

**DECISION-MAKER** LICENSING (LICENSING & GAMBLING) SUB COMMITTEE

**SUBJECT** HEARING TO CONSIDER AN APPLICATION FOR GRANT OF A PREMISES LICENCE – **Freemantle Supermarket 79 Park Road Southampton SO15 3DD**

**DATE OF HEARING** 27 May 2020 16.00

**REPORT OF** SERVICE DIRECTOR – COMMUNITIES,CULTURE AND HOMES

**E-mail** licensing@southampton.gov.uk

Application Date : 13th March 2020      Application Received 13th March 2020

Application Valid : 13th March 2020      Reference : **2020/01040/01SPRN**



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### ***Representations from Responsible Authorities***

Responsible Authority	Satisfactory?
Safeguarding Children	No Response Received
Fire Service	No Objection
Environmental Health - Licensing	No Objection
Home Office	No Response Received
Building Control	No Response Received
Public Health Manager	No Response Received
Police - Licensing	Agreed Conditions

Trading Standards		Agreed Conditions	
<b>Other Representations</b>			
<b>Name</b>	<b>Address</b>	<b>Contributor Type</b>	
R. Girdlestone	Flat B,79 Park Road, Southampton SO15 3DD	<b>Resident</b>	
B R Girdlestone	67 Westering, Romsey So51 7LX	Owner of nearby Property	
P Crook	40 Arun Road,West End Southampton SO18 3PQ	Owner of nearby Property	
<b>Supporting Representations</b>			
Mr Aftaab Deader	34 Blenheim Ave Southampton SO17 1DU	<b>Resident</b>	
Mr Muhammad Farooq	41 Atherley Road Southampton So15 5DR	<b>Resident</b>	

## ***Legal Implications***

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

An application may be refused in part and thereby only permit some of the licensable activities sought.

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.

In considering this application the sub-committee is 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.

Only persons that made relevant representations or their representative, within the time limits, will be allowed to present evidence and this will be restricted to the points raised in their written representation. Any evidence used to expand upon specific points already raised in a written representation should be served upon all parties in good time before the hearing date in order to

allow proper consideration. A failure to properly serve any such additional evidence in advance is likely to mean it cannot be produced or relied up at the hearing.

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.

- **Equality Act 2010**

Section 149 of the Equality Act 2010 requires the Council to have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act. It also requires the Council to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. This means having due regard to the need to removing or minimising disadvantages suffered, taking steps to meet the needs of persons, encouraging persons to participate in public life, tackling prejudice and promoting understanding. The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

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

## **SUMMARY**

<b>Applicant</b>	<i>Mr. Deniz Coskun</i>
<b>Designated Premises Supervisor</b>	Deniz Coskun

This is an application for a new premises licence. The premises is a local convenience store.

The new premises licence application is for the following licensable activities and hours:

Supply by retail of alcohol (for consumption off the premises )	Opening hours of the premises
Monday 08:00 - 23:00	Monday 08:00 - 23:00
Tuesday 08:00 - 23:00	Tuesday 08:00 - 23:00
Wednesday 08:00 - 23:00	Wednesday 08:00 - 23:00
Thursday 08:00 - 23:00	Thursday 08:00 - 23:00
Friday 08:00 - 23:00	Friday 08:00 - 23:00
Saturday 08:00 - 23:00	Saturday 08:00 - 23:00
Sunday 08:00 - 23:00	Sunday 08:00 - 23:00

Please note the consultation period had to be extended to the 3rd May 2020, as the public notice was not printed in the local press in time.

The application has received 3 public representations of objections and 2 public representations supporting the application.

Hampshire Constabulary and Trading Standards have both made representations and agreed with the applicant to add the following conditions to the premises licence:

### CCTV

*A colour 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 that at all times a person is in attendance who is nominated by the data controller who has access to the secure area who is able to operate the equipment*

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

*authority 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 BOOK

*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 venue 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.*

### STAFF 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 but at least annually.*

### 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.*

### ABV

*No beers, ciders or lager of 6.5% ABV or over shall be sold by retail unless they in a pack of 4 or more as supplied by the manufacturer*

### SINGLE CANS

*No single cans of beers ciders or lager shall be sold to customers. Unless other non-alcoholic product purchases (excluding tobacco and tobacco sundries) are made totalling £5.00 or more in the same transaction.*

### Record Keeping

*The Premises Licence Holder must keep, for a period of 24 months, complete records, such as invoices, receipts and delivery notes, relating to alcohol and cigarettes obtained by him for sale from his shop. Records must include the name, address, AWRS number (for*

*alcohol suppliers) and telephone number of the supplier, the date of supply, the products supplied, and their prices. 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 cigarettes present at his premises*

**Enclosed in Report**

- Application
- Covering Letter
- Shop Plan
- Site Plan
- Trading Standards agreed conditions
- Police Agree agreed conditions
- Public Representation- Objections(3)
- Public Representation- Supporting (2)
- Hearing Procedure

**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 DENIZ COSKUN

*(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**

79 Park Road Shirly Southampton SO15 3DD			
Post town	SOTHAMPTON)	Postcode	SO15 DDF

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£5,900.00 [REDACTED]

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*
  - IN  please complete section (A) ✓
  - DI
  - VI
  - DU
  - AL
- 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 in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a  
 statutory function or   
 a function discharged by virtue of Her Majesty's prerogative

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

Mr <input type="checkbox"/>	M R. <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev) <input type="checkbox"/>
Surname COSKUN			First names DENIZ		
I am 18 years old or over I AM OVER 18 YEARS OLD					<input checked="" type="checkbox"/> * Please tick yes
Current postal address if different from premises address		43 A LEIGH ROAD EASTLEIGH SO50 9DF			
Post town	EASTLEIGH (SOUTHAMPTON)			Postcode	SO50 9DF
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)		[REDACTED]			

**SECOND INDIVIDUAL APPLICANT (if applicable) NOT 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 NOT APPLICABLE**

**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?

DD	MM	YYYY
0	1	0 5 2 0 2 0

If you wish the licence to be valid only for a limited period, when do you want it to end? NOT APPLICABLE

DD	MM	YYYY

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

This is end terraced double fronted retail unit benefits from electricity operated from security shutters, a suspended acoustic ceiling, fluorescent lighting, a ceiling mounted air conditioning ( heating and chilling,. Untested but we intend to test and re commission to safely working order) unit Burglar alarm system , CCTV equipment(untested and will be re-commissioned to be in full working order before commencing trading) A small basement storage cellar, private use only toilet, kitchenette and small ground floor rear storeroom.

The total approximate floor area amounts t 600 square feet.

