

# Licensing (Licensing and Gambling) Sub-Committee

Thursday, 5th March, 2015  
at 9.30 am

**PLEASE NOTE TIME OF MEETING**

Conference Room 3 - Civic  
Centre

This meeting is open to the public

## **Members**

3 Members drawn from the Licensing Committee

## **Contacts**

Democratic Support Officer  
Karen Wardle  
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## **PUBLIC INFORMATION**

The Members of the Licensing Committee are Councillors Galton, Lewzey, Lloyd, Painton, Parnell, Pope, Spicer, Tucker, Vassiliou and Whitbread.

### **Terms of Reference**

The Sub-Committee deals with licences for which the Council is responsible under the Licensing Act 2003 and Gambling Act 2005, including:-

- Determination of applications for review of premises licences and club premises certificates;
- Determination of representations to applications for premises licences and club premises certificates, variations and various permits;
- Determination of police objections to applications for:
  - Variation of designated premises supervisors
  - Transfer of premises licences
  - Personal licences for the sale of alcohol
- Determination of objections to temporary event notices.

### **Relevant Representations**

Those who have made relevant representations may address the meeting about the matter in which they have an interest. New matters, not raised within a written representation, can not be relied upon at the hearing.

**When dealing with Licensing Act matters the Sub-Committee must only take into account the following statutory Licensing Objectives:-**

- prevention of crime and disorder
- public safety
- prevention of public nuisance
- protection of children from harm

**Likewise, when dealing with Gambling Act matters the Sub Committee must only take into account the statutory Licensing Objectives below:-**

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way, and

Protecting children and other vulnerable persons from being harmed or exploited by gambling

### **Southampton City Council's Priorities**

- Jobs for local people
- Prevention and early intervention
- Protecting vulnerable people
- Affordable housing
- Services for all
- City pride
- A sustainable Council

**Fire Procedure:-** In the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

**Access:-** Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

**Smoking policy:-** The Council operates a no-smoking policy in all civic buildings.

**Mobile Telephones:-** Please switch your mobile telephones to silent whilst in the meeting

**Use of Social Media:-** The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting

### **Dates of Potential Meetings Municipal Year 2014/15**

2014	20 NOVEMBER
19 JUNE	4 DECEMBER
3 JULY	18 DECEMBER
17 JULY	2015
31 JULY	8 JANUARY
14 AUGUST	15 JANUARY
28 AUGUST	5 FEBRUARY
11 SEPTEMBER	19 FEBRUARY
25 SEPTEMBER	5 MARCH
9 OCTOBER	19 MARCH
23 OCTOBER	9 APRIL
6 NOVEMBER	23 APRIL

## CONDUCT OF MEETING

### **Terms of Reference**

The terms of reference are contained in the Council's Constitution.

### **Business to be discussed**

Only those items listed on the attached agenda may be considered at this meeting.

### **Rules of Procedure**

The meeting is governed by the Licensing Act 2003 (Hearings) Regulations 2005 and the Council Procedure Rules as set out in Part 4 of the Constitution, so far as it is applicable.

### **Quorum 3**

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

## **DISCLOSURE OF INTERESTS**

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Pecuniary Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

### **DISCLOSABLE PECUNIARY INTERESTS**

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

- (i) Any employment, office, trade, profession or vocation carried on for profit or gain.
- (ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

- (iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

- (iv) Any beneficial interest in land which is within the area of Southampton.

- (v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

- (vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

- (vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

- a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
- b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

## **Other Interests**

A Member must regard himself or herself as having an 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

## **Principles of Decision Making**

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

## AGENDA

Agendas and papers are available via the Council's website.

### **1 ELECTION OF CHAIR**

To appoint a Chair for the purposes of this meeting.

### **2 APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)**

To note any changes in the membership of the Sub-Committee made in accordance with the Licensing Act 2003.

