

DECISION-MAKER

LICENSING (LICENSING & GAMBLING) SUB COMMITTEE

SUBJECT

HEARING TO CONSIDER AN APPLICATION FOR GRANT OF A PREMISES LICENCE -

Attitude Custom Cycles, Attitude Custom Cycles 2-4 Stoneham Lane Southampton SO16 2NL

DATE OF HEARING REPORT OF

5th April 2017
SERVICE DIRECTOR – TRANSACTIONS & UNIVERSAL SERVICES

E-mail

licensing@southampton.gov.uk

Application Date : 13th February 2017

Application Received 13th February 2017

Application Valid : 13th February 2017

Reference : **2017/00483/01SPRN**



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Representations from Responsible Authorities

| Responsible Authority | Satisfactory? |
|--|----------------------|
| Children Services - Licensing | Yes |
| Hampshire Fire And Rescue - Licensing | Yes |
| Environmental Health - Licensing | Yes |
| Planning & Sustainability - Building Control - Licensing | No |
| Primary Care Trust - Public Health Manager | No response |
| Police - Licensing | Agreed Conditions |

| Trading Standards - Licensing | | Yes |
|-------------------------------------|---|-------------------------|
| <i>Other Representations</i> | | |
| Name | Address | Contributor Type |
| Mr. Roger Beale | 10 Market Buildings, High Road, Southampton SO16 2HX | Resident |
| Ms Tonia De La Ceaux | 11 Market Buildings, High Road, Southampton SO16 2HX | Resident |
| Mr. M Stone | 11 Market Buildings, High Road, Southampton SO16 2HX | Resident |
| Mr. Paul Garside | 13 Market Buildings, High Road, Southampton SO16 2HX | Resident |
| Mr. Ives | 16 Market Buildings, High Road, Southampton SO16 2HX | Resident |
| Mr. D Andrews | 17 Market Buildings, High Road, Southampton SO16 2HX | Resident |
| Ms Ginnette Pike | 19 Market Buildings, High Road, Southampton SO16 2HX | Resident |
| Mr. Duncan Westbrook | 20 Market Buildings, High Road, Southampton SO16 2HX | Resident |
| Mr. David Sherriff | 21 Market Buildings, High Road, Southampton SO16 2HX | Resident |
| Mr Leonie Frendo | 21 Market Buildings, High Road, Southampton SO16 2HX | Resident |
| Ms. Dawn Robinson | 22 Market Buildings, High Road, Southampton SO16 2HX | Resident |
| Mr. D. Berry | 22 Market Buildings, High Road, Southampton SO16 2HX | Resident |
| Mr. D Brown | 22 Market Buildings, High Road, Southampton SO16 2HX | Resident |
| Ms. Carley Hartup | 24 Market Buildings, High Road, Southampton SO16 2HX | Resident |
| Mr. Rory O'Mahony | 24 Market Buildings, High Road, Southampton SO16 2HX | Resident |
| Ms. Terry Lynn Lambert | 26 Market Buildings, High Road, Southampton SO16 2HX | Resident |
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| Mr. Gary Lambert | 26 Market Buildings, High Road, Southampton SO16 2HX | Resident |
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Legal Implications

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

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

Summary of application

| | |
|----------------------------------|------------------------------------|
| Applicant | Attitude Custom Cycles Ltd. |
| Agent for licence Holder: | |
| Proposed DPS | Mr. Nicholas Houghton |

The premises is a motorcycle showroom selling custom motorcycles, as well as clothing and accessories. The application is for supply of alcohol on the premises. The area this covers is the unit, front paved area of the unit, workshop and the yard at the back of the workshop (see plan).