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

NOT APPLICABLE

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 any that apply

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

**Provision of late night refreshment** (if ticking yes, fill in box I) NOT APPLICABLE

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

**A**

Plays <b>NOT APPLICABLE</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				<b>Please give further details here</b> (please read guidance note 3)	
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat					
Sun					

**B**

<b>Films</b> <b>NOT APPLICABLE</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Wed					
Thur			<b>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</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

C

<b>Indoor sporting events NOT APPLICABLE</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon	/		<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Tue			
Wed			
Thur		<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)	
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling enter trainmen's</b> <b>NOT APPLICABLE</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	/		<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed	/		<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Thur					
Fri	/		<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

**E**

<b>Live music</b> <b>NOT APPLICABLE.</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat					
Sun					

**F**

<b>Recorded music</b> <b>NOT APPLICABLE</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish		
Mon	/		<b>Please give further details here</b> (please read guidance note 3)	
Tue				
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)	
Thur			<b>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</b> (please read guidance note 5)	
Fri				
Sat				
Sun				

**G**

<b>Performances of dance NOT APPLICABLE</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish		
Mon	/		<b><u>Please give further details here</u></b> (please read guidance note 3)	
Tue				
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)	
Thur				
Fri			<b><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></b> (please read guidance note 5)	
Sat				
Sun				

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> <b>NOT APPLICABLE</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sun					

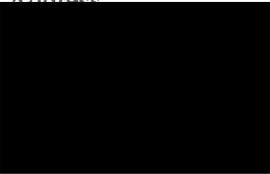
I

<b>Late night refreshment.</b> <b>NOT APPLICABLE</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (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					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)					
Mon	08:00	23:00						
Tue	08:00	23:00						
Wed	08:00	23:00						
Thur	08:00	23:00				<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	08:00	23:00						
Sat	08:00	23:00						
Sun	08:00	23:00						

**State the name and details of the individual whom you wish to specify on the licence as designated Supervisor:**

Name : Deniz Coskun
Address 
Postcode 
Personal licence number (if known) : BOP-M010496
Issuing licensing authority (if known) Bournemouth

K

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

The main customers of this shop are the passing public, in the future we may also start delivering to customers such as restaurants, and food retailers, or food retail customers. We may also in the future deliver to customers or individuals FOR OWN CUNSUMTION AWAY FROM OUR PREMISESS  
 A CHALLENGE 25 WILL APPLY TO all customers. IF A DELIVERY IS MADE TO CUSTOMER known address.

**Neither customers or our staff or anyone else are permitted to consume alcohol on any area of the company premises.**

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	23:00	<p><b><u>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</u></b> (please read guidance note 5)</p>
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	

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

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

**b) Prevention of Crime and disorder:** The applicant is the licence holder himself and the proprietor of the business, will insure the licencing authority is kept well briefed on nature and type of crime which may occur in the area. The licence holder will insure the town watch and similar activities and other civil organisations in the area are kept well informed. The licence holder will refuse serving by way of direct sell or delivery to or severing any customer who appears to be misusing alcohol, or causing or in acting of trouble, or act in disorderly manner. No consumption of alcohol consumption is allowed or permitted by the public including members of staff no one is allowed to consume alcohol on the premises at any time.

**c) Public safety**

The licence holder is also the proprietor of the business also he is the owner manager of the business Both the proprietor/ manager of this business or any members of his staff in addition to himself will make sure that all of the current health and safety regulations are applied and complied with at all times without any compromise to either to the public or staff health and safety, also both the manager and staff will insure that the premises meets the up to date necessary health and safety and fire safety Requirements.

**Exit**

A strict health and safety daily log is kept in good working order.

A strict health and safety daily log is kept, all fire equipment are kept in good working order and a the fire certification is regularly updated.

Only a qualified trained certified body will carry out any gas and electricity ( as may be applicable) work in the premises

The management keeps strict daily checks on the storage and dispensing of alcohol, which will only be available for consumption away from the premises.

Safety and hygiene are taken seriously.

The existing security cameras of the premises do greatly enhance the security of storage and dispensing of the alcohol.

Fire safety Celling mounted smoke alarms with bell are mounted on the ceiling and regularly checked Fire certification is regularly updated both fire blankets ( to BS EN 1869 and fire extinguishers to (BS 5306) regularly checked.

CCTV camera are mounted both inside the premises and outside the premises with monitoring facility Emergency lighting and clear fie exit direction fire exit showing direction mounted on the wall

**d) Prevention of Public nuisance:** The applicant as the business manager will insure that update regulations are observed at all times. He is the DPS and as the licence holder and the proprietor of the business, will insure both himself and all members of his staff ( as may be applicable) will make sure the staff Comply with all relevant up to date health and safety regulations are completely complied with no compromise to the public or members of the staff. The staff also will insure that the premises meets the up to date necessary health and safety requirements at all times. The relevant authority will be informed if there are any issues which may arise that may affect the suitability of the premises. A strict daily check on noise and smell is monitored by the manager. The manger will keep daily checks on stock and dispensing of goods to the public. Safety and Hygiene are taken seriously, security cameras recording is kept for minimum of 21 days for both of safety of the customers, and staff and for police inquiries if or when required or applicable. The 24/7 camera monitoring with appropriately displayed warning does enhances prevention of Public Safety and minimise Public nuisance. Also it

enhances the security of storage and dispensing of alcohol to the all members of the public. Security of alcohol stock, The Alcohol stock will be secured with access only to authorised members of staff. No products will be displayed outside the security or monitoring area, of the premises. Noise levels will be monitored by staff and politely the customers will be guided outside the premises as may be necessary. No smoking is permitted on the premises to staff or customers

*Covering letter*

- e) **The protection of children from harm:** We do not serve alcohol to children. We do not allow un accompanied children to the alcohol selling or storing area. Staff are trained to make sure that they receive and understand information on laws related to children. Alcohol and tobacco products are only sold to those who comply with challenge 21, with supporting legal documentation examined. We do not sell alcohol or tobacco products to adults whom we suspect are acting for a child or children. This business does not purvey or sell any items or products suitable for children any consumables use or consumption by children. We do not advertise or display consumables to be available for purchase by children. All products sold to children are strictly monitored and challenged Challenge 25 signs are clearly and well displayed at eye level in the shop and the compliance with challenge 25 prohibits the sell of any unsuitable or prohibited products to children at all times.

**Checklist:**

**Please tick to indicate agreement**

- 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 designated 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 SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

