Sainsbury are considered to be one of the more responsible of off sales outlets but nevertheless this new store will, I think, attract more hard drinkers and possibly groups of young people wanting access to alcohol. I suspect that the problems with groups of young people which happen near Bevois Town Play Ground may be displaced to outside the new license area and will be more serious and more frequent. The loss of youth and other services for children and young people is leaving

more young people on the street with nowhere to go, nothing to do and little or no support from outreach workers and community workers in statutory and voluntary sector services.

The store will also create an unsafe environment with increased opportunities for children and young people to come into contact with drug paraphernalia, broken glass, human dog excrement etc. Children on the way to and from school will also be exposed to these risks

I am fearful that this new licensed premises operating from 7 am to 11pm will create many problems and affect the quality of life in this area. We are constantly hoping that more families and ordinary people will move here but this won't happen if the area's reputation becomes worse as a result of this license. I would not be reassured by the standard licensing committee statement that

*"Residents can be reassured by the review process which does enable those issues to be tackled in the future in the event that they do arise"*. I do not feel this is an acceptable approach in a CIP area and in BV in particular.

I ask the Licensing to refuse this application at this time on the basis that the applicants that cannot prove there will not be an adverse effect on the area.

If this is not legally possible might I please suggest the following way forward?

Sainsbury, as a responsible business who appreciate the unique issues in the BV area, withdraw the license application for the time being. Whilst the shop is being built Sainsbury work with the police, the council and other agencies to develop, operate and analyse improved mechanisms for recording what's happening establishing base line data for the area now without the shop.

During the shop's first fully operational for 12 months without a licence this data will continue to be collected to show the impact of the shop alone.

The licence application can then be resubmitted and granted on the basis that it will now be possible to measure evidence of its impact and on condition that the information continues to be collected and the license is reviewed at 3 monthly intervals for the next 2 years or more frequently as local people or agencies indicate is appropriate.

Steph smith

30 CLAUSENTUM ROAD

SO14 6RZ

*I am prepared to attend the hearing*

## ADDITIONAL INFORMATION ON EVIDENCE RE LICENSED PREMISES

The key aspect of most licensing applications seems to be the availability of direct evidence . Time and again decision notices make reference to this , for example

*The subcommittee has grave concerns regarding the nature and number of incidents reported..., however felt that in the light of the lack of direct evidence it was not appropriate to refuse the premises license at this point in time*

*"It was common ground that the area generally suffers from a disproportionate level of anti social behaviour including street drinking litter and public nuisance. However despite these clear concerns the subcommittee noted a lack of direct evidence. showing a causal link to any premises .. as a result of alcohol*

The PCT and the Safeguarding Board have both advised me that the kind of data which is required from them to show direct evidence of a causal link between an alcohol license and issues around health is not available to them and they have complained about this as it makes a mockery of their supposed role as responsible authorities, able to influence licensing decisions in the public interest.

The PCT are clear that alcohol damages health and places children and young people at risk particularly in areas of high deprivation such as the inner city but evidence from ambulance crews is very rarely sufficiently detailed to link to specific premises , and evidence on small geographic communities such as Bevois Valley cannot be used because of data protection issues . The SCC Safeguarding Board has advised me that they are reliant on information from the police and the applicant and they have complained about this. Some Safeguarding Boards in other areas of the country have their own resources to check on local issues relating to licensing

Licensing and trading standards have also explained the difficulties of proving links to specific premises ; for example bottle marking schemes etc can only be done when incidents have occurred

Mechanisms for collecting information on local conditions are reducing rather than increasing Council services such as Neighbourhood Wardens, youth services, community workers, support to residents groups etc all have less staff and funding. Voluntary agencies working with street drinkers and substance misuses, sex workers and people with mental health problems are also being cut.

It therefore seems there will be less and less opportunities for this necessary evidence to be collected .

Decisions to grant licenses often say  
*Residents can be reassured by the review process which does enable those issues to be tackled in the future in the event that they do arise.*  
but as a local resident of an area covered by the CIP I do not feel this is acceptable.

If statutory services cannot provide evidence of links to the licensing objectives how can the applicant show evidence at this time that the sale of alcohol will not have an adverse impact on the area ?