### **3 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS**

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

### **4 STATEMENT FROM THE CHAIR**

### **5 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)** (Pages 1 - 2)

To approve and sign as a correct record the Minutes of the meeting held on 12 February 2015 and to deal with any matters arising, attached.

### **6 EXCLUSION OF THE PRESS AND PUBLIC**

At a predetermined point during the consideration of all items the Sub-Committee may 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 the Licensing Act 2003 (Hearings) Regulations 2005, will be invited to return immediately following that private session at which time the matter will be determined and the decision of the Sub-Committee will be announced.

### **7 APPLICATION FOR VARIATION OF A PREMISES LICENCE - 1865, BRUNSWICK SQUARE, SOUTHAMPTON SO14 3AR** (Pages 3 - 28)

Report of the Head of Legal and Democratic Services detailing an application for a variation of a premises licence in respect of 1865, Brunswick Square, Southampton SO14 3AR, attached.

**8 APPLICATION FOR VARIATION OF A PREMISES LICENCE - MANOR SERVICE STATION, 123 BITTERNE ROAD WEST, SOUTHAMPTON SO18 1AR**  
(Pages 29 - 62)

Report of the Head of Legal and Democratic Services detailing an application for a variation of a premises licence in respect of Manor Service Station, 123 Bitterne Road West, Southampton SO18 1AR, attached.

Wednesday, 25 February 2015

HEAD OF LEGAL AND DEMOCRATIC SERVICES

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SOUTHAMPTON CITY COUNCIL  
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 12 FEBRUARY 2015

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Present: Councillors Painton, Spicer and Tucker

42. **ELECTION OF CHAIR**

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

43. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

**RESOLVED** that the minutes of the meeting held on 8 January 2015 be approved and signed as a correct record.

44. **EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED** that in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 that the parties to the hearing, press and public be excluded at a predetermined point whilst the Sub-Committee reaches its decision.

45. **APPLICATION FOR A PREMISES LICENCE - TWOJ SKLEP, REAR OF 349/353 SHIRLEY ROAD, SOUTHAMPTON SO15 3JD**

The Sub-Committee considered an application for a premises licence in respect of Twoj Sklep, rear of 349/353 Shirley Road, Southampton SO15 3JD.

In accordance with Regulation 20 of the Licensing Act 2003 (Hearings) Regulations 2005 the Sub-Committee determined to proceed with the hearing in the absence of the residential objector.

Mr A Mahmud (Applicant) was 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 application for a premises licence be approved as applied for, with the exception of the amendments to the operating schedule made at the hearing and in accordance with conditions agreed with Hampshire Constabulary.

After private deliberation the Sub-Committee reconvened and the Chair read 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 Twoj Sklep, 349/353 Shirley Road. 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 considered representations, both written and given orally today, by all parties. Human rights legislation has been borne in mind whilst making the decision.

The Sub-Committee noted that the one residential objector was not in attendance and determined that the hearing should continue in their absence. The written representation was carefully considered and taken into account and it was noted that this raised issues in relation to the number of alcohol outlets and street drinking with associated anti-social behaviour in the area.

The Sub-Committee has determined that the application should be approved, as applied for and in accordance with conditions agreed with Hampshire Constabulary. The applicant amended the operating schedule during the course of the hearing to clarify particular points.

### Reasons

The Sub-Committee noted that no other representation had been received including, in particular, from any of the responsible authorities. The police had agreed extensive conditions to be added to the operating schedule and in turn the premises licence, if granted. Those additional conditions related to: CCTV, training, Challenge 25 policy, refusals book, incident book, sales of single cans of alcohol and high strength beers, ciders or lager above 6.5% ABV being prohibited.

The Sub-Committee noted the considerable detail and depth of conditions agreed by the applicant with Hampshire Constabulary, in particular those relating to the sale of single cans and high strength alcohol products. The Sub-Committee were pleased to see such measures adopted by agreement and from the outset. It is accepted that this is a difficult area in which to sell alcohol and the measures adopted and strong cooperation with the police are precisely what the Sub-Committee wishes to see in such areas.