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

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

Signature	[REDACTED]
Date	10/03/2020
Capacity	Authorised Agent

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity. Not applicable**

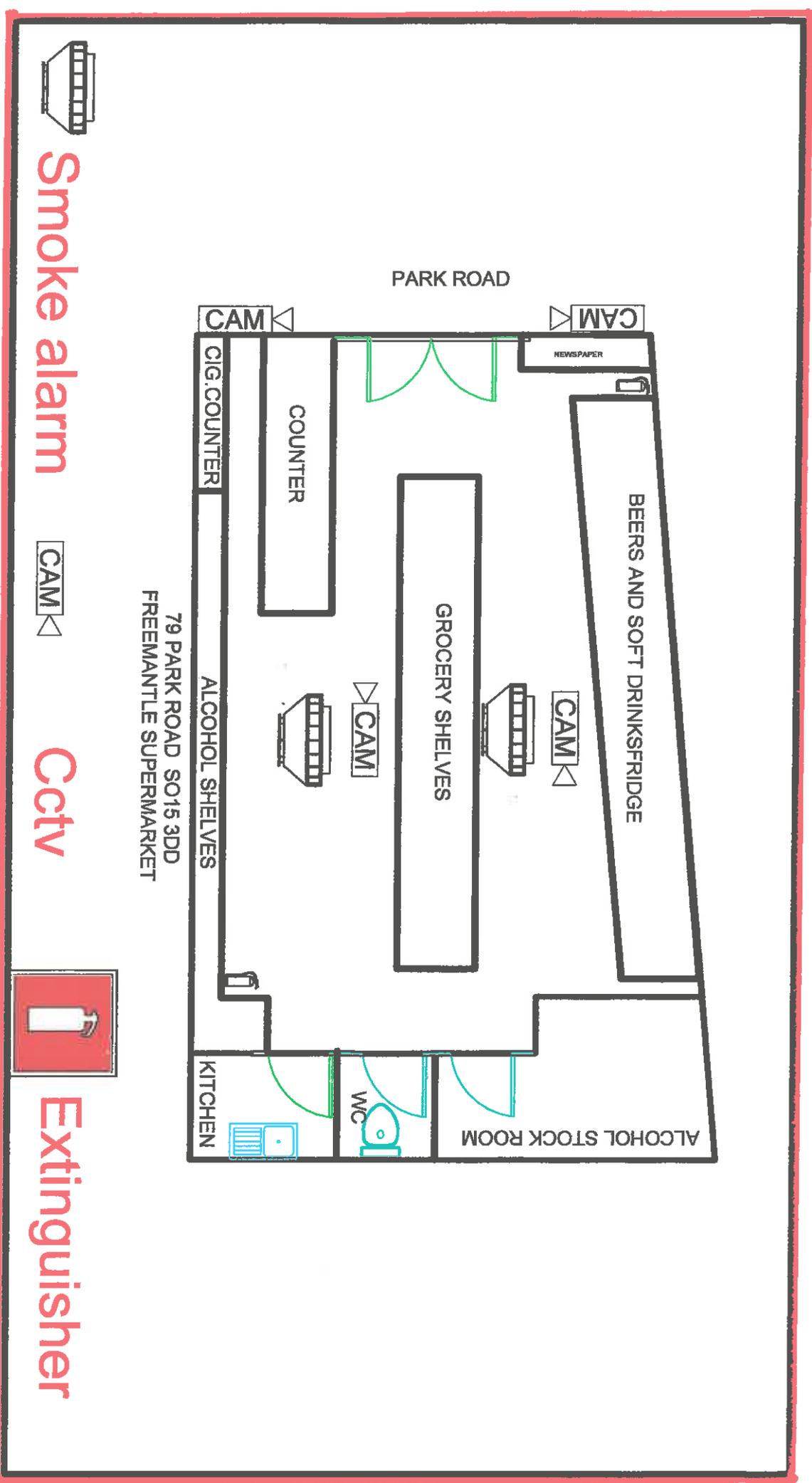
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Mr Joseph Gregor Garabette [REDACTED]	
Post town	[REDACTED]
Postcode	[REDACTED]
Telephone number (if any)	
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 the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. 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

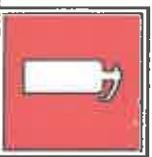
III. Exhibit (A) Simplified Outlay of the Premises



Smoke alarm

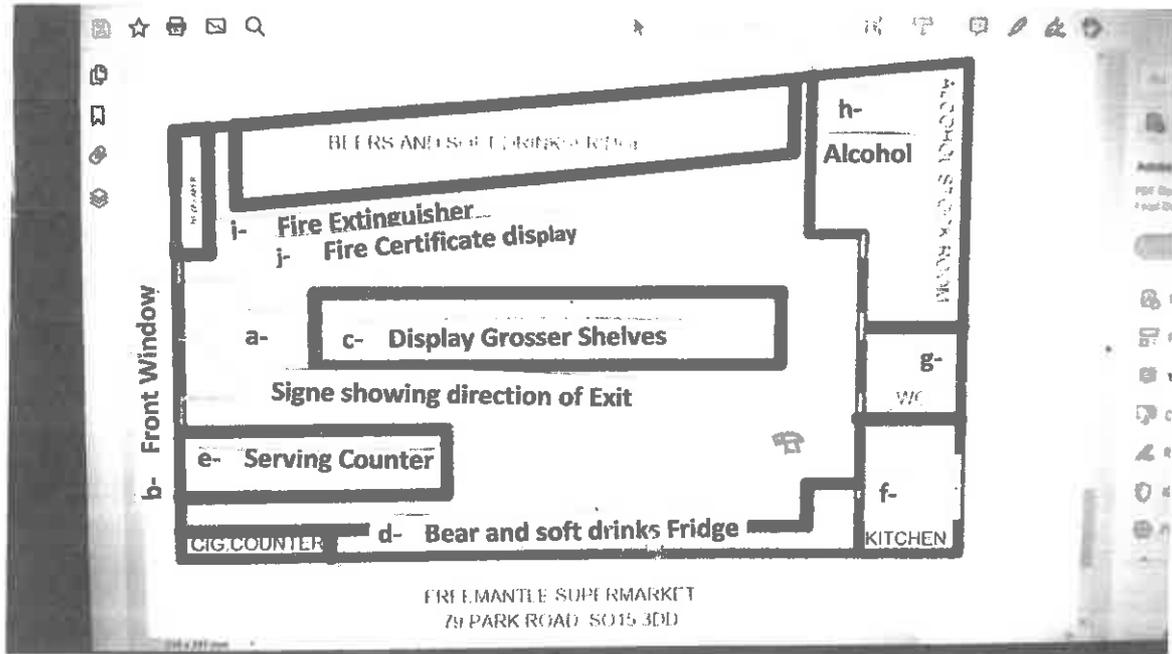


Cctv



Extinguisher

#### IV. Exhibit (B) Proposed Ground Floor of the premises



#### PROPOSED GROUND FLOOR- 79 PARKROAD SO15 3DD

**SCALE: 1:100**

PRINTED AT MALE BOXES ETC. 151 High Street Southampton SO14 2BT

OS MasterMap 1250/2500/1000scale

Printed Friday, March 6, 2020 ID: HMC-00865897

112767 N

1:1250 scale print at A4, Centre: 440617E,

Map scale 1:1250 printed at MAIL BOX ETC Enclosed with 79 Park Road SO15 3DD (Hatched in red) showing North direction is enclosed

#### FREEMANTLE SUPERMARKET

79 Park Road

Southampton

SO15 3DD

#### Key

#### **a- Main Entrance & Fire Exit to Park Road**

- a- Fire Exit Signe showing direction of Exit - *ENTRANCE*
- b- Front Window See Front Elevating
- c- Display Grocery Shelves
- d- Beer and soft drinks Fridge
- e- Serving Counter with mounted cash Till
- f- Small Kitchen No Cooking
- g- Staff Toilets with soap & Dryer
- h- Alcohol Storage Room with Shelves
- i- Fire Extinguisher and Fire Blanket
- j- Fire Certificate display

*MT. a.*

## KEY

### Fire alarm call point

- a- Ceiling mounted (battery operated) smoke alarm
- b- Ceiling mounted heat sensitive detection may be installed if required!
- c- CCTV camera to specialists details

Fire exit signage designed to BS 5499: Part 1990 including graphic or -d  
"running man" symbol to (mounted 5.2 foot high left facing) and direction arrow as  
appropriate to, signs to be externally illuminated by adjacent emergency light point.  
Signs to be wall mounted by adjacent emergency light point. Mounted at 2 m 2.5 m E  
denotes normal "Exit" 'Rout' 'FE' denotes (i. e Graphic symbols & Arrow  
supplemented by addition of appropriate text). Signs to comply with Health and ( Safety Signs & Signals)

## SAFETY

### FIRE SAFETY

Ceiling to be class o

All new shelves and steel work to be fire Resistance

Fire alarm can be manually activated and tested on a regular intervals

ELECTRICAL SAFETY 889:1991

Electrical Installations to be in accordance with BS 7671:2001 and undertaken by competent person registered with an electrical self –certification scheme Authority by the Secretary of State. The competent Person is to supply a compliance certificate for the work to be supplied a compliance certificate for the Work to supply to Building Control

