

DECISION-MAKER Licensing (Licensing and Gambling) Sub-Committee
Hearing to Consider an application for Grant of a Premises Licence –

SUBJECT Shop Local, 290 Shirley Road, Southampton SO15 3HL

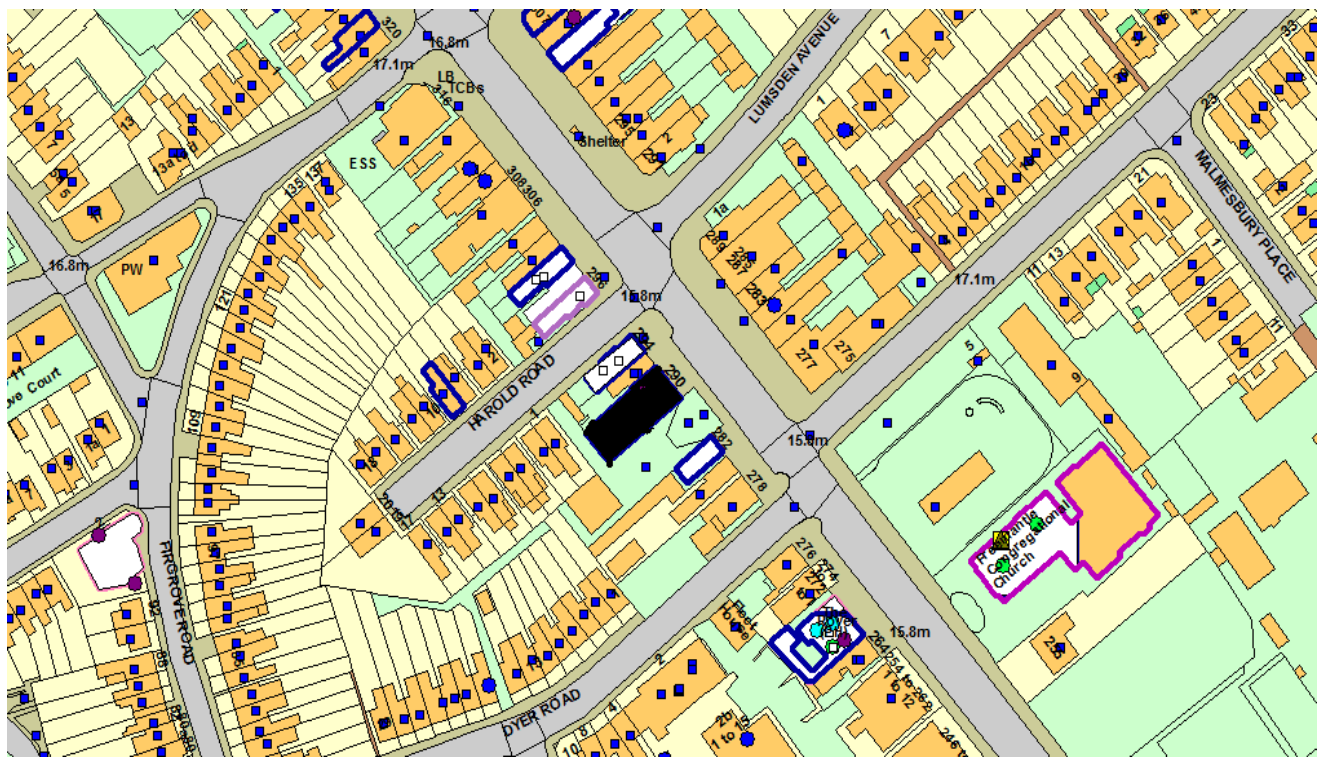
DATE OF HEARING Wednesday 02 March 2016 at 18:00 hrs.

REPORT OF Service Director – Legal & Governance

E-mail licensing@southampton.gov.uk

Application Date : 11 January 2016 Application Received 12 January 2016

Application Valid : 12 January 2016 Reference : **2016/00086/01SPRN**



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Representations from Responsible Authorities

Responsible Authority	Satisfactory?
Local Safeguarding Children Board	No Response Received
Hampshire Fire And Rescue	Yes
Environmental Health - Licensing	Yes
Planning & Sustainability	No Response Received
Public Health	No Response Received
Hampshire Constabulary	No

Trading Standards		No
<i>Other Representations</i>		
Name	Address	Contributor Type
	None received	

Summary of application

Premises:	Shop Local
Licence Holder:	Mr. Zain Mohammed Ali
Agent for licence Holder:	Mr. Jonathan Gray - Pitmans LLP
DPS:	Applicant

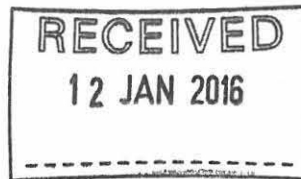
Application received for grant of a new Premises licence of the Sale by Retail of Alcohol 08:00 – 23:00 seven days a week.

Premises has had 2 previous reviews on the 09 May 2013 and 19 August 2014. On 19 August 2014 the premises licence was **revoked** by the Licensing (Licensing and Gambling) Sub-Committee, the applicant was the licence holder at this time of review.

Legal Implications

1. The legislation specifically restricts the grounds on which the sub-committee may refuse an application for a premises licence, or impose conditions. The legislation provides for a presumption of grant of a premises licence, subject to the determination of the application with a view to promoting the licensing objectives in the overall interests of the local community. In doing so the sub-committee must give appropriate weight to:
 - the steps that are appropriate to promote the licensing objectives;
 - the representations (including supporting information) presented by all the parties;
 - its own statement of licensing policy
 - the Statutory Guidance
2. An application may be refused in part and thereby only permit some of the licensable activities sought.
3. An applicant for the 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 of the application or against any conditions imposed.
4. In considering this application the sub-committee will sit in a quasi-judicial capacity and is thus obliged to consider the application in accordance, in particular, with both the Licensing Act 2003 (Hearings) Regulations 2005 (as amended) and the rules of natural justice. The practical effect of this is that the sub-committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.
5. The sub-committee must also have regard to:
 - *The Crime and Disorder Act 1998*
Section 17 of the Crime and Disorder Act 1998 places the sub-committee under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.
 - *The Human Rights Act 1998*
The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the sub-committee to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the sub-committee that could have an effect upon another person's Human Rights must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the sub-committee which affect another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.
6. Copies of the application for a premises licence and the representations to it are annexed to this report.

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



[REDACTED]
[REDACTED]
Our Ref: JAG/ALI19004/1
Your Ref:
Date: 11/01/16

Dear Sirs

New off licence - Shop Local, 290 Shirley Road, Southampton SO15 3TR

We act for the applicant Mr Zain Mohammed Ali and now enclose a copy of an application for a new premises licence for 290 Shirley Road.

Please find attached:-

- A copy of the application.
- A copy of the signed DPS consent form.
- A copy of the plan.
- A cheque for £190 in respect of the application fee.

We will forward a copy of this application by post to the Fire Service as they request. We will now proceed to advertise the application as required.

Please do not hesitate to contact us if we can be of any further assistance in this matter.

[REDACTED]
CC

Hampshire Fire and Rescue Service HQ
Business Fire Safety
Leigh Road
Eastleigh
Hampshire
SO50 9SJ

Reading Office:
Registered Office:
47 Castle Street, Reading
Berkshire, RG1 7SR
T: +44 (0) 118 958 0224
F: +44 (0) 118 958 5097
DX 146420 Reading 21

Reading Office:
The Anchorage
34 Bridge Street, Reading
Berkshire, RG1 2LU
T: +44 (0) 118 958 0224
F: +44 (0) 118 958 5097
DX 146420 Reading 21

London Office:
No. 1 Royal Exchange
London
EC3V 3DG
T: +44 (0) 20 7634 4620
F: +44 (0) 20 7634 4621
DX 133108 Cheapside 2

Southampton Office:
46 The Avenue
Southampton
Hampshire, SO17 1AX
T: +44 (0) 23 8083 7777
F: +44 (0) 23 8083 7788
DX 38516 Southampton 3

www.pitmans.com



Southampton City Council

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 Mr Zain Mohammed Ali

(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 Shop Local 290 Shriley Road			
Post town	Southampton	Post code	SO15 3TR

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£17000

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)
- 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 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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Ali			First names Zain		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		290 Shriley Road			
Post Town	Southampton		Postcode	SO15 3TR	
Daytime contact telephone number					
E-mail address (optional)		[REDACTED]			

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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day			Month			Year		
1	0	0	2	2	0	1	6	

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)
Local shop with alcohol off sales

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

D

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

F

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

G

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

H

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

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish		
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Thur				
Fri			<u>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</u> (please read guidance note 5)	
Sat				
Sun				

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 <input type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
			<u>Please give a description of the facilities for dancing you will be providing</u>		
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

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)			<u>Please give a description of the type of entertainment facility you will be providing</u> 		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>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</u> (please read guidance note 5)		
Sun					

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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

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	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	08:00	23:00			
Tue	08:00	23:00			
Wed	08:00	23:00			
Thur	08:00	23:00			
Fri	08:00	23:00			
Sat	08:00	23:00			
Sun	08:00	23:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

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

Name Zain Mohammed Ali	
Address [REDACTED]	
Postcode	[REDACTED]
Personal Licence number (if known) 2014/02152/02SPEN	
Issuing licensing authority (if known) Southampton City Council	

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)
 None

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	23:00	
Tue	08:00	23:00	
Wed	08:00	23:00	
Thur	08:00	23:00	
Fri	08:00	23:00	
Sat	08:00	23:00	
Sun	08:00	23:00	

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)

The premises will operate a CCTV system.

The Premises will operate a refusals book.

The Premises will operate a challenge 25 policy.