The Sub-Committee was impressed by the applicant and his personal experience spanning many years in the licensed trade, both locally and elsewhere. It was clear to the Sub-Committee that the applicant understands and will implement all the requirements and conditions to be attached to his licence.

The Sub-Committee accepted legal advice that demand or commercial need are not factors that can be taken into consideration in accordance with the statutory guidance and policy.

Local residents can be reassured that in the event that the grant of the licence does in fact lead to issues of concern, relevant to the licensing objectives, a review may be initiated where evidence of the same can be considered and may result in appropriate steps being taken to address them.

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.



# Agenda Item 7

**DECISION-MAKER** Licensing (Licensing and Gambling) Sub-Committee  
**SUBJECT** Hearing to Consider an application for Variation of a Premises Licence –  
 1865, Brunswick Square, Southampton SO14 3AR

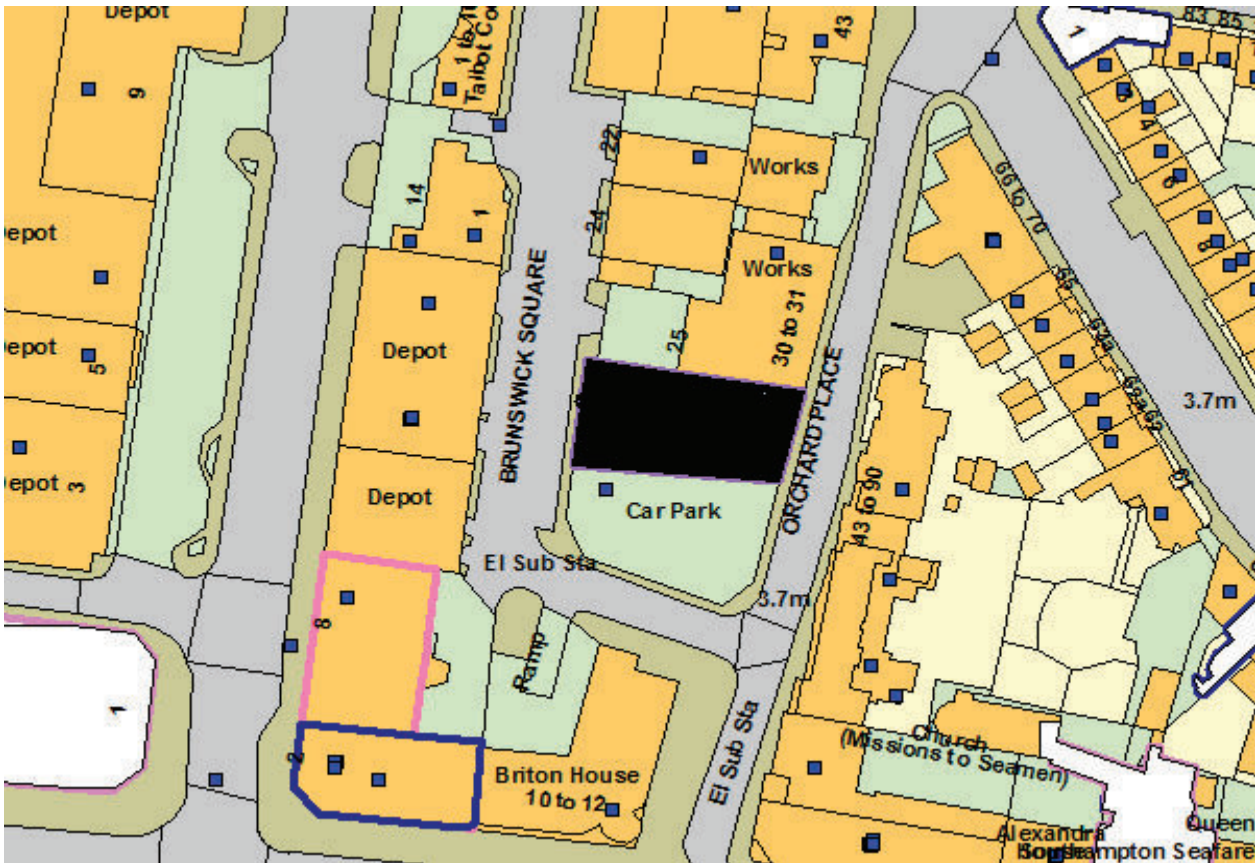
**DATE OF HEARING** Thursday 05 March 2015