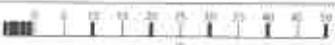
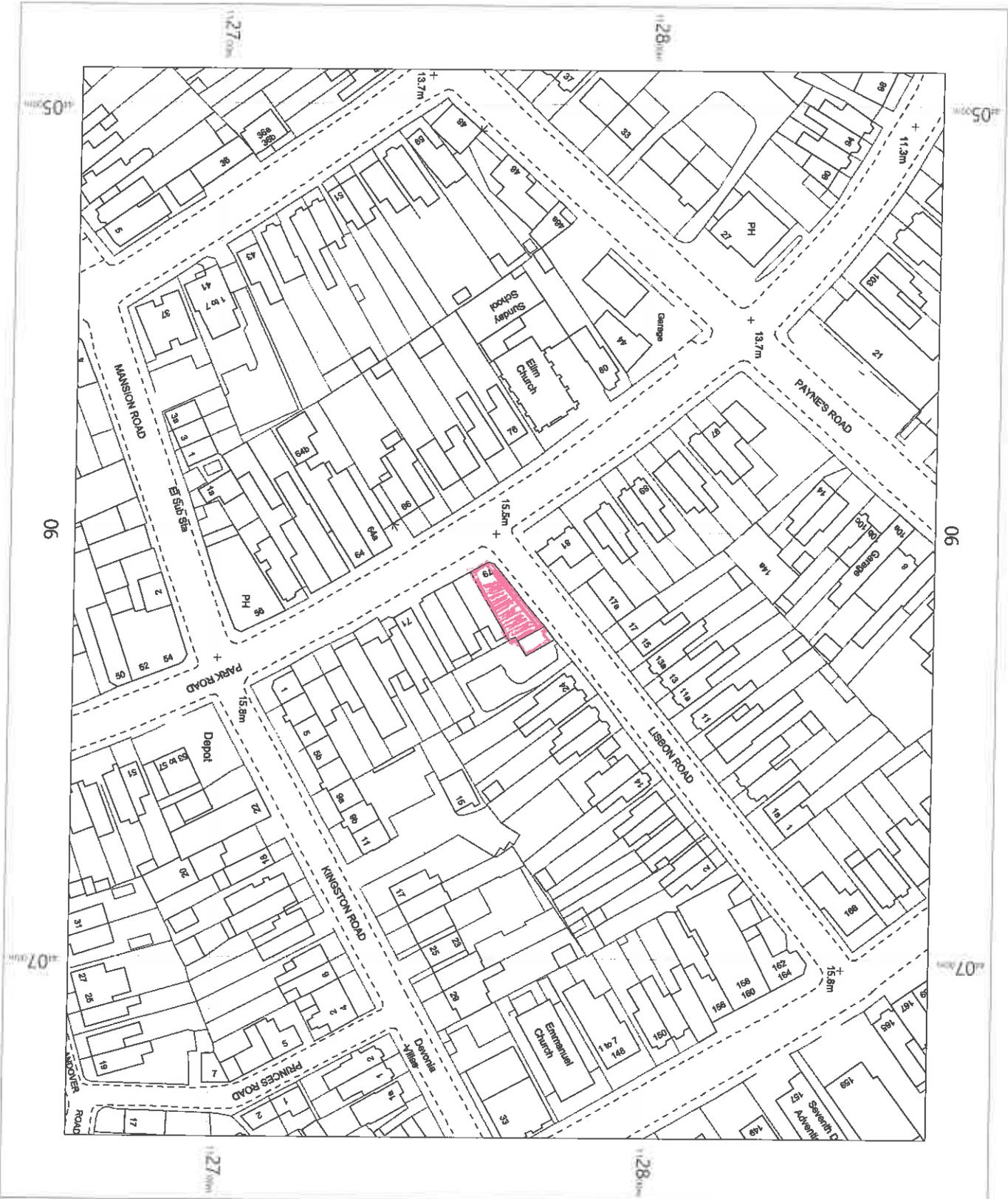
### GAS SAFETY

All Gas installation (as may be applicable): will be done by GAS –SAFE Registered specialist.

Gas Point. And Emergency Light are clearly signed

Fire Extinguishers, to BS 5308-3 and Fire blanket, to BS EN 19 889: 1997

Bell 



OS MasterMap 1250/2500/10000  
 scale  
 Friday, March 6, 2020, 10:07  
 HMC-00865897  
 www.themapcentre.com

1:1250 scale print at A4 Centre:  
 440617 E, 112767 N

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**MAIL BOXES ETC.**

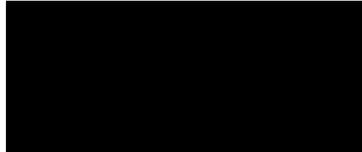
**Freemantle supermarket 79 Park Road Southampton SO15 3DD**

**Enclosed Please Find the Following**

- 1- Completed Signed and dated Application Form for Application for licence to be granted under the Licensing Act 2003
- 2- Newton Scot Commercial Agents Description of the premises Known as FREEMANTEL SUPPER MARKET 79 Park Road SO15 3DD showing type of the premises, its location at the junction of park Road and Lisbon Road, close to Foyes Corner. Other relevant information on the back of this page showing EPC (Energy Performance Certificate) RATING..... C
- 3- Exhibit (A) which shows simplified brief outlay of Alcohol Storage Room, Smoke alarm CCTV camera location and location of Fire Extinguishers and location of alcohol secured stock room
- 4- Exhibit (B) Proposed Ground Floor of premises (79 Park road Southampton SO15 3DD) with location of Main Entrance & Fire Exit and location of Fire Safety Equipment & General outlay together with Key
- 5- No Where on the premises is allocated for consumption of Alcohol
- 6- Timing in 24 hours for the days of the week when the business intends to be open and trading premises to be used is as on the application form 08:00 -21:00 Monday to Sunday.
- 7- Alcohol to be purchased to consume away from the premises and we ticked 'off the premises'
- 8- We do not intend to carry anything at the premises or ancillary to the use of the premises which may give rise to concern I respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machine.
- 9- In the relevant part of the application form the applicant has listed steps the applicant is taking to promote all four licensing objectives

The applicant's agent has signed the dated the application form on behalf of the applicant. There is no other applicants (single application).

Joseph Gregor Garabette, B.Sc. C. Biochemical Eng. UCL. Lon.



12/03/2020

Southampton Licensing team  
PO BOX 1767  
Southampton SO18 9LA

**Our Reference: Deniz Coskun: Application for a premises licence to be granted under the Licensing Act 2003 for 79 Park Road Shirley SO15 3DD**

Dear Sir Madam

Dear Licensing Team

This application is for a Premises Licence to be granted under the Licensing Act 2003, for the Supply of alcohol from the premises and opening of the premises on the public Standard days and timing as applied for in attached application form.

The applicant, Mr Deniz Coskun, holds a Personal Licence (Personal Licence number BOP-M010496) Issued by Bournemouth licensing authority. A copy of the Personal Licence is enclosed with this licence application. The applicant's home address is as on the application form enclosed.

Our earlier investigation with this council indicates that these premises previously had a premises licence for the supply of alcohol, to be consumed away from the premises. The location of these premises benefits from windows to both Park Road and Lisbon Road. The premises has ceiling mounted air conditioning, vinyl flooring, security shutters and burglar alarm, plus a small rear stores area, staff toilet and small staff basic kitchen.

The proposed ground floor enclosed diagram is showing a-combined Main Entrance and Fire Exit, b-the Front Window, c- Grocery shelves, d-Beer and soft drinks fridge e-serving counter with mounted cash till, f-small kitchen, g-staff toilets, h-alcohol storage room, i-firefighting extinguisher, j-fire certificate display,

The Applicant intends to refit and update all the health and safety equipment to the previous standards or higher as applicable and required, both by the health and safety, and fire safety regulations.