The Premises will have a personal licence holder on site when alcohol sales are made. This will either be the DPS or Mr Iftikhar Saleem (personal licence number 2014/02144/02SPEN) or another personal licence holder as necessary to work at the Premises.

b) The prevention of crime and disorder

As above

c) Public safety

As above

d) The prevention of public nuisance

As above

e) The protection of children from harm

As above


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	11/1/16
Capacity	Solicitors 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)

Jonathan Gray
Pitmans LLP
46 The Avenue

Post town	Southampton	Post code	SO17 1AX
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional) jgray@pitmans.com			

Southampton City Council

Consent of individual to being specified as premises supervisor

I Zain Mohammed Ali

.....
[full name of prospective premises supervisor]

of [REDACTED]
[REDACTED]

.....
[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 premises licence

.....
[type of application]

by

Zain Mohammed Ali

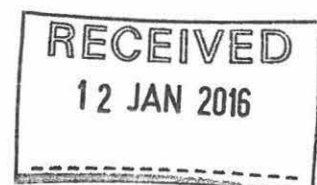
.....
[name of applicant]

relating to a premises licence

.....
[number of existing licence, if any]

for SHOP LOCAL
290 Shirley Road
Southampton
SO15 3HL

.....
[name and address of premises to which the application relates]



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

Zain Mohammed Ali

[name of applicant]

concerning the supply of alcohol at

~~SHOP LOCAL~~
290 Shirley Road
Southampton
SO15 3HL

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

2014/02152/02SPEN

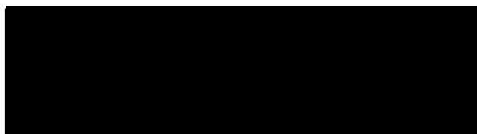
[insert personal licence number, if any]

Personal licence issuing authority

Southampton City Council

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

Signed



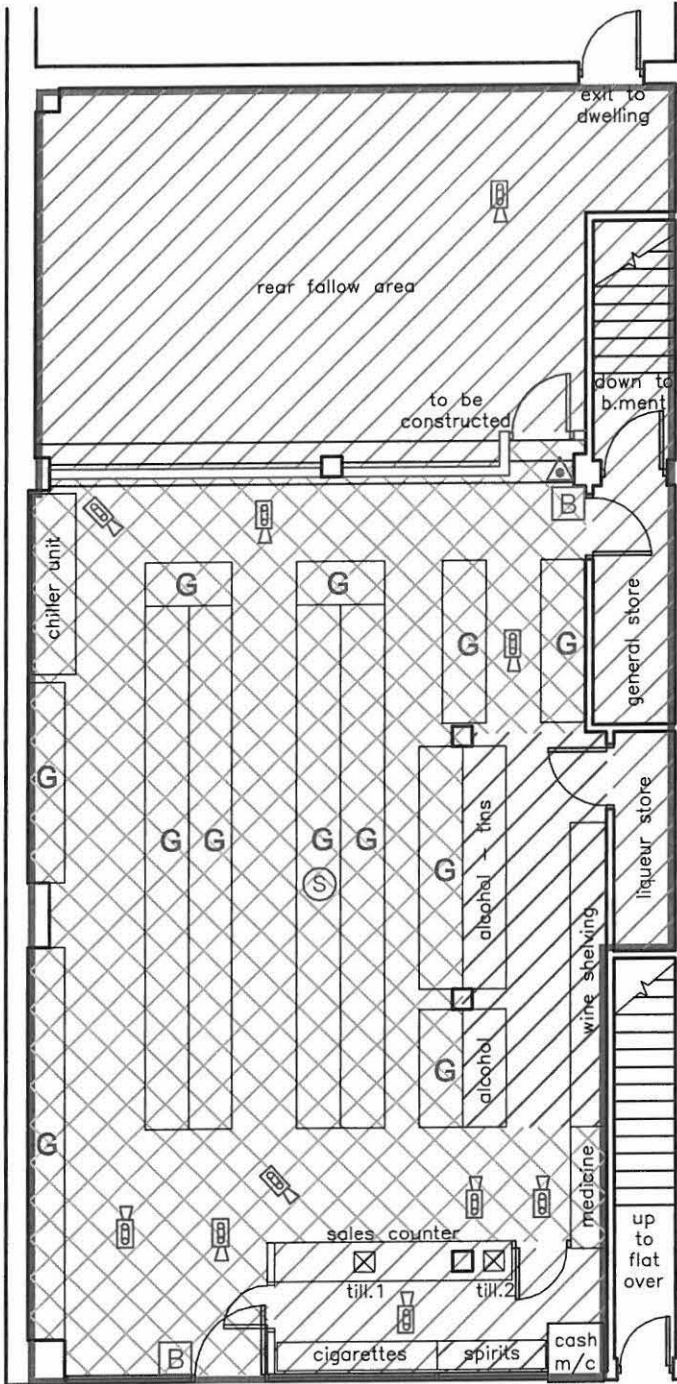
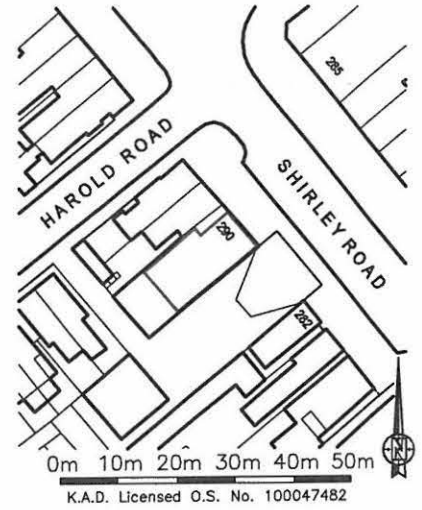
Name (please print)

Zain Ali

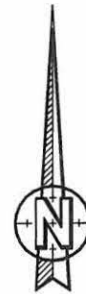
Date

15/12/15

RECEIVED
12 JAN 2016



- CCTV
- Smoke Detector
- Call Point
- Foam Fire Extinguisher
- Grocery/shelves



K NIGHT ARCHITECTURAL DESIGN
K.A.D. Ltd.
The Gatehouse, Admirals Wood
7 Coldeast Way
Salsbury Green
Southampton
SO31 7AT
m: 07801 346 479
t: 01489 660 194
e: ian@k-a-d.co.uk

Client

SHOP LOCAL

Project

290 SHIRLEY ROAD
SOUTHAMPTON

Drawing

LICENSE PLAN

Scale

1:100@A4

Date

JAN 16

Project no.

KAD

Sequential

01

Bldg/Floor

A

Detail

PLAN

Rev

.



Application for the review of / Representation in respect of a Premises licence or Club Premises certificate under the Licensing Act 2003

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

I PC Alex Boucouvalas, on behalf of the Chief Officer of Hampshire Constabulary, *(Insert name of applicant)*

Apply for the review of a premises licence.

Apply for the review of a club premises certificate.

(Select as applicable)

Make a representation about a premises licence/club premises certificate

Premises or Club Premises details

Postal address of premises:	Shop Local 290 Shirley Road Southampton
Postcode <i>(if known)</i> :	SO15 3TR

Name of premises licence holder or club holding club premises certificate *(if known)*
Mr Zain Mohammed Ali

Number of premises licence or club premises certificate *(if known)*
n/a

Details of responsible authority applicant

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title / Rank:	Constable
Surname:	Boucouvalas
First Names:	Alex
Current postal address :	Southampton Central Police Station Southern Road Southampton
Postcode:	SO15 1AN
Daytime telephone number:	[REDACTED]
E-mail address: <i>(optional)</i>	force.licensing@hampshire.pnn.police.uk

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



Application for the review of / Representation in respect of a Premises licence or Club Premises certificate under the Licensing Act 2003

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

Select one or more boxes

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

Please state the grounds for review which must be based on one or more of the licensing objectives together with supporting information:

Hampshire Constabulary makes a representation on an application to grant a new premises licence to a Mr Zain Mohammed Ali at Shop Local 290 Shirley Road Southampton.

This is a troubled premises which has been subject to 2 premises licence reviews since 2013 and on the second review, the premises licence was revoked by the City Council sub-committee.

Hampshire Constabulary's dealings with the premises started after the premises failed 2 under age sales test purchase exercised, one in December 2012 and another in February 2013.

Following the review hearing in on the 9th May 2013 the Sub-Committee placed conditions on the premises licence which included a Challenge 25 age verification policy, and refresher training every six months. The premises licence was suspended until due diligence training had been completed. The premises were also warned that the Sub-Committee should consider revocation, but felt that the suspension was appropriate. Mr Ali became the DPS at this time, taking over the role from another family member. The decision of the review hearing is provided as (Annex A).

Since that review, the premises were visited to ensure compliance with the conditions, and test purchase operations had been conducted. (Annex B)
A compliance visit was conducted on 27th June 2013 and whilst training was in place, failing were identified with breaches of the CCTV conditions.
The refusals record was not being utilised as required, and the sole member of staff initially present did not know where the refusals book was kept.
The seriousness of the situation was explained to Zain Ali, with a follow up email sent by PC Conway to Mr Zain Ali and the DPS at the time.

On 16th September 2013, a visit by PC Conway and Licensing Officer John White was conducted to the store. The DPS, D [redacted] P [redacted] was spoken to. During the conversation, it transpired that he was not aware that the premises had recently been to review, and was not aware of the conditions that had been placed on the premises licence. Despite still working and being involved with the premises, the premises licence holder Mr





[REDACTED]

**Application for the review of / Representation in respect of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

Page 3 of 7

Ali, had not ensured that Mr P [REDACTED] was aware of his responsibilities, and had not provided suitable training for Mr P [REDACTED]. For example, CCTV was not able to be operated; the refusals book had not been maintained and was stored with training records. As Mr P [REDACTED] was the only new member of staff, training for other staff remained technically valid, having been conducted in May 2013. Records showed that Mr P [REDACTED] had been trained by Mr Ali, however Mr P [REDACTED] was not able to locate the training package that was used.

Mr P [REDACTED] was advised that, as the current DPS, he needed to be sure that staff were aware of their responsibilities, so should provide his staff with refresher training as soon as possible. (Annex C)

On 15th December 2013, police received a complaint from a member of public, complaining about the conduct of staff at the Shop Local. During the investigation, it transpired that the complainant was in fact drunk at the time of the incident, but was still sold a bottle of vodka. The store was visited in relation this, as this incident raised concerns. The main concern being that a drunk male was not refused the sale due to his behaviour. The DPS, Mr P [REDACTED], was spoken to. He recalled the incident, confirming that the male was arguing about the price of the vodka. Mr P [REDACTED] still sold the vodka to the male, saying that the male was not that drunk.

At this time, stern advice was provided, including that the expectation that the DPS must be robust in refusing sales of alcohol to drunk people, particularly given that the store is within an area where there street drinking and alcohol related anti-social behaviour is a policing priority. A new initiative was discussed, 'Reducing the Strength'. This initiative aims to reduce the availability of high strengths beers, lagers and ciders above 6.5%ABV, the effect being a reduction in the alcohol related public nuisance and crime and disorder. Mr P [REDACTED] agreed that the initiative was a good idea, and he would look to reduce the range of alcohol.