Activities and times applied for

| | |
|--|--|
| <p>Supply by retail of alcohol</p> <p>Monday 11:00 - 19:00</p> <p>Tuesday 11:00 - 19:00</p> <p>Wednesday 11:00 - 19:00</p> <p>Thursday 11:00 - 19:00</p> <p>Friday 11:00 - 19:00</p> <p>Saturday 11:00 - 19:00</p> <p>Sunday 11:00 - 19:00</p> <p>Alcohol is supplied for consumption on the premises.</p> | <p>Opening Times</p> <p>Monday 10:00 - 19:00</p> <p>Tuesday 10:00 - 19:00</p> <p>Wednesday 10:00 - 19:00</p> <p>Thursday 10:00 - 19:00</p> <p>Friday 10:00 - 19:00</p> <p>Saturday 10:00 - 19:00</p> <p>Sunday 10:00 - 19:00</p> |
|--|--|

Application and plan - Pages 6-27

Planning Authority Representation – Page 28

Agreed conditions with Hampshire Constabulary – Pages 29-32

Residents Representations - Pages 33-48

Applicants letter of response to residents representation - Page 50-51

Hampshire Constabulary have make representation and agreed with the applicant to add the following conditions to the premises licence:

CCTV

A recording CCTV system that captures images from the main public areas must be fully operational whilst licensable activities are taking place.

The system shall be able to cope with all levels of illumination.

The recording equipment shall be stored and operated in a secure environment with limited access, to avoid damage, theft, unauthorised viewing and maintain the integrity of the system.

The system shall be serviced at twelve monthly intervals and maintained to a standard that is acceptable to the police licensing department responsible for the area.

The system clock shall be checked regularly for accuracy taking account of GMT and BST.

Digital systems shall have sufficient storage capacity for 28 days evidential quality recordings (minimum 4 frames per second).

The images produced shall be date and time stamped.

A notice shall be displayed at the entrance to the premises advising that CCTV is in operation.

An additional recording CCTV camera shall be installed and fully operational whilst the venue is open to the public to cover the area immediately outside the front of the premises.

It is important that the Police are able to access data from the systems quickly and easily and therefore provision shall be made for someone to have access to the secure area and also be able to operate the equipment at all times.

Ensure all operators receive training from the installer when equipment is installed and that this is cascaded down to new members of staff.

Have a simple operator's manual available to assist in replaying and exporting data (particularly important with digital systems) and to produce images to the police for the purpose of the prevention and detection of crime as long as the request is lawful and complies with the data protection Act.

In the event of a technical failure of the CCTV equipment, the premises licence holder or DPS shall notify the police licensing department responsible for the area within 24 hours

Refusals Log

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

Training

Before commencing their duties all new staff must receive information and training concerning the sale of age-restricted products. This training must cover their legal responsibilities and action to be taken in the event of suspicions being aroused that someone is purchasing or attempting to purchase an item under the legal age. All employees will sign a letter to acknowledge that they have completed this training and have understood their responsibilities on this area. This training should be reviewed and updated at reasonable intervals

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 photo card 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.

The applicant has now addressed the concerns of the residents with the letter dated 15th March 2017.

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 ATTITUDE CUSTOM CYCLES LTD

(Insert name(s) of applicant)

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

Part 1 – Premises Details

| | | | |
|---|-------------|-----------|----------|
| Postal address of premises or, if none, ordnance survey map reference or description 2-4 STONEHAM LANE SWAYTHLING | | | |
| Post town | SOUTHAMPTON | Post code | SO16 2NL |
| Telephone number at premises (if any) | | | |
| Non-domestic rateable value of premises | £16250 | | |

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

SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | | |
|--|------------------------------|-------------------------------|-----------------------------|--------------------------------|-----------------|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| I am 18 years old or over <input type="checkbox"/> | | | | | Please tick yes |

| | | | |
|--|--|-----------------|--|
| Current postal address if different from premises address | | | |
| Post Town | | Postcode | |
| Daytime contact telephone number | | | |
| E-mail address (optional) | | | |

(B) OTHER APPLICANTS

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

| |
|---|
| Name ATTITUDE CUSTOM CYCLES LTD |
| Address 31A COBBETT ROAD SOUTHAMPTON SO18 1HJ |
| Registered number (where applicable) 10280091 |
| Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY |
| Telephone number (if any) [REDACTED] |
| E-mail address (optional) [REDACTED] |

Part 3 Operating Schedule

When do you want the premises licence to start?

| | | | | | | | |
|-----|---|-------|---|------|---|---|---|
| Day | | Month | | Year | | | |
| 1 | 2 | 0 | 3 | 2 | 0 | 1 | 7 |

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)
MOTORCYCLE SHOWROOM SELLING CUSTOM MOTORCYCLES, AS WELL AS
CLOTHING AND ACCESSORIES. THE PREMISES COMPRISES OF 2,472 SQFT OF
GROUND FLOOR RETAIL SPACE AND WORKSHOP.