The previously tenants granted licence was voluntarily surrendered by the previous tenant (trader) for private reasons.

The premises is currently vacant, for ease of reference the applicant has enclosed a copy of the premises (Freemantle Supermarket) details as provided by the agent.

This applicant intends to update the fixtures and fittings to the previous standards or higher than the previous occupants licence standards or better.

A new alcohol licence is applied for to replace the surrendered licence which was surrendered two/three years ago by the previous business owner. Mr Coskun understands that surrendering of the licence was voluntarily for private reasons, we speculate it was early retirement.

The enclosed proposed ground floor plan clearly shows the location of fixed structures. There are no raised areas in the shop, no steps or lifts in the shop and the premises does not include any room containing customer toilet facilities.

The location and type of fire safety equipment, includes the location of fire extinguishers, fire doors, fire alarm and similar equipment is as identified on the proposed ground floor map. The location of the staff kitchen and staff toilet is also clearly marked on the proposed elevation.

There would not be significant loss of amenity caused by traffic, noise, as no music or any form of entertainment is carried out on these premises. There will not be any potential harbouring of vermin, odour or fumes as the premises and, surrounding area will be kept in a clean state at all times. The location of the shop does not present any substantial risk to public in terms of road safety.

Neither the owner nor any of his staff or any member of the public, including the customers, are allowed to consume alcohol inside the premises.

Further Safety Statement.

Our activity will not be conducted, as far as reasonably practicable, in any way that presents fire occurring. If there is a fire emergency in or around the premises in any way, the operating management is responsible to act in a way that protects everyone who may be affected by the fire and allows fire fighting to start as soon as possible. Everyone should be warned of a fire in good time and will be able to move to a place of safety, outside the premises, as quickly as possible.

Emergency Action Plan (action on discovery of fire):- Evacuate the building by nearest fire exit and guided by the manager to safe fire assembly point outside the building.

Customers and contractors, if any on the premises, should also report to fire assembly point outside the premises, the manager to prepare for liaison with the fire brigade.

Thanking you in anticipation

  
Joseph G Garabette

Pp Mr Deniz Coskun (the applicant and business proprietor)

Cc Mr D Coskun 

Cc Mr Deniz Coskun  
Eastleigh Mini Market  
43A Leigh Road  
Hampshire SO50 9DF  


Ref: Your authorisation letter for me to act as your approved agent  
For your application for premises licence for sale of alcohol by retail

**From:** [Swallow, Brian](#)  
**To:** [Licensing](#)  
**Subject:** FW: Freemantle Supermarket 79 Park Road Shirley SO15 3DD - New Premises Application  
**Date:** 30 March 2020 08:44:21  
**Attachments:** [Deniz reply to police draft 1.docx](#)

---

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.

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]

[REDACTED]

[REDACTED]

[REDACTED]

[Licensing Home Page](#)

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

---

**From:** Marshall, Lucas [REDACTED]

**Sent:** 26 March 2020 13:00

**To:** [REDACTED]

[REDACTED] Brian

**Subject:** RE: Freemantle Supermarket 79 Park Road Shirley SO15 3DD - New Premises Application

Dear Sir

I would support the conditions that PC Swallow has listed below, as I am of the opinion that they will assist in Mr Coskun's management of the premises, 79 Park Road. I would add that 79 Park Road has been a premises where repeat crime, namely the supply of illegal cigarettes, has taken place, whilst it was under the control of the previous Premises Licence Holder. Keeping of smuggled goods, such as cigarettes, on a Licensed Premises is one that is treated particularly seriously, and I would therefore additionally propose the following condition, which relates to traceability of both cigarettes and alcohol:

**Record Keeping**

***The Premises Licence Holder must keep, for a period of 24 months, complete records, such as invoices, receipts and delivery notes, relating to alcohol and cigarettes obtained by him for sale from his shop. Records must include the name, address, AWRS number (for alcohol suppliers) and telephone number of the supplier, the date of supply, the products supplied, and their***

**prices. 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 cigarettes present at his premises.**

If you have any queries please contact me on [REDACTED]

Yours faithfully

Lucas Marshall

Lucas Marshall

Trading Standards Officer

Environmental Health and Consumer Protection Division

**Southampton City Council**

[REDACTED]

---

**From:** Swallow, Brian [REDACTED]  
**Sent:** 26 March 2020 11:12  
**To:** 'josephgregorgarabette' [REDACTED]  
**Cc:** Marshall, Lucas [REDACTED]  
**Subject:** FW: Freemantle Supermarket 79 Park Road Shirley SO15 3DD - New Premises Application

Dear sirs

I am receipt of an application for a new premises licence for, Freemantle Supermarket 79 Park Road Shirley SO15 3DD.

Firstly can you kindly confirm how Mr Coskun will be in day to day control of the premises when his current home address is in [REDACTED] Poole and his business is registered in [REDACTED] Southsea?

Secondly, I do not believe that departmentally we have been contacted with regards to this new applications as required in the 182 guidance.

Section "M" of the application where the applicant details how they will demonstrate the steps they will take to promote the 4 licensing objectives is poorly written and in some places contradictory. If you had contacted us prior to submitting the application we would have been able to assist rather than reading a badly cut and pasted document.

That being said...

The area of Freemantle in Southampton does suffer from alcohol related crime and disorder. As such, I would propose that formal conditions are added to the premises licence (should the licensing authority me minded to grant it)

The conditions I propose are:

CCTV

*A colour 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 that at all times a person is in attendance who is nominated by the data controller who has access to the secure area who is able to operate the equipment*

*Ensure all operators receive training from the installer when equipment is installed and that this is cascaded down to new members of nominated 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 responsible authority 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 BOOK

*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 venue 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.*

#### STAFF 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 but at least annually.*

#### 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.*

ABV

No beers, ciders or lager of 6.5% ABV or over shall be sold by retail unless they in a pack of 4 or more as supplied by the manufacturer

SINGLE CANS

No single cans of beers ciders or lager shall be sold to customers. Unless other non-alcoholic product purchases (excluding tobacco and tobacco sundries) are made totalling £5.00 or more in the same transaction.

Kindly respond by return email by replying on this email thread to ensure the clarity and continuity of the conversation .

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]

[REDACTED]

[REDACTED]

[REDACTED]

[Licensing Home Page](#)

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

---

**From:** Licensing & Alcohol Harm Reduction Team Mailbox

**Sent:** 13 March 2020 15:00

**To:** Swallow, Brian [REDACTED]

**Subject:** FW: Freemantle Supermarket 79 Park Road Shirley SO15 3DD - New Premises Application

[REDACTED]

---

**From:** Young, Tricia [REDACTED]

**Sent:** 13 March 2020 12:20

**To:** Licensing & Alcohol Harm Reduction Team Mailbox [REDACTED]

Food Safety & [REDACTED]; [REDACTED]

Trading Standards <[REDACTED]>; Planning

[REDACTED]; Safeguarding Children Licensing

[REDACTED]; Public Health

[REDACTED]; alcohol [REDACTED]

[REDACTED]

**Subject:** Freemantle Supermarket 79 Park Road Shirley SO15 3DD - New Premises Application

Please find attached the application for the above new premises licence.

The last date for representation is **10 April 2020**.