On 6th May 2014, Shop Local was visited by PC Conway (Annex D) in relation to information that a potential sale of alcohol had been made to a 13 year old. Mr P [REDACTED] attended the premises to assist with enquires. In trying to locate the sale on the CCTV system, it transpired that the time was not accurate on the CCTV or either of the tills. This impeded what should have been a simple enquiry. Footage was therefore requested to be downloaded, to check for the alleged sale. Whilst waiting for the download, the opportunity was taken for the conditions on the premises licence to be checked. The results were incredibly disappointing, resulting in Mr Ali being called to the store to discuss the matter further.

The issues found include:

- weekly CCTV checks for compliance had not been made since 1st February 2014. Mr P [REDACTED] had intimated that there was a technical issue with the system. If there was, this had not been recorded or rectified.
- The refusals log could not be located initially, and had not been used since 15/11/13
- Training had not been provided in accordance with the conditions. No training had been given since September 2013, and no questions had been asked as part of any training. This was despite a training package, checklists and other information being freely available in the store.



[REDACTED]

**Application for the review of / Representation in respect of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

In relation to the alleged sale to a 13 year old, the footage provided did not provide any evidence to support the allegation, so strong advice was provided to Mr P [REDACTED] about making challenges and being aware of potential 'proxy' sales, and followed up with a letter.

On 4th June 2014, police conducted a test purchase operation. A 17 year old male, in the company of a 15 year old female, was sold 4 cans of lager. No attempt was made to verify the age of the male or female. The seller was the DPS, Mr D [REDACTED] P [REDACTED]. He was interviewed under caution and admitted the offence of selling alcohol to a person under 18. This catalogue of issues show that, even having been recently trained with respect to due diligence, Mr P [REDACTED] was not taking his responsibilities towards the licensing objectives seriously. (Annex E)

Despite a number of steps being put in place to assist the premises licence holder Mr Ali and the DPS Mr P [REDACTED] to promote the licensing objectives and prevent the sale of alcohol to children, neither Mr Ali nor Mr P [REDACTED] have maintained compliance. This led to a further sale to a young person under 18, by Mr P [REDACTED].

The repeated failings to comply with the premises licence ultimately led Hampshire Constabulary to raise a review with a request to revoke the licence and on the 19th August 2014, the sub-committee took the decision to revoke it. (Annex F)

An appeal of the decision was lodged around the 10th September 2014 (Annex G), however The Constabulary received notification of a withdrawal on the 29th December 2014.

On the 19th February 2015, Mr Ali called a meeting with PCs Boucouvalas and Cherry who cover the Southampton City area. Mr Ali explained that he would like to enquire whether we would have concern if he reapplied for his premises licence. PC Boucouvalas explained that regrettably we would not want to see Mr Ali as premises licence holder due to the string of issues previously faced. Mr Ali queried whether a new owner of the store could apply for a premises licence should he sell the business and he was advised that this was entirely possible provided they are not associated with Mr Ali. (Annex H)

Almost 1 year later, we are now in possession of another another premises licence application, at the same location, by the same licence holder that lost his licence.

PC Boucouvalas and Mr Marshall from Southampton City Council's Trading Standard Department visited the premises on the 19th January 2016 following receipt of the new application. (Annex I)

Whilst no alcohol was on sale, the premises was found to be selling age restricted products such as tobacco and National Lottery products.

The officers found 1 member of staff on duty, a staff member was spoken to and questioned regarding the age restricted products. He advised us that he last recalled having training on age restricted products about 2 years ago. Although hesitant, he was able to confirm the authorised minimum age to purchase the age restricted products. We asked the staff member for the refusals register but he did not know where it was. Mr Marshall questioned



[REDACTED]

**Application for the review of / Representation in respect of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

this further and Mr Iftikhar stated he doesn't use one. This is disappointing considering a refusals register is not purely for refused alcohol sales and should be used for all age restricted product challenges. We did notice ample Challenge 25 signage in place confirming the age verification policy for the store.

A short time later Mr Ali arrived at the store. The CCTV system was inspected with Mr Ali. The system recorded the accurate date and time, and captured over 28 days worth of footage, however 2 of the CCTV cameras covering the shop floor were out of order therefore not covering all of the public areas within the store as would be recommended by the Constabulary.

Mr Marshall identified some meat products which had passed their 'use by date' (28th December 2015) on sale at the store. Mr Marshall confirmed it was an offence to have food for sale in such a manner. He was also concerned this was a hazard to members of the public purchasing these products.

Mr Ali managed to locate the refusals records for the premises that the member of staff could not find. Inspecting these, it showed some good entries made over the last year refusing tobacco products and lottery sales. Most of the entries made in the register were by Mr Ali himself. I was however unable to locate any refusals entries made by Mr Iftikhar. This raises the Constabulary's concerns that staff are not being trained properly in the procedures of preventing under age sales of age restricted products.

PC Boucouvalas also noticed some products on show behind the checkout which were uncomfortable for a premises to sell being that it is a convenience store which accepts children of all ages.

Grinders, bongs and smoking pipes were on sale (Annex J), some of which even displayed a cannabis leaf picture on the packaging (Annex K). The possession of cannabis is an offence under The Misuse of Drugs Act 1971 and cannabis is a 'class B' drug.

Whilst this is not an offence to do so, The Constabulary is uncomfortable with these types of products being sold in convenience stores which are readily accessible to children. The store sells items such as children's confectionary just opposite the till area. It also promotes the use of illegal drugs which contradicts the prevention of crime and disorder and the protection of children from harm licensing objectives. As such the Constabulary condones products being sold on licensed premises which in any way encourages or infers acceptability of illegal drug use.

PC Boucouvalas queried Mr Ali whether any training is delivered on preventing under age sales of the age-restricted products still on sale. Mr Ali advised that no training records are now kept for this. This is disappointing as The Constabulary would hope that a responsible retailer would ensure all staff are suitably trained regarding other age restricted products that fall outside of the licensing act.

Mr Ali became quite upset at the end of the meeting stating he felt any training he puts in place would never meet the Constabulary's standards.

He advised PC Boucouvalas and Mr Marshall that he is under significant financial pressures



Application for the review of / Representation in respect of a Premises licence or Club Premises certificate under the Licensing Act 2003

due to a long term lease of the building. He stated that all he wants to do is obtain a licence for the store and sell the business on. Mr Ali even proposed signing a declaration to this effect.

The area of Shirley Road and Shirley High Street therefore require responsible retailers who will do all they reasonably and proportionately can to prevent their premises from contributing to the existing problems.

A review of crime and disorder on Shirley Road in October, November and December 2015 shows that the area is subject to alcohol related crime, disorder and anti-social behaviour. (Annex L)

An off-licence within this area requires a strong premises licence holder and a strong DPS in order for the licensing objectives to be fully promoted.

The Constabulary's position remains clear that we do not feel Mr Zain ALI is an appropriate licence holder, nor anyone associated with him. He had demonstrated a disregard to maintaining compliance to his premises licence and failing to promote the licensing objectives.

The Constabulary feels it would be inappropriate to re-issue Mr Ali with a premises licence just over 1 year after licensable activities stopped at the premises.

The due diligence at the premises for other age-restricted products such as training seems to have stopped as soon as the premises licence was revoked.

The Constabulary is not satisfied that the Mr Ali is an appropriate premises licence holder for this store. The Constabulary feels the licence was revoked for good reason and recommends that the committee refuse this application.

In the event the Licensing committee do grant a new premises licence to the applicant, The Constabulary suggests licence conditions are applied to the premises licence as per Annex M

Have you made an application for review relating to these premises before: Yes | No

If yes please state the date of that application:

19 / 08 / 2014

Day Month Year

If you have made representations before relating to this premises please state what they were

The previous licence holder and current applicant were not supporting the licensing objectives. The premises had been subject to a premises licence review on the 9th May 2013 brought by the Constabulary following 2 under age sales exercises where children successfully obtained alcohol from the premises.

Please tick



Application for the review of / Representation in respect of a Premises licence or Club Premises certificate under the Licensing Act 2003

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
I have sent a copy of this representation to the principal licensing officer of Southampton City Council

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

Signature of Officer Completing

Name PC Alex Boucouvalas Collar Number: 25323
Signature: [Redacted] Date: 20th Jan 2016

Signature of Authorising Officer (Inspector or above)

Name Inspector Justin Robson Collar Number: 2841
Signature: [Redacted] Date: 29/01/2016

There is clear evidence that the applicant is failing his responsibilities in ending management, the failings and issues that led to revocation are clearly still present with applicant. There is a current lack of management and proactive advice to prevent intervention by any responsible authorities. It is not clear

I feel it is a strong risk to local communities in terms of the licensing objectives not being met, so strongly support a representation against applicant. Inspector 2841 Justin Robson

(D)

RICHARD IVORY, Solicitor
HEAD OF LEGAL, HR & DEMOCRATIC SERVICES
Southampton & Eastleigh Licensing Partnership
Southampton City Council
Civic Centre
Southampton
SO14 7LY
Please address all correspondence to:
Licensing – Southampton City Council,
PO Box 1767, Southampton SO18 9LA



Direct dial: 023 8083 3002
Our ref: 2013/000691/01SRAP - LL25/0223
E-mail: [redacted]
Please ask for: [redacted]

Hampshire Constabulary
Western Licensing Team
Southampton Central Police Station
Southern Road
Southampton
SO15 1AN

Dear Hampshire Constabulary,

9th May 2013

Application for Review of a Premises Licence
Hampshire Constabulary
Bargain Booze (Quick Trip) 290 Shirley Road Freemantle Southampton SO15 3TR

I refer to the hearing of the above application before the City Council's Licensing (Licensing and Gambling) Sub-Committee on 9th May 2013, and write to inform you of the Sub-Committee's decision. Accordingly, I enclose a copy of the decision notice as read at the hearing. Minutes of the hearing will be published on the Council's website in due course.

The Licensing Act 2003 provides that both the applicant and any party who made a relevant representation have a right of appeal against the decision of the licensing authority. An appeal must be commenced by giving notice of appeal to the Magistrates' Court within the period of 21 days beginning with the day on which you were notified by this authority of the decision to be appealed against. Any party considering such a course of action should seek professional legal advice, since an appellant may be liable for the costs of the other parties should the appeal fail.