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

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

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|--|-------|--------|--|----------|--------------------------|
| 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 | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | | |
| 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

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|--|--------------|---------------|---|----------|--------------------------|---|--|--|
| 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

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|--|--------------|---------------|---|----------|--------------------------|
| Recorded music Standard days and timings (please read guidance note 6) | | | Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2) | Indoors | <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 | | | | | |
| | | | | | |
| Thur | | | State any seasonal variations for the playing of recorded music (please read guidance note 4) | | |
| | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| | | | | | |
| Sat | | | | | |
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| Sun | | | | | |
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|---|-------|--------|--|----------|--------------------------|
| Performances of dance Standard days and timings (please read guidance note 6) | | | Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2) | 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 performance of dance</u> (please read guidance note 4) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | <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) | | |
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| Sat | | | | | |
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|--|-------|--------|--|----------|--------------------------|
| 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 | | | | | |
| Fri | | | <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) | | |
| Sat | | | | | |
| Sun | | | | | |
| | | | <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) | | |

I

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

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|---|-------|--------|---|-----------------------------------|--|
| 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"/> | |
| | | | Please give a description of the facilities for dancing you will be providing | | |
| Day | Start | Finish | | | |
| Mon | | | Please give further details here (please read guidance note 3) | | |
| | | | | | |
| Tue | | | | | |
| Wed | | | State any seasonal variations for providing dancing facilities (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| Sat | | | | | |
| Sun | | | | | |

K

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|--|-------|--------|---|----------|--------------------------|
| 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

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|--|-------|--------|---|----------|--------------------------|
| 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 | <u>Please give further details here</u> (please read guidance note 3) | | |
| Mon | | | | | |
| 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 checked="" type="checkbox"/> |
| | | | | Off the premises | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 4) | | |
| Mon | 11.00 | 19.00 | | | |
| Tue | 11.00 | 19.00 | | | |
| Wed | 11.00 | 19.00 | | | |
| Thur | 11.00 | 19.00 | | | |
| Fri | 11.00 | 19.00 | | | |
| Sat | 11.00 | 19.00 | | | |
| Sun | 11.00 | 19.00 | | | |
| | | | 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 NICHOLAS HOUGHTON | |
| Address [REDACTED] | |
| Postcode | [REDACTED] |
| Personal Licence number (if known) 2016/02748/02SPEN | |
| 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

| | | | |
|---|-------|--------|--|
| <p>Hours premises are open to the public Standard days and timings (please read guidance note 6)</p> | | | <p>State any seasonal variations (please read guidance note 4)</p> |
| Day | Start | Finish | <p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p> |
| Mon | 10.00 | 19.00 | |
| Tue | 10.00 | 19.00 | |
| Wed | 10.00 | 19.00 | |
| Thur | 10.00 | 19.00 | |
| Fri | 10.00 | 19.00 | |
| Sat | 10.00 | 19.00 | |
| Sun | 10.00 | 19.00 | |
| | | | |

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)

We will promote drink driving awareness with posters in the premises. We will operate a "Challenge 25" policy to protect children and people under legal age. Overcrowding shall not be permitted in any part of the premises. The premises licence holder or person in charge of the premises when licensable activity is taking place shall be provided the unhampered use of a telephone on the premises for use in an emergency. We will document any incidents and inform the relevant authorities should they arise.

b) The prevention of crime and disorder

Management staff shall be in attendance at all times in areas alcohol is sold, supplied and consumed.

A high quality CCTV system will be installed with cameras covering all areas of the premises and external cameras. Footage is of identification standard and will be retained for 30 days and can be made available to police should needs be.

There will be no off-site alcohol sales, any alcohol is to be consumed on site.