Tricia Young

Licensing Officer

**Southampton and Eastleigh Licensing Partnership**  
**Southampton City Council**

[REDACTED]

[REDACTED]

E-mail: [REDACTED]

[REDACTED] or [REDACTED]

Post: Licensing – Southampton City Council  
Civic Centre Southampton SO14 7LY

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\*\*\*\*\*

**From:** [Marshall, Lucas](#)  
**To:** [Licensing](#)  
**Cc:** [McGuinness, Ian](#); [Swallow, Brian](#); "[Joseph Gregor Garabette](#)"  
**Subject:** FW: Freemantle Supermarket 79 Park Road Shirley SO15 3DD - New Premises Application - agreement to conditions  
**Date:** 03 April 2020 13:52:12

---

Dear Sir/Madam

I write with reference to the application of Deniz Coskun for the premises 79 Park Road, Southampton, SO15 3DD, to which this Service wishes to make representation. The premises has been of concern to the City Council's Trading Standards Service due to repeat crime, namely the supply of illegal cigarettes, whilst it was under the control of the previous Premises Licence Holder.

Keeping of smuggled goods, such as cigarettes, on a Licensed Premises is one that is treated particularly seriously, and I therefore proposed the following condition to Mr Coskun via his representative, Mr Garabette, which relates to traceability of both cigarettes and alcohol:

### ***Record Keeping***

*The Premises Licence Holder must keep, for a period of 24 months, complete records, such as invoices, receipts and delivery notes, relating to alcohol and cigarettes obtained by him for sale from his shop. Records must include the name, address, AWRS number (for alcohol suppliers) and telephone number of the supplier, the date of supply, the products supplied, and their prices. 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 cigarettes present at his premises.*

Mr Coskun and Mr Garabette have indicated, by way of e-mail, an acceptance of this condition, in addition to those proposed by PC Brian Swallow below, which Trading Standards would also wholly support, given that they will assist in Mr Coskun's management of the premises in accordance with the Licensing Objectives. Given the agreement of the applicant to the proposed conditions I would not consider a hearing necessary.

### **CCTV**

*A colour 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 that at all times a person is in attendance who is nominated by the data controller who has access to the secure area who is able to operate the equipment*

*Ensure all operators receive training from the installer when equipment is installed and that this is cascaded down to new members of nominated 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 responsible authority 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 BOOK**

*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 venue 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.*

#### **STAFF 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 but at least annually.*

#### **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.*

#### **ABV**

*No beers, ciders or lager of 6.5% ABV or over shall be sold by retail unless they in a pack of 4 or more as supplied by the manufacturer*

#### **SINGLE CANS**

*No single cans of beers ciders or lager shall be sold to customers. Unless other non-alcoholic product purchases (excluding tobacco and tobacco sundries) are made totalling £5.00 or more in the same transaction.*

*Yours faithfully*

*Lucas Marshall*

*Lucas Marshall*

*Trading Standards Officer*

*Environmental Health and Consumer Protection Division*

**Southampton City Council**



Urgent.

Mr Joseph G Garabette B.Sc. C. Bio. Chem. Eng. UCL. Lon.

E-mail [REDACTED]

[REDACTED]  
Licensing Officer  
Southampton and Eastleigh Licensing Partnership  
Southampton City Council  
Civic Centre  
Southampton SO14 7LY

C.c. Mr Lucas Marshall  
Trading Standards Officer  
Environmental Health and Consumer Protection Division  
Southampton City Council

[REDACTED]  
[REDACTED]  
Marshal Lucas [REDACTED]

C.c. Mr Brian Swallow  
Swallow, BRINE [REDACTED]

Dear Ms Young  
Dear Mr Lucas  
Dear Mr PC Swallow

**Ref: Reply to Police conditions for 79 Park Road e-mail 26March 2020 11:12**

I write to thank you for your letters of; Ms Young, Licensing Officer, Mr Marshall Lucas, Trading Standards Officer, and PC. Brine Swallow, the contents of all which I/we carefully note.

Please accept this letter as applicant's (Mr Coskun) urgent formal reply and formal acceptance of all terms and conditions as stated in your e mail letter of 26<sup>th</sup> March 2020 13:00. This letter is the applicant's formal reply and response.

Mr Coskun confirms that he fully understands and accepts all the terms and conditions that PC Swallow has listed in his email and recommended by e-mail of the 26<sup>th</sup> March 2020 11:12 and herewith confirms and accepts these conditions to be added on to the forthcoming licence as applied for.

Both Mr Coskun and myself, as the applicants authorised agent for this application, would like to thank you, and also thank both Mr Marshall of Trading Standards and PC Swallow of Hampshire Police for bringing to our attention the appalling behaviour of the previous Premises Licence Holder, and especially for the advice which will assist Mr Coskun in the forthcoming management of the premises.

Please do not hesitate to contact the writer, myself, should you require any further information relating to this application.

Thanking you in anticipation, I look forward to your kind assistance and confirmation that this letter is sufficient for your requirements

Yours sincerely

Joseph G Garabette (applicant's authorised agent for this application)

C.c. Deniz Coskun [REDACTED]

C.c. Marshal Lucas [REDACTED]

C.c. Mr Brian Swallow

Swallow, BRINE [REDACTED]

P.s Further relevant information and assurances:-

- Mr Coskun says "I like to assure all concerned that; I fully agree that these conditions will support me in my management of the premises at 79 Park Road. I had no knowledge or ever had any association with the previous Premises Licence holder or previous occupier or owner of the premises owners".
- Mr Coskun had previous experience in retail of similar outlets. He had worked, and still helps out at weekends in a similar retail business.
- He has had experience in retailing of similar outlets before opening his Eastleigh Minimarket at the above address.
- Mr Coskun says "thank you and is grateful for the advice and information you pointed out in the above e mail"
- Mr Coskun says "I assure all concerned that the previous Premises Licence Holders appalling crimes and Criminal behaviour has not and will not be accepted by myself or my staff or have any bearing on my new law abiding business"

I hope this letter is sufficient confirmation of my acceptance of the Police & Trading Standards requirements. Please do not hesitate to contact me should you require any further assurances on this matter.

C.c. Mr Deniz Coskun  
Eastleigh off Licence Mini Market  
43A Leigh Road  
Eastleigh  
Hampshire  
SO50 9DF  
29/03/2020

R. Girdlestone  
79b Park Road  
Freemantle  
Southampton  
SO16 3DD  
Hampshire  
02/04/2020



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

License Application Opposition: Ref 2005/00080/01SPRC

Dear Licensing Team:

I am writing in opposition of a licensing application (Ref: 2005/00080/01SPRC) which has been submitted in connection to a retail space, located at 79 Park Road, Southampton, SO15 3DD.

My residence is located within the same building as the retail space and I have lived at this address since March 2004. Having lived in close proximity to this retail space, I have seen a considerable improvement in the local area since this retail space closed in 2018.

It is my strong belief that the granting of this application would directly contravene each of the four Licensing Objectives set out in your licensing method statement.

- **The prevention of crime and disorder**

Crime and disorder have decreased in the immediate area since the closure of this retail space. The property was subject to regular thefts and numerous robberies. Drug taking and subsequently, drug dealing increase significantly when this premises is in operation due to the nature of the people attracted to this premises.

- **Public safety**

The safety of the public in the local area is placed at higher risk due to the crime, disorder and public nuisance which occur when this premises is in operation.

- **Prevention of public nuisance**

The residents and public frequenting this area are regularly subjected to varying degrees of antisocial behavior. This ranges from drunks begging for change, public urination and defecation, damage to and theft of property, littering which often includes drug related paraphernalia such as used needles and makeshift pipes, broken bottles and empty beer

Licensing Team

02/04/2020

Page 2

cans as well as general rubbish which are discarded on the ground despite the availability of rubbish bins.