Yours faithfully



For Head of Legal, HR & Democratic Services

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

Switchboard: 023 8083 3000. DX: 115710 SOUTHAMPTON 17 www.southampton.gov.uk/licensing

LICENSING (LICENSING AND GAMBLING) SUB - COMMITTEE
DECISION OF THE MEETING HELD ON 9th MAY 2013
BARGAIN BOOZE (QUICK TRIP), 290 SHIRLEY ROAD, SOUTHAMPTON,
SO15 3TR

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

The Sub-Committee has considered very carefully the application for review of the premises licence at Bargain Booze (Quick Trip) by Hampshire Constabulary and supported by Trading Standards. It has given due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted statement of Licensing Policy. Human Rights Legislation has been borne in mind whilst making this decision. All the evidence presented both written and given orally today, has been carefully considered and taken into account, including the additional information submitted today.

Having considered all of the above, the Sub-Committee has determined to impose the agreed conditions submitted today relating to CCTV, training, refusals book, Challenge 25 and the EPOS till system.

In addition, the Sub-Committee has decided to suspend the licence until written confirmation is provided to the Licensing Authority and Trading Standards that the training scheduled for next week has been completed. The Sub-Committee is aware that if the training can be completed earlier than the suspension will be shorter.

REASONS

The Sub-Committee listened carefully to all that has been said today, including the proposed steps to be enforced by way of the agreed conditions and was satisfied that when implemented to the satisfaction of Hampshire Constabulary and Trading Standards, these would prevent the issue of underage sales.

Accordingly the Sub-Committee felt that the suspension imposed was appropriate and necessary to enable the premises licence holder to ensure that all staff were appropriately trained.

In reaching this view the Sub-Committee noted that Hampshire Constabulary had been working with the premises management since February 2012 and although steps had been taken to improve the operating practices, they had lapsed over time which had contributed to the two failed test purchase operations in December 2012 and February 2013 and which the Sub-Committee has taken extremely seriously. There is guidance which states that the Sub-Committee should consider revocation in these circumstances and the suspension imposed is felt to be appropriate.

There is a right of appeal to the Magistrates' Court.

©

Supplementary Occurrence Report

Hampshire Constabulary

Printed: 20/01/2016 12:04 by 25323

Occurrence: **44100422031 Z Prem Licence (Management Occurrence)**

Author: #22237 CONWAY, S.

Report time: 19/09/2013 20:27

Entered by: #22237 CONWAY, S.

Entered time: 19/09/2013 20:27

Remarks:

Visit 16/09/13

Report:

15:10hrs Premier Quick (Bargain Booze) – New DPS D [REDACTED] P [REDACTED] was present and spoken to. During the conversation, it transpired that he has not been informed as to the recent history of the premises and the conditions on the premises licence. There is not a copy of the licence at the premises for him to refer to,

P [REDACTED] stated that he started at the premises last week (06/09). This is his first position as DPS. It was explained by both myself and John White that he is responsible for the conditions, and must make sure that the premises adheres to them in order to avoid prosecution. Previous DPS and PLH still work at the premises.

CCTV – could not be checked as DPS has not been shown how to work it. Advised that he will need to get the PLH to show him in order to prevent formal action

Training – Training records in date (technically) from review in May 2013. Records show that DPS has been provided training on 06/09/13, although he could not provide the package which he was trained with. Advise provided that for due diligence, he should retrain all the staff now he is DPS. In any case, DPS advised refresher training is required every six months, which he is responsible for.

Refusals book and till slips – have been maintained until mid August 2013. The refusals book was stored away from the till with the training records, indicating that this record is not currently being used.

C25 in place and DPS was able to provide basic details of the policy

It was re-iterated with the DPS that he was immediately responsible for the conditions, and they must be adhered to.

Trading Standards emailed about Polish alcohol being sold with no English ingredients etc listed. TS have confirmed that this is an offence, and have given the premises 4 weeks to either label correctly or remove products.

(D)

Supplementary Occurrence Report

Hampshire Constabulary

Printed: 20/01/2016 12:05 by 25323

Occurrence: **44100422031 Z Prem Licence (Management Occurrence)**

Author: #22237 CONWAY, S.

Report time: 16/01/2014 13:49

Entered by: #22237 CONWAY, S.

Entered time: 16/01/2014 13:49

Remarks:

Premises visited Dec 13

Report:

Premises was visited December 2013 - DPS was present

DPS was spoken to about the incident with the drunk male buying vodka. DPS stated that the male was argumentative about the price of the drinks, and confirmed that the male was drunk. When challenged as to why the male was sold alcohol and not refused, the DPS retracted, by saying that he wasn't that drunk.

CCTV was obtained, however, only one camera was downloaded, showing the sale at the till.

DPS was asked to support the reducing the strength initiative, as this would assist in preventing issues whereby staff felt unable to refuse service.

DPS agreed that the initiative was a good idea, stating that he was reducing the range of alcohol for sale.



Supplementary Occurrence Report

Hampshire Constabulary

Printed: 20/01/2016 12:06 by 25323

Occurrence: **44100422031 Z Prem Licence (Management Occurrence)**

Author: #22237 CONWAY, S.
Entered by: #22237 CONWAY, S.

Report time: 11/06/2014 14:55
Entered time: 11/06/2014 14:55

Remarks:

TP OP 04/06/14 - failed

Report:

TP op conducted 04/06/14 - DPS sold alcohol to 17yr old male TP in the company of 15yr old females.

Trading Standards was present and noted the followign

Shop Local, Shirley Road

Conditions:

refusals appeared regularly used , though not signed off by DPS/Manager

Other:

8 different Polish lagers not labelled in English - instructed to remove from sale, and will check that he has done so.

Rotation of food was very poor with 7 meat items past use by date, and storage of food well past date in fridge with food which was intended for sale - will write warning letter and revisit.

**LICENSING (LICENSING AND GAMBLING) SUB – COMMITTEE
DECISION OF THE MEETING HELD ON 19 AUGUST 2014
APPLICATION FOR REVIEW OF PREMISES LICENCE –
PREMIER QUICK SHOP, 290 SHIRLEY ROAD –
SOUTHAMPTON SO15 3TR**

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

The Sub-Committee has considered very carefully the application for review of the premises licence at Premier Quick Shop, 290 Shirley Road by Hampshire Constabulary supported by Trading Standards. It has given due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted statement of Licensing Policy. Human Rights Legislation has been borne in mind whilst making this decision.

All the evidence presented both written and given orally today, has been carefully considered and taken into account. The Sub-Committee particularly addressed itself to the licensing objectives for the prevention of crime and disorder, prevention of public nuisance and the protection of children from harm.

The Sub-Committee took time to read written submissions submitted by the Premises Licence Holders representative as well as a written submission expanding upon the Trading Standards representation (in the absence of the Trading Standards Officer). Despite initial objection this was accepted by the parties.

Having considered all of the above and all the options available in accordance with the legislation, the Sub-Committee has determined to revoke the Premises licence.

Reasons

The Sub-Committee considered very carefully the points raised on behalf of the Premises Licence Holder, including, but not limited to the following:

- That the revocation of the Premises Licence was in all the circumstances disproportionate.
- That the DPS could be changed to Mr Ali or another.
- That initiatives including those addressing the strength of alcohol available at the premises could be adopted.
- That the premises was due to undertake a re-branding exercise, whereby the range and extent of alcohol available for sale would be reduced (particularly, that Eastern European lagers would not be sold).

- That further conditions could be added and would be accepted along with a significant period of suspension.

However, the Sub-Committee remained unconvinced that the Premises Licence Holder could satisfactorily uphold and promote the licensing objectives. The Sub-Committee accepted the Police evidence relating to the area in which the premises is located in so far that it establishes that this is a problematic area, posing considerable challenges, in which to run a business selling alcohol. The Premises Licence has previously been the subject of a review and on that occasion conditions were imposed as well as a suspension of the Premises Licence. The purpose of such being to prevent the issue of underage sales. The Sub-Committee is extremely concerned that the evidence shows non-compliance with conditions in spite of the previous review and suspension imposed. The evidence showed an inability to follow advice and guidance offered by both Hampshire Constabulary and Trading Standards on the most fundamental issues. Of greatest concern is the further underage sale one year after the review decision. Whilst it is accepted that an attempted transfer of the business was undertaken, it is of considerable concern that confusion surrounds roles and responsibilities during such a critical period in light of the previous review. This only further serves to undermine the Sub-Committees confidence in the Premises Licence Holder and his ability to adhere to any conditions or restrictions had they been imposed today.

The Sub-Committee did take into consideration the statutory guidance including reference to the financial impact of the decision and whether revocation would be appropriate and proportionate after having identified the causes of the issues at the premises.

The Sub-Committee accepted Police evidence that the Premises Licence Holder only reacts to interventions rather than taking proactive steps. This is borne out by steps having been taken immediately after the previous review but then failing for a significant period thereafter. In this regard the Sub-Committee is unconvinced by very recent steps undertaken at the premises and has real concern that the same are not likely to be maintained once proceedings are completed.

Having considered all the above the Sub-Committee feel it now has no option other than to revoke the premises licence and that in light of previous action this is proportionate and appropriate.

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.

G

**RICHARD IVORY, Solicitor
HEAD OF LEGAL & DEMOCRATIC SERVICES
Southampton & Eastleigh Licensing Partnership**

Southampton City Council
Civic Centre
Southampton
SO14 7LY

Direct dial: 023 8083 3002
Our ref: 2014/02502/01SRAP

Please address all correspondence to:
**Licensing – Southampton City Council,
PO Box 1767, Southampton SO18 9LA**



E-mail: licensing@southampton.gov.uk
Please ask for: [REDACTED]

Western Police Licensing Unit
Southampton Central Police Station
Southern Road
Southampton
SO15 1AN

10th September 2014

Dear Sir/Madam,

Licensing Act 2003 Appeal – Premier Quick Shop, 290 Shirley Road, Southampton, SO15 3TR

I am writing to advise you that Mr. Zain Mohamed Ali, premises licence holder at the above premises has submitted an appeal to the Magistrates' Court against the decision made by the Licensing Authority on 19th August 2014 to revoke the premises licence.