There will be an incident/refusals logbook to maintain records, dates, times and actions taken of any antisocial behaviour. The logbook will be kept on the premises at all times and available for inspection by the police or a member of the licensing authority.

c) Public safety

Fire extinguishers suitable to fire risks at the premises shall be provided and equipment maintained, regularly serviced by a competent person and certificated for inspection by officers of the licensing authority or fire authority. Such equipment will be placed in exit points and other key locations and not obstructed and easily accessed. A fire log book will be maintained detailing fire alarm tests and equipment tests as well as highlighting any incidents should they arise, this will be kept on site and made available for inspection to the licensing or fire authority. General health and safety will be taken into consideration. We will also promote drink driving awareness with posters in the premises.

d) The prevention of public nuisance

Background music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.

We will also co-operate with Police or Officers of the local authority in the implementation of any initiatives to combat crime or antisocial behaviour in the vicinity.

The premises licence holder will ensure that adequate measures to ensure patrons leave the premises in a quiet and orderly fashion.

e) The protection of children from harm

All staff to be trained in the prevention of under age sales to a level commensurate to their duties. The training will be clearly documented and signed and dated by both the trainer and member of staff receiving training. This document will be available for inspection by request of an officer of the licensing authority.
 We will operate a "Challenge 25" policy where acceptable photo ID will be sought from anyone who appears to be 25 or under.

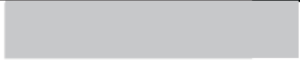
Please tick yes

- 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 | 8 TH FEB 2017 |
| Capacity | |

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)

[REDACTED]

Post town SOUTHAMPTON

Post code

[REDACTED]

Telephone number (if any)

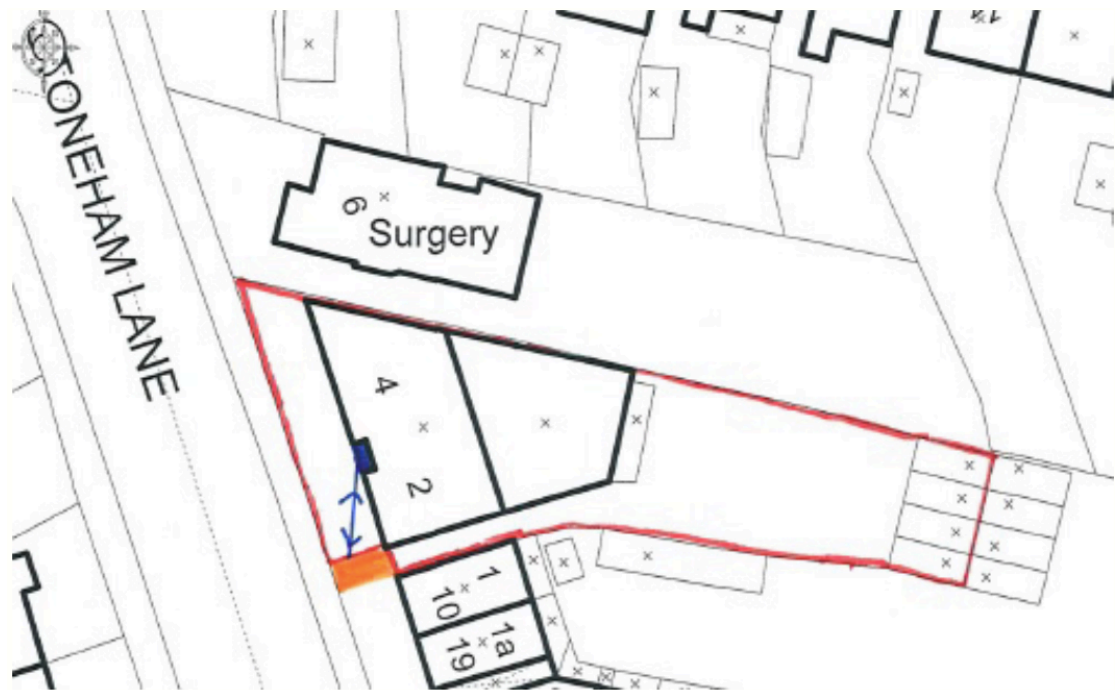
[REDACTED]

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

[REDACTED]

Notes for Guidance

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



From: [Collymore, Karl](#)
To: [Licensing; Burke, John](#)
Cc: [Grayer, Gavin](#)
Subject: Attitude Custom Cycles Ltd 2-4 Stoneham Lane
Date: 21 February 2017 15:01:06

To Whom it may concern


The Local Planning Authority wish to make representation in respect of the recent Premises Licence application received by the Licensing Authority.