- **Protection of children from harm**

There are two schools within a mile of this retail space, with a large number of children passing as they make their way to and from school. All of the issues raised under the three previous headings would not help to prevent children from harm.

The previous license holder at this premises informed me that one of the deciding factors that ultimately prompted him to close the business was the safety of his staff, which was regularly threatened by the regular thefts and robberies.

It is my submission that with four existing outlets within a half mile radius of this property, each of which serve alcohol by retail, there is no necessity for a fifth such outlet. The granting of this license would be detrimental to the long-suffering local residents and law-abiding members of the wider community frequenting this area.

I respectfully urge you, in the strongest possible terms to deny this application. It is my firm belief that granting this application would amount to a complete disregard of the licensing objectives.

Sincerely,



R. Girdlestone  
79b Park Road



40 Arun Rd  
West End  
Southampton  
SO18 3PQ  
16 April 2020

Dear sirs

**Re: premises license application for sale of alcohol at Freemantle Supermarket 79 Park Road, Southampton, SO15 3DD**

I am writing to register my objection to the above application.

I am the owner of one of the flats that form part of the building where the off license would be, i.e. Flat E, 79 Park Road.

I object for the following reasons.

- The late opening hours and shoppers causing noise and disturbance outside the flats.
- The likely increase in litter around the flats from discarded cans, bottles and packaging. The existing litter bins for the flats are inadequate as it is so where are the shop owners going to dispose of their waste?
- The car park may be used as an illicit drinking area by individuals. It is we who have to foot the bill to clean up after them!
- There is no need of another premises in the area selling alcohol. There are 2 public houses, a large supermarket and several smaller shops close by already selling alcohol.

I hope the Council see fit to refuse this application.

Yours sincerely



P Crooks

Mr. B.R.Girdlestone

67 Westering,

Romsey

SO51 7LX.

Licensing Team,  
Southampton City Council,  
P O Box 1767  
Southampton.  
SO18 9LA



April 15th 2020

Dear Licensing Team,

Re: 79 Park Road, Southampton, SO15 7DD

I am the owner of 79b Park Road, one of the five flats at this address.

There is a notice in the window of this former shop to once again become licensed premises. I want to object strongly to this application for the following reasons:

It is in an area where there are at least two public houses within walking distance and also other outlets selling alcohol, so I do not see the need for yet another one.

Late opening hours for alcohol encourages anti social behaviour and in previous years when the premises were licensed, the residents of the flats and others nearby were subjected to rowdy, disruptive youths not only drinking, but also taking drugs.

Subsequently, the littering in the area increased and the residents found that their parking area (at the back) was frequently used for the yobs to congregate. Used syringes and needles were also found on several occasions. The police were called several times but usually without much success of apprehending the offenders.

Freemantle C of E school is a short walk away and with more drinking and drug taking in the area, which will happen if the license is granted, would only make the children more exposed to antisocial behaviour.

My son and his wife currently live in my flat and they remember when the premises were previously licensed. He recalls speaking to the owner at the time, who reported that one of the deciding factors for leaving was because they were frequently threatened by undesirables, and they feared for the safety of all who worked there.

I would have no objections to any type of shop as long as there was no alcohol being sold.

I hope these objections are taken into consideration.

Yours faithfully,



B. R. Girdlestone

**From:** [publicaccess@southampton.gov.uk](mailto:publicaccess@southampton.gov.uk)  
**To:** [Licensing](#)  
**Subject:** Comments for Licensing Application 2020/01040/01SPRN  
**Date:** 03 May 2020 14:57:03

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Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 2:57 PM on 03 May 2020 from Mr Aftaab Deader.

### **Application Summary**

**Address:** 79 Park Road Southampton SO15 3DD

**Proposal:** Premises Licence

**Case Officer:** Tricia Young  
[REDACTED]

### **Customer Details**

**Name:** Mr Aftaab Deader

**Email:** [REDACTED]

**Address:** 34 Blenheim Avenue, Southampton SO17 1DU

### **Comments Details**

**Commenter Type:** Other

**Stance:** Customer made comments in support of the Licensing Application

**Reasons for comment:**

**Comments:** 2:57 PM on 03 May 2020 I support the proposal because I believe that it will provide an amenity for locals in the area, especially the elderly and those unable to travel very far.

The license to sell alcohol is the same as that which was in place for 15 years prior to the expiry of the previous license and there was no increase in crime and disorder observed. Therefore I believe that the other negative comments have no basis.

**From:** [publicaccess@southampton.gov.uk](mailto:publicaccess@southampton.gov.uk)  
**To:** [Licensing](#)  
**Subject:** Comments for Licensing Application 2020/01040/01SPRN  
**Date:** 03 May 2020 22:14:07

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Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10:13 PM on 03 May 2020 from Mr Muhammad Farooq.

## Application Summary

**Address:** 79 Park Road Southampton SO15 3DD

**Proposal:** Premises Licence

**Case Officer:** Tricia Young

[Click for further information](#)

## Customer Details

**Name:** Mr Muhammad Farooq

**Email:** [REDACTED]

**Address:** 41 Atherley Road, Southampton SO15 5DR

## Comments Details

**Commenter Type:** Neighbour

**Stance:** Customer made comments in support of the Licensing Application

**Reasons for comment:**

**Comments:** 10:13 PM on 03 May 2020 I am writing to support the licensing application which has been submitted in respect of Freemantle Supermarket.

I have lived in the neighbourhood for the last 15 years and regularly shopped at Freemantle Supermarket. It is an integral part of the community and I, along with many other neighbours, was saddened by the closure of the premises due to the retirement of Mr and Mrs Patel.

The area is pleasant and friendly; in the 15 years that I have lived here, I have never experienced any disorder around the store - I often walked past it on my evening walk and still walk or drive past the premises several times a week, wondering when, or if it will reopen.

Given that the store is in quite close vicinity to two Public Houses, I believe that any concerns of increased crime or disorder are unfounded. The store would have no noticeable effect on crime or safety as the ability of the store to sell alcohol is going to be small compared to the Public Houses.

In the current times, people are unable to go out to

socialise; more importantly may be unable to afford to go out; this gives people an alternative and convenient choice. It also increases general availability of convenience store items for those groups that are finding it more difficult with the current Covid-19 situation.

The store was always an Off-licence for as long as I can remember (15 years as a resident). The ability of the trader to sell a small amount of alcohol is supportive of small businesses operating in these unprecedented times. I fear that if this licence is rejected, the store may never reopen due to profitability concerns. This will be to the detriment of the community as a whole.

I hope that the licensing committee considers this application in a wider context, giving due regard to the fact that the applications returns the store to it's prior state.

I, and my neighbours look forward to the re-opening of this community store in the near future.

### **Procedure – Applications etc. under the Licensing Act 2003 or Gambling Act 2005**

1. A hearing will be held to decide applications, etc., under the Licensing Act 2003, where there have been relevant representations from one or more of the responsible authorities or other persons. The parties to the hearing will have the chance to be heard. They are also entitled to be helped or represented by another person if due written notice is given in advance.
2. Hearings will take place before a Sub-Committee comprising three members of the Licensing Committee. One of these members will be elected Chair of the Sub-Committee for that hearing.
3. Please note that for day time hearings the Sub-Committee will normally adjourn for lunch at 1:00 p.m. and that comfort breaks will be taken at the discretion of the Chair at appropriate points during the meeting.