As a result of this a preliminary hearing will take place at Southampton Magistrates' Court on a date yet to be confirmed. Should you wish to maintain your representation regarding the review of the premises licence please confirm this as soon as possible in writing to the above address.

The preliminary hearing is to assess which parties maintain their representation, confirm the evidence being provided and to list a date for a future hearing of the review application to be heard. Any future hearing will be much the same as the one at the Council, other than it will be the Magistrates' making the decision. So that the final hearing date is one that all parties can attend please inform me of any dates you are unable to attend for the next six months (i.e. pre-booked holiday, medical appointments etc).

Once we are informed by the Courts of a hearing date I will notify you further. Please note that until the matter is determined by the Magistrates' Court the premises can continue to trade.

Yours sincerely,

[REDACTED SIGNATURE]

for Head of Legal & Democratic Services

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

Switchboard: 023 8083 3000,

DX: 115710 SOUTHAMPTON 17

www.southampton.gov.uk/licensing

Supplementary Occurrence Report

Hampshire Constabulary

Printed: 20/01/2016 12:08 by 25323

Occurrence: **44100422031 Z Prem Licence (Management Occurrence)**

Author: #25323 BOUCOUVALAS, A.

Report time: 19/02/2015 10:32

Entered by: #25323 BOUCOUVALAS, A.

Entered time: 19/02/2015 10:32

Remarks:

Meeting with Mr Zain Ali (prev licence holder) @ SC station

Report:

Mr Ali came to the station today to speak with Pc Cherry and I about the prospect of getting another premises licence. He stated he is under a lot of financial pressure and asked if there was anyway we felt we would be happy to allow him to continue to be a licence holder.

We advised Mr Ali that regrettably we would not want to see Mr Ali be a licence holder but understood he was under financial pressure.

Mr Ali stated he has tried selling the shop to friends but they are scared of taking over the shop after the problems it had with the Police.

I advised Mr Ali that someone completely separate to himself, with no links is likely to be able to obtain a premises licence for that store.

I recommended that Mr Ali considers properly advertising the store for sale advising new potential buyers that they could consider applying for a new premises licence at the store.

25323

Supplementary Occurrence Report

Hampshire Constabulary

Printed: 21/01/2016 09:53 by 25323

Occurrence: **44100422031 Z Prem Licence (Management Occurrence)**

Author: #25323 BOUCOUVALAS, A.
Entered by: #25323 BOUCOUVALAS, A.

Report time: 19/01/2016 15:16
Entered time: 19/01/2016 15:16


Remarks:

Visit to premises 19/1/16

Report:

PC Boucouvalas, Mr Marshall SCC Trading Standards visit to premises 19/1/16.

Visit to the premises to check the premises since an application has been submitted for a new alcohol licence.

Entered the premises at about 1430 hours and met 1 member of staff on duty Saleem IFTIKHAR 
Aside the checkout was a petition for the return of the alcohol licence at the premises with some signatures underneath. On sale are age restricted products such as tobacco and national lottery tickets.

I noticed on display behind the checkout 'bongs' for sale and small individually packaged pipes with a cannabis logo in full view.

Saleem IFTIKHAR was spoken to. I asked him when he was last trained in relation to age restricted products. He advised me this was about 2 years ago. Saleem was questioned by Mr Marshall what the minimum authorised age was for the sale of the age restricted products and Saleem seemed to know the answers, although at times hesitant. We requested to see the refusals register. Saleem did not know where this was and eventually stated he didn't use one.

Shortly afterwards the previous licensee and now applicant of the new licence attended the store, Mr Zain ALI.

CCTV - system inspected with Mr ALI. Time and date accurate and system appears to rewind over 28 days, however 2 cameras are faulty and not working. Mr Ali stated these cameras cover the back of the shop floor. (not all public areas)


Mr Marshall checked the premises food on sale and discovered some meat products in the chiller that went out of date on the 28th December 2015. (several weeks old). Mr Marshall provided advice on this to Mr ALI.

CH25 - Posters on display.

Refusals - Mr ALI managed to locate the refusals logs. Some entries made during the last year, 1 in Jan 16, 3 in Dec 15, 0 in Nov 15, 6 in Oct 15, 1 in Sept 15 and 1 in Aug 15. We were unable to obtain any refusal entries for the member of staff that was in the store Saleem IFTIKHAR.

Training - I queried whether Mr ALI has been doing any training in relation to preventing under-age sales of age restricted products such as lottery, tobacco etc. Mr ALI stated he does not do any, and I recommended he still should do this even though he is not licensed.

Mr ALI became very upset stating "WHAT MORE DO YOU WANT ME TO DO, YOU TOOK MY LICENCE AND I CAN'T PAY MY MORTGAGE. YOU ARE NEVER HAPPY WITH MY TRAINING." I assumed Mr Ali was referring to issues The Constabulary has had with Mr ALI'S training at previous review hearings.



Supplementary Occurrence Report

Hampshire Constabulary

Printed: 20/01/2016 12:22 by 25323

Occurrence: **44100422031 Z Prem Licence (Management Occurrence)**

Author: #25323 BOUCOUVALAS, A.
Entered by: #25323 BOUCOUVALAS, A.

Report time: 19/01/2016 17:26
Entered time: 19/01/2016 17:26

Remarks:

Visit to premises 19/1/16 - cont

Report:

Mr ALI then went on to say words similar to the effect "IF I CAN GET THE ALCOHOL LICENCE, I WILL BE ABLE TO SELL THIS PLACE. I CAN SIGN SOMETHING TO SAY I WILL SELL THE PLACE ONCE I HAVE THE LICENCE. NO-ONE WANTS TO BUY THE PLACE AND THE POLICE KEEP SCARING THE BUYERS AWAY."

PC Boucouvalas and Mr Marshall then left the premises.

Incident/Crime Number:

44100422031

Description:

Behind till area -

View from a customer perspective

Time and Date Produced:

1445 19/1/16

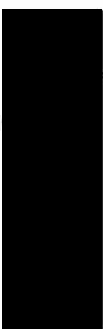
Where Produced:

Shop Local, Shirley Road, Southampton

Produced by:

PC Alex Boucouvalas

Signed:



7

Incident/Crime Number:

44100422031

Description:

Close up of product on display
behind till area

Time and Date Produced:

1445 19/1/16

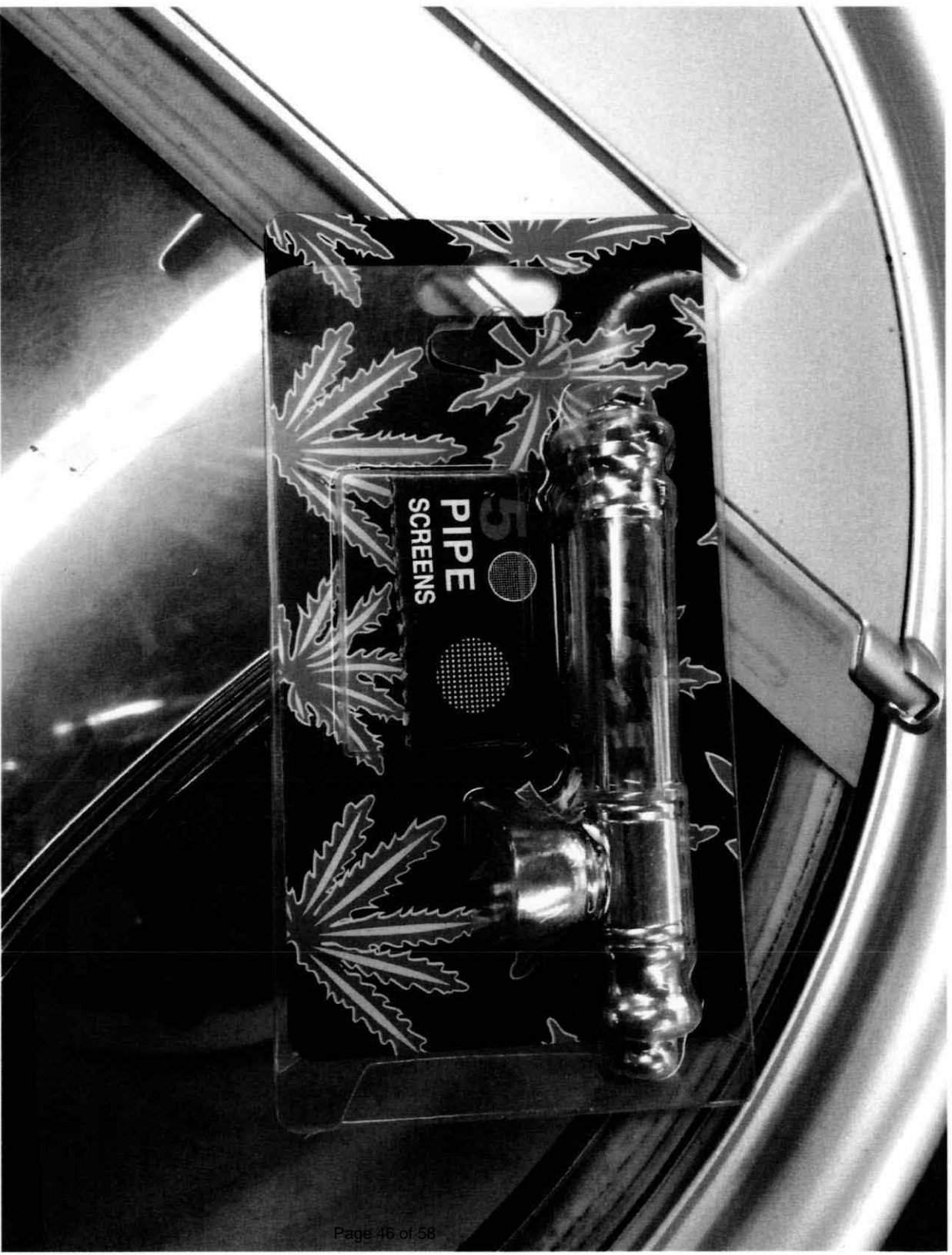
Where Produced:

Shop Local, Shirley Road,
Southampton

Produced by:

PC Alex Boucouvalas

Signed:





INCIDENTS OF NOTE ON SHIRLEY ROAD - OCTOBER, NOVEMBER, DECEMBER 2015

Occurrence No	Start Date (SD)	Start Time	Hour	Occ Type	Occurrence MO Summary	Street Name
44150340132	01/10/2015	04:00	4	ASB - PERSONAL	UNKNOWN PERSON WAS BUZZING ON INTERCOM FOR 30 MINUTES.	SHIRLEY ROAD
44150341447	01/10/2015	22:00	22	ASB - PERSONAL	AGGD REPORTS THAT THERE ARE A GROUP OF POLISH MALES WHO REGULARLY HANG AROUND IN THE STREET CLOSE TO HIS HOME, THIS EVENING THEY GOT INTO THE COMMUNAL AREA OF THE BUILDING IN WHICH HE LIVES AND MADE NOISE WAKING HIS SON. THE GROUP HAD LEFT PRIOR TO POLICE ATTENDANCE.	SHIRLEY ROAD
44150343519	03/10/2015	08:00	8	ASB - NUISANCE	DRUNKNESS OFFENCE IN THE STREET	SHIRLEY ROAD
44150343847	03/10/2015	21:00	21	ASB - NUISANCE	INFT REPORTING GROUP OF EASTERN EUROPEANS DRINKING AND CAUSING ASB OUTSIDE OF HIS ADDRESS, THIS IS ONGOING.	SHIRLEY ROAD
44150344268	04/10/2015	09:30	9	PUBLIC ORDER	MALE APPROACHED BY A MALE WHO HE HAS MET BEFORE BUT CANNOT IDENTIFY. SUSPECT THREATENED TO STAB THE AGGD AND SHOWED THE PROFILE OF WHAT MAY HAVE BEEN A KNIFE UNDER HIS TOP, APPROX 2 FOOT LONG BUT NOT SEEN BY AGGD.	SHIRLEY ROAD
44150344457	02/10/2015	20:28	20	ASB - NUISANCE	PERSON STOP SEARCH DRINKING IN A NO DRINKING ZONE	SHIRLEY ROAD
44150344462	02/10/2015	20:18	20	ASB - NUISANCE	PERSON STOP SEARCH DRINKING IN A NO DRINKING ZONE	SHIRLEY ROAD
44150345213	02/10/2015	20:40	20	ASB - NUISANCE	PERSON STOP SEARCH SEEN DRINKING IN A DPPO AREA	SHIRLEY ROAD
44150345232	02/10/2015	20:40	20	ASB - NUISANCE	PERSON STOP SEARCH DRINKING IN A DPPO AREA.	SHIRLEY ROAD
44150346658	02/10/2015	23:00	23	ASSAULT	INFT REPORTING THAT SHE WAS WALKING ALONG SHIRLEY HIGH ST WHEN A CAR PULLED ALONG SIDE HER AND THE OCCUPANTS OF THE VEHICLE THREW WATER BOMBS AND EGGS AT HER. THEY WERE ALSO VERBALLY ABUSIVE. AGG DID NOT TAKE THE REG NUMBER OF THE VEHICLE AS SHE WAS TOO SHOCKED BY THE INCIDENT. SHE DESCRIBES THE VEHICLE AS A LARGE ORANGE COLOURED OLD TYPE BMW/AUDI.	SHIRLEY ROAD
44150348804	07/10/2015	20:20	20	ASB - NUISANCE	INFT STATES THAT THERE HVE BEEN A PROBLEM WITH A GROUP OF EASTERN EUOPEANS THAT KEEP CONGREGATING AT HIS ADDRESS. IN THE PAST THEY HVE BEEN THERE DRINKING ALCOHOL, HAVING SEX, URINATING ETC. INFT STATES THAT THE POLICE HAVE ASKED HIM TO CALL THIS IN EVERY TIME THAT THIS HAPPENS SO THAT THEY CAN GO AND SPEAK TO THESE PEOPLE. THEY ARE THERE NOW. BEEN THERE SINCE 8PM AND THEY ARE URINATING IN INFT'S DRIVEWAY AND ALL OVER HIS FENCE	SHIRLEY ROAD
44150351483	09/10/2015	20:39	20	ASSAULT	2 MALES APPROACHED THE REPORTING PERSON, ONE SPAT IN HIS DIRECTION AND ONE SWUNG A PUNCH. NO INJURIES SUSTAINED. NO FURTHER LOE IDENTIFIED, MALES UNKNOWN.	SHIRLEY ROAD

44150352227	10/10/2015	15:20	15	PUBLIC ORDER	BTWN TIMES STATED, CUSTOMER HAS BEEN VERBALLY ABUSIVE AND THREATENING TOWARDS INFT.	SHIRLEY ROAD
44150353611	11/10/2015	18:02	18	ASSAULT	WHILE STOOD OUTSIDE PREMISES, SHIRLEY RD THE AGGD PARTY HAS BEEN PUNCHED IN THE FACE BY A NAMED SUSPECT	SHIRLEY ROAD
44150356355	13/10/2015	21:45	21	SUSPICIOUS - OTHER	INFT IS CALLING FROM LICENSED PREMISES IN SHIRLEY AND STATES THAT 2 MALES JUST CAME IN AND ONE LOOKS LIKE HE HAS BEEN IN A FIGHT THE MALE WHO LOOKS AS THOUGH HE HAS BEEN IN A FIGHT HAS BEEN ASKING FOR MONEY OFF OF PEOPLE ASKING FOR 50P OFF OF CUSTOMERS FOR HIS BUS FARE TO GET HOME THE MALE WHO APPEARS TO HAVE BEEN IN A FIGHT	SHIRLEY ROAD
44150359804	16/10/2015	15:06	15	ASSAULT	AGGRESSIVE PREVIOUS CUSTOMER AS HE WANTED HIS DEPOSIT RETURNED. NO OFFENCES, MALE HAS LEFT BEFORE POLICE ARRIVAL.	SHIRLEY ROAD
44150360020	16/10/2015	17:30	17	ASSAULT	UNKNOWN MALE GOES INTO STORE AND MAKES RACIALLY ABUSIVE COMMENTS TO SECURITY MEMBER, SECURITY MEMBER THOUGHT THAT THE SITUATION WAS GOING TO ESCALATE SO CONTACTED POLICE BUT DID NOT WISH TO MAKE A COMPLAINT.	SHIRLEY ROAD
44150361287	17/10/2015	18:55	18	ASSAULT	INFT REPORTING THERE ARE A GROUP OF PEOPLE SHOUTING AND SWEARING AT THE BOTTOM OF SHIRLEY RD ONE OF THEM SAID HE WAS GOING TO STAB SOMEONE SHE HEARD THEM HITTING EACHOTHER AND THROWING BOTTLES AT EACHOTHER THERE WAS A FEMALE SAYING LEAVE ME ALONE SO THEY WERE POSSIBLY FOLLOWING HER INFT THEN SAID THE GROUP WERE AT SHIRLEY ROAD	SHIRLEY ROAD
44150365015	20/10/2015	17:30	17	ASB - PERSONAL	INFT REPORTING DRUNK CUSTOMER IN RESTAURANT	SHIRLEY ROAD
44150367647	22/10/2015	16:30	16	ASSAULT	A DISGRUNTLED DRINKER IN THE PREMISES HAS BEEN ASKED TO LEAVE BY MANAGEMENT. WHILST IN THE PROCESS HE HAS THROWN A CHAIR, WHICH HIT ANOTHER PATRON. COMMON ASSAULT INJURIES	SHIRLEY ROAD
44150368684	23/10/2015	13:00	13	SUSPICIOUS - PERSON	INFT REPORTING SUS PERSONS TRYING TO SALE TVS FROM A VEHICLE.	SHIRLEY ROAD
44150369215	23/10/2015	21:48	21	ASB - NUISANCE	STREET DRINKERS ALLEGEDLY THROWING CANS IN THE STREET AND USING INFTS GARDEN AS A TOILET	SHIRLEY ROAD
44150370538	24/10/2015	23:54	23	ASB - NUISANCE	DRUNK MALES WENT IN AND ORDERED A PIZZA AND WHILST WAITING FOR THE PIZZA TO COOK THEY THOUGHT THAT IT WOULD BE FUNNY TO PICK UP THE PHONE AND STAFF DIDNT THINK THAT IT WAS FUNNY SO AN ARGUEMENT STARTED. NO OFFENCES AND THE MALES WERE SENT ON THEIR WAY.	SHIRLEY ROAD