In respect of the Crime and Disorder licensing objective we wish to advise that any operation carried out on the premises other than as a vehicle showroom would be unlawful. The operator does not have Planning Permission to use the premises for the sale/repair of motorcycles or as a drinking establishment.

A Planning Enforcement Officer has been trying to get the operator to seek planning permission to use the premises for motorcycle sales/repairs since 17 November 2016. The operator has failed to co-operate with the Local Planning Authority and continued to renovate the building for use as motorcycle sales/repairs. One of the main concerns Planners have with the intended use is the noise from the custom motorcycles and the fact that there are several residential properties within very close proximity of the site. The operator would need to submit a noise report with a planning application and recommendations for mitigation measures to prevent undue noise and disturbance to neighbouring residents.

The Local Planning Authority has been advised that the premises will be open to the public shortly despite the operator failing to obtain Planning Permission. It is our intention to take immediate enforcement action should the operator open the premises without the correct Planning Permission in place. We intend to serve an **Enforcement Notice** requiring that the unauthorised operation cease. Failure to comply with the requirements of the Enforcement Notice is a Criminal Offence and the matter would be dealt with at the Magistrates Courts. Enforcement Notices would be served on both Attitude Custom Cycles Ltd and the proprietor Mr Nicholas Houghton.

Kind regards

Karl Collymore
Enforcement Supervisor
Southampton City Council
Tel. 023 

From: [Swallow, Brian](#)
To: [Licensing](#)
Cc: [Swallow, Brian](#)
Subject: FW: Premise Licence Application - Attitude Custom Cycles
Date: 22 February 2017 13:25:54

Dear Licensing

Please find agreed amendments to the application for the above premises.

We make representation on the application but based on the amendments a hearing is not necessary

If you as a licensing authority are minded to grant the premises licence , would you be willing to include the conditions upon the premise licence?

Kind regards

PC 2903 Brian Swallow

Licensing Officer

Licensing and Alcohol Harm Reduction Team

Southampton Central neighbourhood Police Office

Southampton City Council

Civic Centre

Southampton

SO14 7LY

 [@hampshire.pnn.police.uk](mailto: @hampshire.pnn.police.uk)

Int: 

Ext: 02380 478373

Mob: 

[Licensing Home Page](#)

<http://www.hampshire.police.uk/internet/advice-and-information/licensing/>

From: Swallow, Brian

Sent: 15 February 2017 16:48

To: Southampton Licensing

Cc: 

Subject: FW: Premise Licence Application - Attitude Custom Cycles

Dear licensing

With regards to the application for a premises licence for Attitude Custom Cycles, 2-4 Stoneham lane , Swaythling, Southampton, SO16 2NL. The police have negotiated conditions with the applicant (see below conditions and confirmation of acceptance).

Without these conditions attached to the premises licence , the police would be minded to make representations against the granting of the application. As such the police do not feel it necessary for a formal hearing to be conducted to determine the application .

If you as a licensing authority are minded to grant the premises licence , would you be willing to include the conditions upon the premise licence?