#### **Preliminary matters**

4. The Chair will introduce those present.
5. The Chair will check whether any of the Sub-Committee members has a “disclosable pecuniary”, “personal” or “pecuniary” interest.
6. The Chair will check whether all the parties are present at the hearing, and if any are not, whether they have told the Council that they do not wish to attend or be represented. If any party who was expected to attend has not done so, the Sub-Committee will decide whether to hold the hearing in that party’s absence, or to adjourn it to another date. Hearings will be adjourned if the Sub-Committee considers this necessary in the public interest, if that is possible. If the Sub-Committee decides to hold the hearing in a party’s absence, they will still consider any written information received.
7. In the case of an application for variation or a new licence, the Sub-Committee’s legal advisor will ask the applicant or their advisor for confirmation that the required public notices have been displayed where they can conveniently be read from the exterior of the premises and that notice was given in a local newspaper within eleven working days of the day on which the application was received by the licensing authority.
8. Normally, hearings will be open to the public. However, the Sub-Committee may exclude the public from the hearing (or part of it) if they think the public interest in doing so outweighs the public interest in having the hearing in public. If the public are excluded, any of the parties to the hearing, and/or anyone helping or representing them, may also be excluded.
9. The Chair will propose a motion that the public and the press be excluded from the hearing while the Sub-Committee considers the matter. Ordinarily the legal advisor and democratic support officer will remain (see paragraph 30 (b) below).
10. The Openness of Local Government Bodies Regulations 2014 provide an entitlement for the public to film, photograph and audibly record (“record”) public meetings. However, by virtue of Schedule 6, paragraph 58 of the Licensing Act 2003 and section 101 (15) of the Local Government Act 1972, Licensing Act 2003 hearings are not covered by the entitlement to film as of right. The Council’s general approach is to encourage openness and transparency in all its dealings and the general presumption is that filming or recording of hearings shall generally be permitted where due notice has been provided in advance of the hearing. Nonetheless the following shall apply:

- i) Filming / recording / photographing hearings shall only be permitted with the express permission of the Chair. Such permission may include restrictions to protect children, vulnerable persons or others that object to being filmed / photographed / recorded.
  - ii) Requests to film / record / photograph should be made with sufficient notice in advance of the hearing. Late requests may not be granted if there shall be a delay to proceedings as a result.
  - iii) Every party to the hearing and any witnesses shall have the opportunity to object and those representations shall be considered by the Sub-Committee.
  - iv) No filming, photography or sound recording shall be permitted of any person under 18 years of age.
  - v) No person shall be put under any pressure to consent to such and no payment for such consent shall be given.
  - vi) The Chair shall have the final say as to whether any filming, photography or recording is allowed (including the extent to which permission is granted e.g. the parts of the meeting, the individuals concerned or the arrangement of the recording equipment).
  - vii) All directions given by the Chair shall be fully complied with and the Chair shall have the absolute discretion to withdraw permission to film, photograph or record in the event the same causes an obstruction or interferes with the general conduct of the hearing, including the impeding of the giving of proper evidence.
11. A party may have asked for someone else to appear at the hearing to make a point or points that may help the Sub-Committee reach a decision. It is up to the Sub-Committee to decide whether that person should be heard, although permission will not be refused unreasonably. Such a person is referred to as a “witness” in this procedure.
12. Where application has been made, in advance of the hearing, that it should be conducted in private (e.g. by the Police in review or summary review proceedings) reports shall be prepared and presented as confidential so that the Committee can make a meaningful determination in accordance with Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005 to exclude the press and public. It is important to note that reports presenting Licensing Act 2003 matters are not required to be published in advance. However, certain limited information must be published in accordance with the Licensing Act 2003 (Licensing Authority’s Register) (Other Information) Regulations 2005 and section 8 of the Licensing Act 2003.
13. The Chair will then explain the procedure that will follow.
- General information on the conduct of the hearing**
14. Each party is entitled to:
- (a) Give further information in response to any point that the Council told them before the hearing they would like clarified;
  - (b) With the permission of the Chair, seek clarification on any point by any other party;
  - (c) Address the Sub-Committee.
15. Members of the Sub-Committee may also seek clarification of any party or witness.
16. At the Chair’s discretion, the Sub-Committee’s legal advisor may ask any questions he or she thinks are relevant.

17. Unless the Council has requested in advance that a particular point be clarified, new documentary or other evidence may not be submitted for the first time at the hearing, unless all the other parties agree.
18. Members of the Sub-Committee will have read all the papers included in the agenda for the hearing before the hearing starts. The parties are requested not to spend unnecessary time repeating evidence which is already in the papers and which is not disputed.
19. Evidence that is not relevant to the case, or to the promotion of the four licensing objectives, will be disregarded.

### **Hearing Procedure**

20. If any party has asked permission for a witness or witnesses to appear, the Sub-Committee will decide whether they should be heard (see paragraph 10 above).
21. All parties will be allowed a similar (and maximum) amount of time to put their case, and ask questions of other parties, subject to the Chair's discretion to not hear repetitive matters or questions.

### **The applicant**

22. The applicant for the licence (or their representative) or the applicant in review proceedings, may present their case.
23. If the Sub-Committee permits, the applicant may call those witnesses whose names have been provided in advance to support their application.
24. Where a group of witnesses wish to speak in support of the application for similar reasons, one person should, where possible, act as spokesperson for the whole group. The Sub-Committee may reasonably refuse permission for a witness to be heard if their evidence simply repeats points already made.
25. The Chair will invite those making representations to seek clarification on any point made by the applicant. The Chair will decide in which order those making representations will be invited to put their questions.
26. Members of the Sub-Committee or the Legal Advisor, if so permitted by the Chair, may also seek clarification of the applicant or any of their witnesses.

### **The representations**

27. Where there is more than one person making a representation, the Chair will decide the order in which they may put their case. If there is a representation from one or more of the responsible authorities, their representatives will normally be invited to put their case first.
28. The following procedure will apply to each person making a representation in turn:-
  - (a) The person making a representation (or their representative) may present their case.
  - (b) If the Sub-Committee permits, the person making a representation may call those witnesses whose names have been provided in advance to support their objection.
  - (c) Where a group of witnesses wish to speak in support of the objection for similar reasons, where possible, one person should act as spokesperson for the whole group. The Sub-Committee may reasonably refuse permission for a witness to be heard if their evidence simply repeats points already made.

- (d) The Chair will invite the applicant to seek clarification on any points made by those making representations.
- (e) Members of the Sub-Committee or the Legal Advisor, if so permitted by the Chair, may seek clarification of those making representations or any witnesses.

### **Summing up**

29. The Chair will invite each person making a representation to make a final statement or sum up their case.

30. The Chair will invite the applicant to make a final statement or sum up their case.

### **Sub-Committee's decision**

31.

- (a) At the end of the hearing the Sub-Committee will move to private session whilst it considers the matter.
- (b) The Sub-Committee's legal advisor will remain to provide legal advice and the democratic services officer will remain to record the decision. Details of any legal advice will be recorded and referenced in the decision and reasons.
- (c) The parties will be invited to wait to be informed of the outcome.
- (d) As soon as the decision is reached, the public and press will be invited to return to the room in which the hearing took place, and the Chair will announce the decision and the reasons for it.
- (e) If a room is available, the Committee may retire to deliberate and make its decision
- (f) All parties will be formally notified in writing of the decision and reasons as soon as possible.

In most cases the Sub-Committee will announce the decision at the conclusion of the hearing. In certain cases where this is not possible due to time constraints (and the Hearings Regulations permit – Regulation 26 (1) sets out those hearings where delay is not possible) the decision shall be made within 5 working days beginning with the day of the hearing or the last day of the hearing.