44150371370	25/10/2015	18:16	18	PUBLIC ORDER	INFT IS SECURITY FOR THE STORE - HE HAS STOPPED A MALE TRYING TO STEAL FROM THE SHOP - WHEN HE WAS STOPPED AND HE WAS ABUSIVE TO THE INFT AND SAID HE WAS GOING TO COME BACK AND GET THE INFT HE THEN LEFT AND THREW STONES AT THE STORE WINDOW - NO DAMAGE CAUSED ADVICE GIVEN IF THE MALE RETURNS	SHIRLEY ROAD
44150372890	26/10/2015	21:30	21	ASSAULT	SUBJECT HAS BEEN ASKED TO LEAVE THE PREMISES, SHIRLEY BY THE DUTY MANAGER DUE TO HER BEHAVIOUR INSIDE. WHEN INF HAS GONE TO TAKE HER DRINK FROM THE TABLE SUBJECT HAS ATTEMPTED TO THROW THE CONTENTS OF THE DRINK ONTO HER HOWEVER MISSED. SHE HAS THEN THROWN THE GLASS AT HER HITTING HER IN THE GROIN (NO INJURY)	SHIRLEY ROAD
44150373820	27/10/2015	15:00	15	ASB - NUISANCE	INFT IS REPORTING THAT THERE IS A VERY DRUNK MAN IN THE DOORWAY TO THE STORE WHO IS REFUSING TO LEAVE, HE KEEPS TRYING TO GET INTO THE STORE. THEY ARE REFUSING TO SELL HIM MORE ALCOHOL	SHIRLEY ROAD
44150375143	28/10/2015	19:50	19	SUSPICIOUS - PERSON	INFT REPORTING A SUS MALE HANGING AROUND OUTSIDE HER FLAT , THIS MALE IS MAKING HER FEEL WORRIED.	SHIRLEY ROAD
44150378579	31/10/2015	14:43	14	ASB - NUISANCE	TWO FIGHTING OUTSIDE PREMISES - APPEARS TO BE TWO MALES WHILST ON THE CALL ONE OF THEM HAS RUN OFF NO WEAPONS SEEN, PUSHING AND SHOVING	SHIRLEY ROAD
44150379726	01/11/2015	13:01	13	SUSPICIOUS - OTHER	DRUGS BEING TAKEN BY TWO PEOPLE.	SHIRLEY ROAD
44150386542	06/11/2015	16:49	16	PUBLIC ORDER	PUBLIC ORDER INCIDENT WHERE MALE HAS BECOME AGGRESSIVE AND ABUSIVE TO STAFF.	SHIRLEY ROAD
44150386829	06/11/2015	21:00	21	ASSAULT	AGG'D REPORTING SHE WAS THROWN OUT OF A LICENSED PREMISES AND PUNCHED TO THE FACE BY THE OFFENDER FOR NO REASON. BLACK EYE SUSTAINED.	SHIRLEY ROAD
44150387503	07/11/2015	12:30	12	SUSPICIOUS - VEHICLE	REPORT OF VAN SELLING TV'S FROM INSIDE OF IT. CONCERNS FROM INFORMANT THAT THE ITEMS MAY BE STOLEN. AREA SEARCH CONDUCTED FOR VEHICLE IN ROAD AND SURROUNDING AREAS BUT NO TRACE.	SHIRLEY ROAD
44150387916	07/11/2015	21:00	21	CONCERN FOR SAFETY	THIS INCIDENT WAS A REPORT OF 6 PEOPLE FIGHTING IN THE STREET. THE REPORT WAS MADE BY AN ANONYMOUS INFORMANT WHO REFUSED TO PROVIDE DETAILS. ON ATTENDANCE AT THE LOCATION, THERE WAS NO FIGHTING, BUT THERE WAS A SMALL GROUP OF MALES WHO REFUSED TO SPEAK TO POLICE. NO OFFENCES.	SHIRLEY ROAD
44150389106	06/11/2015	21:00	21	ASSAULT	WHILE EJECTING A CUSTOMER THE LANDLADY WAS PUNCHED IN THE FACE AND SHE GOT A SLIGHT CUT ABOVE HER LIP BY THE FEMALE SHE WAS TRYING TO EJECT.	SHIRLEY ROAD

44150391956	11/11/2015	08:00	8	ASSAULT	DRUNK MALE HAS ATTENDED LOCATION TO ASK FOR TOOLS TO FIX HIS BIKE. MALE HAS THEN BECOME AGGRESSIVE TOWARDS STAFF AND THREATENED THEM WITH A BOTTLE. STAFF HAVE TAKEN THE BOTTLE AWAY FROM THE MALE WHO HAS THEN LEFT ON BIKE.	SHIRLEY ROAD
44150392252	11/11/2015	12:00	12	ASB - NUISANCE	INFT REPORTING ONGOING ISSUES WITH BEGGING IN SHIRLEY HIGH STREET.	SHIRLEY ROAD
44150392838	11/11/2015	19:07	19	ASSAULT	AGGVD HAS BEEN PUNCHED IN THE CHEST BY A HOMELESS MALE OUTSIDE PREMISES	SHIRLEY ROAD
44150393112	12/11/2015	00:32	0	ASB - NUISANCE	INFT REPORTING HOMELESS MALE IN THE CORRIDOR TO FLATS.	SHIRLEY ROAD
44150397558	15/11/2015	20:38	20	ASB	INFORMANT REPORTING AN INCIDENT WHICH HAPPENED TONIGHT WHILST HE WAS WALKING HIS DOG PAST THE LOCATION. THERE IS A HOMELESS MALE OUTSIDE THERE WITH A DOG, BELIEVE BULL MASTIF BUT CANNOT BE CERTAIN AND THE DOG WAS ACTING AGGRESSIVELY TOWARDS INFORMANT'S DOG. THE XDOG WAS NOT ON A LEAD. INFORMANT STATED THAT THIS IS NOT THE FIRST TIME THAT THIS HAS HAPPENED. HAPPENED PREVIOUSLY AT SHIRLEY PRECINCT BY SAINSBURY A COUPLE OF MONTHS AGO.	SHIRLEY ROAD
44150398526	12/11/2015	11:00	11	INDECENT ASSAULT	AGG'D WAS APPROACH IN THE STREET BY AN UNKNOWN MALE WHO TOUGHED AND GROPED HER BUM, THE MALE SAID SHE HAD A SEXY BUM. AGG'D IS DISTRESSED ABOUT THIS INCIDENT.	SHIRLEY ROAD
44150404958	21/11/2015	13:05	13	ASB - PERSONAL	HOMELESS MALE REFUSING TO LEAVE ESTATE AGENT	SHIRLEY ROAD
44150406910	23/11/2015	12:55	12	DRUG OFFENCES	INFT WORKS FOR LICENSED PREMISES REPORTING HE HAS GONE INTO THE DISABLED TOILET ABOUT 10 MINS AGO AND NOTICED DRUG ACTIVITY GONE ON INSIDE THERE. THERE IS BLOOD ON THE TOILET SYSTEM AND ON THE FLOOR AND ALSO A NEEDLE WRAPPER IN THE BABY CHANGING AREA. THERE WAS A MALE CAME INTO THE BAR AND WENT STRAIGHT TO THE DISABLED TOILET AT 1210HRS TODAY AND BELIEVES THATS THE MALE INVOLVED. LOCAL PEOPLE WHO USE PREMISES HAS TOLD INFT THAT THE MALE IS A KNOWN DRUG DEALER.	SHIRLEY ROAD
44150410290	25/11/2015	18:40	18	ASSAULT	INF REPORTING MALE ON THE FLOOR BEING BEATEN UP BY TWO OTHER MALES. INJURED PARTY LOCATED, HAS LARGE SWELLING TO HIS RIGHT EYE AREA, DAMAGED NOSE AND LARGE BUMP BEHIND HIS LEFT EAR.	SHIRLEY ROAD
44150410912	26/11/2015	11:20	11	ASSAULT	INF CALLED POLICE REPORTING SEEING A MALE ASSAULT A FEMALE. BOTH PARTIES LEFT ON SHIRLEY ROAD IN DIFFERENT DIRECTIONS.	SHIRLEY ROAD
44150413976	28/11/2015	16:11	16	SUSPICIOUS - PERSON	SUS MALE ASKING CHILDREN TO SIT WITH HIM	SHIRLEY ROAD

44150415091	29/11/2015	19:29	19	ASB - NUISANCE	INTOXICATED MALE IN PUBLIC HOUSE, WHO WAS ACTING IN A DISRUPTIVE MANNER WAS ASKED TO LEAVE BY FEMALE LICENCEE. MALE THEN USED HOMOPHOBICALLY ABUSIVE LANGUAGE TOWARDS FEMALE.	SHIRLEY ROAD
44150415347	30/11/2015	03:25	3	CRIMINAL DAMAGE	GROUP OF FIVE MALES SEEN USING BRICKS AND WOODEN POLES TO CAUSE DAMAGE TO FRONT DOOR OF FLAT BEHIND CONVERTED PUB. DAMAGE SEEN AND CONFIRMED BUT NO COMPLAINT MADE BY OCCUPANT. (DAMAGE CONFIRMED BY LETTING AGENT).	SHIRLEY ROAD
44150415832	26/11/2015	18:00	18	ASSAULT	AGGRIEVED STARTLED BY A CYCLIST THAT WENT BY ON THE FOOTPATH ON FOYES CORNER. THE CYCLIST STOPPED SO IN RESPONSE THE AGGRIEVED KICKED THE WHEEL OF HIS BIKE CAUSING THE WHEEL TO COME OFF. THE CYCLIST HAS THEN SAID "IM GONNA PUNCH YOUR FACE IN OLD MAN" AND HAS SPAT IN THE AGGRIEVEDS FACE.	SHIRLEY ROAD
44150416328	30/11/2015	18:29	18	ASB - NUISANCE	MALE WALKING DOWN SHIRLEY ROAD WITH HIS JEANS AND UNDERWEAR ROUND HIS ANKLES. THE MALE SEEMED A BIT 'OUT OF IT', POSSIBLY UNDER THE UNFLUENCE OF ALCOHOL AND/OR DRUGS.	SHIRLEY ROAD
44150432393	11/12/2015	08:44	8	ASSAULT	CALLER IS STAFF MEMBER AT PREMISES HE HAS A VERY IRRATE WOMAN IN PREMISES COMPLAINING ABOUT A MEAL SHE BROUGHT LAST NIGHT - HE IS AWARE THIS IS A CIVIL MATTER - THE WOMAN IS SO IRRATE SHE IS THREATENING TO SMASH UP EQUIPMENT AND BEING VERBALLY ABUSIVE TO STAFF AND OTHER CUSTOMERS	SHIRLEY ROAD
44150433573	11/12/2015	20:00	20	ASB PERSONAL	INFT REPORTING A ISSUE WITH A KNOWN MALE TO HIM WHO IS HANGING AROUND OUTSIDE. BOTH MALE SHAVE EXCHANGED WORDS AND INFT SEEMS TO THINK MALE SUBJECT IS WAITING FOR HIM TO LEAVE.	SHIRLEY ROAD
44150435032	12/12/2015	21:40	21	DRUG OFFENCES	GROUP OF 5-6 EASTERN EUROPEAN MALES IN THE TOILET. THEY ARE DOING DRUGS IN THE TOILET - THEY ARE PASSING THINGS BETWEEN THEM, GOING TO THE TOILETS IN GROUPS AND INFT HAS FOUND POWDER AND EMPTY BAGS IN THE TOILET.	SHIRLEY ROAD
44150435148	12/12/2015	22:30	22	ASB - NUISANCE	GROUP INSIDE PUB, ONE OF WHICH BELIEVED TO BE UNDER 18 AND REFUSING TO LEAVE OR PROVIDE ID. NO OFFENCES - GROUP LEFT ON POLICE REQUEST.	SHIRLEY ROAD
44150435406	12/12/2015	22:45	22	SUSPICIOUS	PERSON STOP SEARCH STAFF WITHIN PUBLIC HOUSE BELIEVE GROUP OF MALES DEALING AND USING DRUGS IN TOILETS. LOCATED AND SEARCHED.	SHIRLEY ROAD
44150442227	17/12/2015	08:00	8	CRIMINAL DAMAGE	INFT REPORTING THAT THERE ARE CHILDREN IN THE AREA WHO KEEP CHUCKING STONES AT HIS WINDOWS AND PULLING HIS BROADBAND CABLE OUT.	SHIRLEY ROAD