Kind regards

PC 2903 Brian Swallow

Licensing Officer
Licensing and Alcohol Harm Reduction Team
Southampton Central neighbourhood Police Office
Southampton City Council
Civic Centre
Southampton
SO14 7LY

[REDACTED]@hampshire.pnn.police.uk

Int: [REDACTED]
Ext: 02380 478373
Mob: [REDACTED]

[Licensing Home Page](#)

<http://www.hampshire.police.uk/internet/advice-and-information/licensing/>

From: Attitude Cycles [REDACTED]
Sent: 15 February 2017 10:09
To: Swallow, Brian <[REDACTED]@hampshire.pnn.police.uk>
Subject: Re: Premise Licence Application - Attitude Custom Cycles

Hi Brian,
Received your email. Yes happy to adhere to the conditions you have mentioned below.
Kind regards
Nick Houghton

[REDACTED]
Attitude Cycles
[REDACTED]
[REDACTED]

From: <[REDACTED]@hampshire.pnn.police.uk>
Date: Tuesday, 14 February 2017 13:26
To: NICK HOUGHTON [REDACTED]k>
Cc: <[REDACTED]@hampshire.pnn.police.uk>
Subject: Premise Licence Application - Attitude Custom Cycles

Dear Mr Houghton

I am in possession of a premise licence application for Attitude Custom Cycles, 2-4 Stoneham lane , Swaythling, Southampton, SO16 2NL.

I note the steps you intend to take to promote the licensing objectives upon the application and the majority can be utilised by yourself as best practice and diligence. However, with the supply of alcohol comes added responsibility through risk. I would therefore request that certain conditions are attached to the premise licence should the licensing authority be minded to granted. These conditions are listed at the bottom of my email.

If you can kindly respond upon this email thread to ensure transparency and continuity of the conversation.

Kind regards

Conditions Start-----

1. A recording CCTV system that captures images from the main public areas must be fully operational whilst licensable activities are taking place.

The system shall be able to cope with all levels of illumination.

The recording equipment shall be stored and operated in a secure environment with limited access, to avoid damage, theft, unauthorised viewing and maintain the integrity of the system.

The system shall be serviced at twelve monthly intervals and maintained to a standard that is acceptable to the police licensing department responsible for the area.

The system clock shall be checked regularly for accuracy taking account of GMT and BST.

Digital systems shall have sufficient storage capacity for 28 days evidential quality recordings (minimum 4 frames per second).

The images produced shall be date and time stamped.

A notice shall be displayed at the entrance to the premises advising that CCTV is in operation.

An additional recording CCTV camera shall be installed and fully operational whilst the venue is open to the public to cover the area immediately outside the front of the premises.

It is important that the Police are able to access data from the systems quickly and easily and therefore provision shall be made for someone to have access to the secure area and also be able to operate the equipment at all times.

Ensure all operators receive training from the installer when equipment is installed and that this is cascaded down to new members of staff.

Have a simple operator's manual available to assist in replaying and exporting data (particularly important with digital systems) and to produce images to the police for the purpose of the prevention and detection of crime as long as the request is lawful and complies with the data protection Act.

In the event of a technical failure of the CCTV equipment, the premises licence holder or DPS shall notify the police licensing department responsible for the area within 24 hours

2. 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

3. Before commencing their duties all new staff must receive information and training concerning the sale of age-restricted products. This training must cover their legal responsibilities and action to be taken in the event of suspicions being aroused that someone is purchasing or attempting to purchase an item under the legal age. All employees will sign a letter to acknowledge that they have completed this training and have understood their responsibilities on this area. This training should be reviewed and updated at reasonable intervals

4. 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 photo card 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.

Conditions End-----

PC 2903 Brian Swallow

Licensing Officer

Licensing and Alcohol Harm Reduction Team

Southampton Central neighbourhood Police Office

Southampton City Council

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All communications, including telephone calls and electronic messages to and from the Hampshire Constabulary may be subject to monitoring. Replies to this email may be seen by employees other than the intended recipient.

Received
On
10 MAR 2017
EASTON
Southampton &
Bournemouth Licensing Partnership

Representation against reference 2017/00483/01sprn ATTITUDE CUSTOM
CYCLES LTD 2-4 STONEHAM LANE SO162NL

I wish to make a representation to the sale of alcohol / hospitality licence.

Key issues/ points/ fears

1 Why would you issue a licence to a motorbike shop?? Could this not lead to more drink driving?

2 The main road from the bike shop is very busy and I fear more accidents. As drivers use the side road as a rabbit run to beat the lights.

3 Why have they applied for 7days 11.00 – 19.00 when their hours are follows Mon closed, Tue-Sat 10.00-6.00pm and Sun 10.00 -4.00pm .

