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

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Present: Councillors Mrs Blatchford, Noon and Spicer

20. **ELECTION OF CHAIR**

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

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

**RESOLVED** that the Sub-Committee would move into private session in order to receive legal advice when determining issues. The parties to the hearing, press and the public, unless otherwise excluded by Category 4 of paragraph 10.4 of the Council's Access to Information Procedure Rules, would be invited to return immediately following that private session at which time the matter would be determined and the decision of the Sub-Committee announced.

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

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

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

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

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

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

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

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

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

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

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

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

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

### Reasons

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

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

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

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