44150444212	18/12/2015	21:59	21	ASSAULT	TWO PERSONS SEEN TO BE INVOLVED IN AN ALTERCATION IN THE STREET. NO ONE FOUND ON POLICE ARRIVAL.	SHIRLEY ROAD
44150444437	19/12/2015	01:11	1	ASB - PERSONAL	DRUNK MALE HAS ENTERED PREMISES WHEN IT WAS CLOSING DEMANDING A PIZZA. MALE WAS ADVISED TO LEAVE, BUT HE REFUSED UNTIL HE GOT HIS PIZZA. HE WAS ADVISED POLICE WERE CALLED AND LEFT SHORTLY AFTERWARDS. NO OFFENCES DISCLOSED.	SHIRLEY ROAD
44150451023	23/12/2015	14:10	14	SUSPICIOUS - PERSON	WHILST STOOD AT THE SERVING COUNTER, A STAFF MEMBER HAS POINTED OUT TO INF THAT AN UNKNOWN MALE WAS TAKING HOLD OF HER PUSHCHAIR. WHEN SUBJECT HAS ASKED WHAT THE MALE WAS DOING, HE REPLIED 'YOU NEED TO BE MORE CAREFUL AT THIS TIME OF YEAR'	SHIRLEY ROAD
44150455823	28/12/2015	22:25	22	SUSPICIOUS - OTHER	ADULT MALE ENTERED A PUBLIC HOUSE AND TOLD PATRONS / STAFF THAT HE HAD BEEN ASSAULTED AND THE OFFENDERS TRIED TO FORCE HIM TO HAND OVER MONEY. THE MALE WAS COVERED IN BLOOD AND WALKED OUT PRIOR TO POLICE ARRIVAL. MALE NOT LOCATED, SCENE NOT IDENTIFIED AND NO SUSPECTS.	SHIRLEY ROAD
44150457115	29/12/2015	16:30	16	ASSAULT	ALTERCATION BETWEEN TWO DRINKERS IN THE PREMISES.. BOTH SUSPECT AND AGG'D LEAVE PRIOR TO POLICE ARRIVAL	SHIRLEY ROAD

1) 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 will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside areas.

CCTV warning signs to be fitted in public places.

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

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 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 a disc. 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 Hampshire Police Licensing Unit within 24 hours.

2) 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.

3) Refusals Logs

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 store 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.

4) 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.

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.

'Challenge 25' posters shall be displayed in prominent positions at the premises.

5) 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 records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.

In addition to their training a written test related to the training given will be conducted before the staff member is permitted to sell or authorise alcohol. The test will consist of a minimum of ten questions of which the pass rate is 80%. Anyone who fails to reach the prescribed pass rate will be retrained and re-tested. Anyone not attaining the pass rate will not be permitted to sell or authorise the sale of alcohol until the pass rate is attained. There will be a minimum of two sets of questions to be used in the training which will be rotated upon each subsequent six month training session.

All training records will be made immediately available for inspection by Hampshire Constabulary and any responsible 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.

The DPS should also complete a nationally recognised Level 2 DPS course or equivalent depending on provider. The BIIAB Level 2 National Certificate for Designated Premises Supervisors or EDI Level 3 Award for Designated Premises Supervisors (ADPS)

6) Single cans of alcohol

The sale of single cans of alcohol is prohibited

7) High strength alcohol products

No beers, ciders or lager of 6.5%ABV or over shall be sold by retail, excluding premium products as agreed in writing, in advance with the police licensing team.

8) Sales of alcohol

Each and every sale of alcohol must be directly supervised and authorised by the designated premises supervisor or a personal licence holder.

9) Till / EPOS Systems

The premises will have electronic point of sale till systems in place which prompts the staff operator to utilise the premises challenge policy and ask for identification upon sale of age restricted products. If a refusal is made, a record will be made electronically. These records will be kept for 12 months and made available to Hampshire Constabulary and other authorities immediately upon request. All staff will have their own unique login/identification on the system and will not use another employee's.

Trading Standards Service

Southampton City Council
Civic Centre
Southampton SO14 7LY

Direct dial: 023 8083 4930
Fax: 023 8083 2656
Email: lucas.marshall@southampton.gov.uk

Please ask for: Lucas Marshall
Our ref: 16/00048/OTHER
Your ref:

21st January 2016

Licensing
Southampton City Council
PO Box 1767
Southampton
SO18 9LA



Dear Sir/Madam

Licensing Act 2003

I write with reference to Zain Mohammed Ali's application for a premises licence at Shop Local, 290 Shirley Road, Southampton, SO15 3TR, a copy of which has been received by Southampton City Council's Trading Standards Service. I wish to notify you that Trading Standards object to the granting of a licence to Mr Ali, and outline the reasons for the objection below.

In 2014 Hampshire Constabulary made an application to review Mr Ali's Premises Licence at Shop Local, 290 Shirley Rd, following three under age sales of alcohol that had taken place at that premises. Trading Standards supported that application. The licence was revoked.

On 19th January 2016 I was made aware that Mr Ali had made an application for a Premises Licence at Shop Local, 290 Shirley Rd. PC Boucouvalas and I discussed this matter and, given Mr Ali's history, we were both concerned that he should be applying for a new licence. We arranged to visit the premises that afternoon.

Mr Ali was not present at the shop when we arrived. A Mr Saleem Iftikhar was behind the counter. Despite no longer selling alcohol the shop does sell a range of age restricted products, including cigarettes, cigarette papers, lottery tickets and electronic cigarettes. I asked Mr Iftikhar if I could see the store's record of refused sales of age restricted products. He could not find it and said that he had not used it. He said that he had been trained regarding under age sales two years ago.

Mr Iftikhar phoned Mr Ali, who arrived whilst we were at the premises. Mr Ali said that Mr Iftikhar rarely works at the premises. In my experience with under age sales it is often those who work at a shop infrequently who make sales, and are often neglected with regard to training and supervision. Mr Ali did not have training records for Mr Iftikhar. He did retrieve the refusals record, which had been used frequently, albeit not by Mr Iftikhar. Mr Ali said that he was applying for a licence so that the business was more saleable.

The repeat under age sales which led to the revocation of Mr Ali's licence at Shop Local were due to a lack of diligence regarding systems of prevention of under age sales. In my opinion those systems are still lacking. At a time when Mr Ali is making a new application one would expect him to be able to demonstrate that his diligence systems are thorough and beyond criticism, however that was not the case.

Whilst at the premises I conducted a food inspection, during which I found two packets of Prosciutto ham with a use by date of 28th December 2015. It is an offence to have food past its use by date in possession for sale, and it concerns me that Mr Ali had failed to rotate the stock leaving

meat displayed for sale which was over 3 weeks past its date. Mr Ali said that a lack of staff made it difficult for him to keep on top of such things.

Trading Standards have concerns regarding Mr Ali's ability to meet the Licensing Objectives, to prevent crime and disorder, public safety and the protection of children from harm, and also his motives for applying for a licence, and therefore object to a licence being granted. Should a licence be granted I would ask that the following conditions be imposed:

1) 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 will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside areas.

CCTV warning signs to be fitted in public places.

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

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 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 a disc. 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 Hampshire Police Licensing Unit within 24 hours.

2) 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.

3) Refusals Logs

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 store 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.

4) 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.

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.

'Challenge 25' posters shall be displayed in prominent positions at the premises.

5) 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 records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.

In addition to their training a written test related to the training given will be conducted before the staff member is permitted to sell or authorise alcohol. The test will consist of a minimum of ten questions of which the pass rate is 80%. Anyone who fails to reach the prescribed pass rate will be retrained and re-tested. Anyone not attaining the pass rate will not be permitted to sell or authorise the sale of alcohol until the pass rate is attained. There will be a minimum of two sets of questions to be used in the training which will be rotated upon each subsequent six month training session.

All training records will be made immediately available for inspection by Hampshire Constabulary and any responsible 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.

The DPS should also complete a nationally recognised Level 2 DPS course or equivalent depending on provider. The BIIAB Level 2 National Certificate for Designated Premises Supervisors or EDI Level 3 Award for Designated Premises Supervisors (ADPS)

6) Single cans of alcohol

The sale of single cans of alcohol is prohibited

7) High strength alcohol products

No beers, ciders or lager of 6.5%ABV or over shall be sold by retail, excluding premium products as agreed in writing, in advance with the police licensing team.

8) Sales of alcohol

Each and every sale of alcohol must be directly supervised and authorised by the designated premises supervisor or a personal licence holder.

9) Till / EPOS Systems

The premises will have electronic point of sale till systems in place which prompts the staff operator to utilise the premises challenge policy and ask for identification upon sale of age restricted products. If a refusal is made, a record will be made electronically. These records will be kept for 12 months and made available to Hampshire Constabulary and other authorities immediately upon request. All staff will have their own unique login/identification on the system and will not use another employee's.

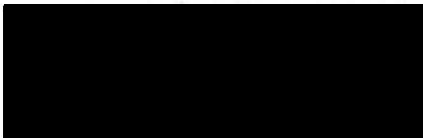
10) Traceability

The Premises Licence Holder must keep, for a period of 24 months from purchase, complete records, such as invoices, receipts and delivery notes, relating to purchase of alcohol and tobacco products which are present at his shop. Records must include the name, address and telephone number of the supplier, the date of supply, the products supplied, and their prices. Where items have been delivered to his shop by a vehicle details of the vehicle registration, the name of the delivery person and contact details including the name, address and telephone number for the business must be kept. These details must be available on request to Responsible Authorities within 24 hours. The Premises Licence Holder must be able to identify who supplied alcohol and tobacco products present at his premises.

11) Food Labelling

The Premises Licence Holder will have systems of diligence in place to prevent the sale of food and drink which does not comply with UK legislation which will include visual checks on food and drink to ascertain whether they are labelled in English. If they are not so labelled those items will not be displayed for sale or sold.

Yours faithfully



Lucas Marshall
Trading Standards Officer

Cc. Southampton Licensing Unit, Hampshire Constabulary, Central Police Station, Southern Road,
Southampton SO15 1AN
Mr Z Ali, Shop Local, 290 Shirley Road, Southampton SO15 3TR

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