4 Maybe as a compromise they could have licence as same hours as above.

Our biggest fear is would they then be having weekend opening day events on Sundays and Bank Holiday Mondays. How many bikes would be in attendance revving up etc .There's a possibility they would be out in there yard having a drink and food from their own burger van that has been sited on what looks like a static site.

As a resident of Market Building we over the years have had to put up with this type of noise 7 days a week from cars and vans in all weathers. And these bikes are double the noise. We also deserve some quite time as we feel this could be 7 days a week and up to 8hours a day. As residents we only have a small balcony with limited space to try enjoy what weather and peace and quiet we get at the weekends.

4 With their other sites they occupied did they have an alcohol licence?

5 On positive note, these are hard working business people and have improved this building immensely.

NAME

ADDRESS

SIGNATURE

ROGER BEALE

10 MARKET
BUILDINGS





Representation against reference 2017/00483/01sprn ATTITUDE CUSTOM CYCLES LTD 2-4 STONEHAM LANE SO162NL

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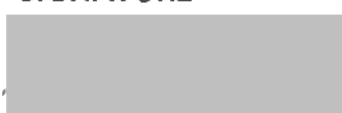
NAME

Tonia De la Caese

ADDRESS

*14, Market Buildings
High Road
Southampton*

SIGNATURE



Representation against reference 2017/00483/01sprn ATTITUDE CUSTOM
CYCLES LTD 2-4 STONEHAM LANE SO162NL



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NAME

M Stone

ADDRESS

11 Market Building

SIGNATURE



Representation against reference 2017/00483/01sprn ATTITUDE CUSTOM
CYCLES LTD 2-4 STONEHAM LANE SO162NL



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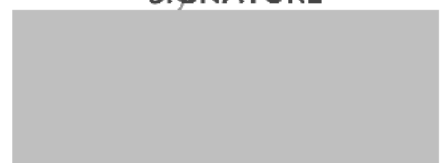
NAME

PAUL GARRISON

ADDRESS

13 MARKET BUILDINGS

SIGNATURE



Received
On
10 MAR 2017
Southampton &
Eastleigh Licensing Partnership

Representation against reference 2017/00483/01sprn ATTITUDE CUSTOM
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NAME

ADDRESS

SIGNATURE

IVES

16 MARKET BUILDINGS



Representation against reference 2017/00483/01sprn ATTITUDE CUSTOM
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NAME

ADDRESS

SIGNATURE

D. ANDREWS

17 MARKET
BUILDINGS
HIGH ROAD
SOUTHAMPTON



Representation against reference 2017/00483/01sprn ATTITUDE CUSTOM CYCLES LTD 2-4 STONEHAM LANE SO162NL

Received On 10 MAR 2017
Southampton & Eastleigh Licensing Partnership

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NAME

Gonnette Pike

ADDRESS

*14 Market Buildings
SO16 2HX*

SIGNATURE



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CYCLES LTD 2-4 STONEHAM LANE SO162NL



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NAME

ADDRESS

SIGNATURE

Duncan
Wetherill

20 Market
Building
SO16 2HY



Representation against reference 2017/00483/01sprn ATTITUDE CUSTOM
CYCLES LTD 2-4 STONEHAM LANE SO162NL

Received
On
10 MAR 2017
Southampton &
Castleigh Licensing Partnership

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David Sherriff

ADDRESS

21 market Buildings
Swaythling
Southampton
SO16 7HX

SIGNATURE

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LEONIE FRIEND

21 MARKET BUILDINGS



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ADDRESS

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Dawn
Robinson

22 market Buildings
High Road
SO16 2HX





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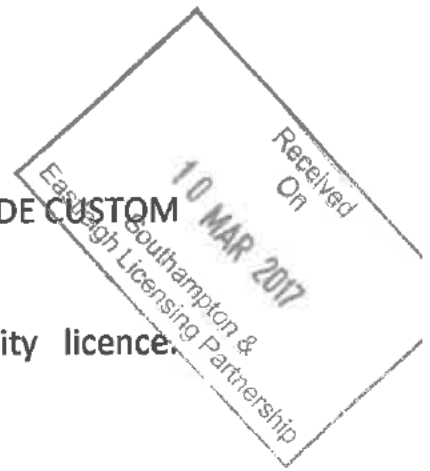
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|----------|---------------------------------------|-----------|
| D. BERRY | 22 Market Bldgs High Rd SO162HX | |



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| D. Beauson | 23 MARKET Buildings High Rd Southampton SO23 7NH | |



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Carley Hartup

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24 Market Buildings

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Rory O'Mahony

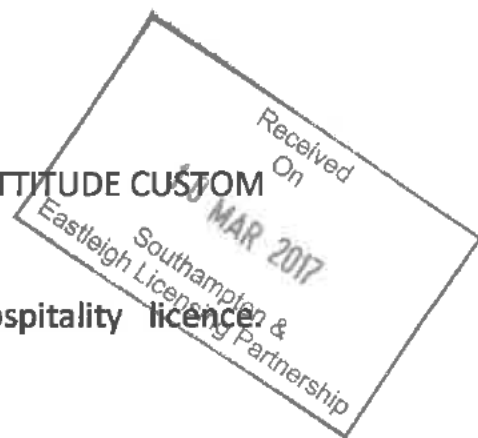
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| TERRY-LYNNE LAMBERT | 26 MARKET BUILDINGS |  |



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NAME *GARY LAMBERT* ADDRESS

*26 MARKET BUILDINGS
SWAYTHLING
SOUTHAMPTON
SO162HX*

SIGNATURE





Attitude Cycles
2-4 Stoneham Lane
Swaythling
Southampton
Hampshire, SO16 2NL

www.attitudecycles.uk

15th March 2017

Dear Residents of Market Buildings,

We are writing to you to address any concerns you may have with regards to our premises at 2-4 Stoneham Lane.

Our intentions are to open showroom premises selling our custom motorcycles as well as clothing and accessories and for the service and repair of bikes in the rear workshop.

When we took on the premises we were mindful of the local residents and the close proximity, which is reflected in our intended opening hours below.

Mon: Closed

Tues – Sat: 10.00am – 6.00pm

Sun: 10.00 – 4.00pm

The motorbikes we sell/customise are all MOT'd and comply with noise/emissions requirements by law so there should hopefully be no more noise than when the premises was used previously as a car garage/showroom. However as an addition we will be displaying notices around the premises to advise customers to be respectful of our neighbours and to arrive/leave quietly and not rev their engines. We will also be vigilant in enforcing this.

We recently submitted an application for a premises license for the sale of alcohol to our customers. We wish to reassure residents that this 'add on' is to compliment what we do. Selling alcohol is not a core element of our business and we don't intend to be a 'Biker Bar' but similar to most hairdressers or barbers that have alcohol licenses to sell wine/beer to their customers whilst they wait. We will have a small seating area indoors and to the rear yard for customers. The catering van in the rear yard is not static it is on wheels as we occasionally take this to motorcycle shows and events. However it is our intention to sell tea, coffees and basic hot food for our customers when it is parked in the rear yard while people wait for their bikes to be repaired/serviced.

As part of our premises license it requires us to promote anti drink driving with posters and other literature in store to comply with the licensing objectives.

We do not intend to sell alcohol outside of our intended store opening hours, but at the time of submitting the application we were unsure what exactly our store opening times would be and were advised by licensing to apply for a broader range of hours to allow for this. We would be happy to limit our licensing hours to our store opening hours as a compromise.

We intend to open on the 25th March with an opening weekend. (Saturday 10am-6pm and Sunday 10-4pm). We do expect to be busy and there may be more noise than during our normal working hours but we will endeavor to keep noise to a minimum.

Attitude Cycles is a friendly, family run business and has been trading in the Southampton area for over 10 years. As you have hopefully seen we have spent a lot of money and time renovating and improving vacant and run down premises. Should you wish to visit the shop I will be more than happy to show you around. We intend to work with local residents and hope this letter addresses any concerns you may have. However please feel free to contact me via email with your concerns and comments.

Yours sincerely,



Nick Houghton
Attitude Cycles