**REPORT OF** Head of Legal and Democratic Services

**E-mail** [licensing@southampton.gov.uk](mailto:licensing@southampton.gov.uk)

Application Date : 14 January 2015      Application Received 16 January 2015

Application Valid : 16 January 2015      Reference : **2015/00196/01SPRV**



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

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

Public Health	No Response Received	
Hampshire Constabulary	Yes	
Trading Standards	Yes	
<b><i>Other Representations</i></b>		
<b>Name</b>	<b>Address</b>	<b>Contributor Type</b>
Mr. Gordon Massie	88 Orchard Place Southampton SO14 3BW	Resident
Mr. & Mrs. Baker	80 Orchard Place Southampton SO14 3BW	Resident
Mr. Spencer Payne	61 Orchard Place Southampton SO14 3BW	Resident
Mr. James Corlass	47 Orchard Place Southampton SO14 3BW	Resident
Mr. & Mrs. Alrugaibah	65 Orchard Place Southampton SO14 3BW	Resident
Ms. Kristine Nolan	81 Orchard Place Southampton SO14 3BW	Resident

## Legal Implications

1. The legislation specifically restricts the grounds on which the sub-committee may refuse an application for variation of a premises licence, or impose conditions. The legislation provides for a presumption of grant of an application for variation of a premises licence, subject to the determination of the application with a view to promoting the licensing objectives in the overall interests of the local community. In doing so the sub-committee must give appropriate weight to:
  - the steps that are appropriate to promote the licensing objectives;
  - the representations (including supporting information) presented by all the parties;
  - its own statement of licensing policy
  - the Statutory Guidance
2. An application may be refused in part and thereby only permit some of the licensable activities sought.
3. An applicant for variation of a premises licence whose application has been refused, or who is aggrieved by conditions imposed, may appeal against the decision to the Magistrates' Court. Any other person, who made a valid representation, may appeal to the Magistrates' Court against the decision to grant the application or against any conditions imposed.
4. In considering this application the sub-committee will sit in a quasi-judicial capacity and is thus obliged to consider the application in accordance, in particular, with both the Licensing Act 2003 (Hearings) Regulations 2005 (as amended) and the rules of natural justice. The practical effect of this is that the sub-committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.
5. The sub-committee must also have regard to:
  - *The Crime and Disorder Act 1998*  
Section 17 of the Crime and Disorder Act 1998 places the sub-committee under a duty to exercise its various functions with due regard to the likely effect of the

exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

- *The Human Rights Act 1998*

The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the sub-committee to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the sub-committee that could have an effect upon another person's Human Rights must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the sub-committee which affect another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.

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

## ***Summary of application***

<b>Premises:</b>	1865
<b>Licence Holder:</b>	Mr. Paul William Hooper
<b>Agent for licence Holder:</b>	Cliff Morris Paris Smith LLP
<b>DPS:</b>	Mr. Paul William Hooper
<b>Proposed Variation</b>	

The application is to extend Plays, Films, Indoor Sporting Events, Boxing or Wrestling, Live Music, Recorded Music, Performance of Dance, Anything similar to Live/recorded Music – Performance of dance from 10:00 – 00:00 Sunday to Thursday and 10:00 – 01:30 Saturday and Sunday **TO** 10:00 – 04:00 Monday to Sunday

### **Conditions agreed with Hampshire Constabulary**

#### **Last Entry**

No persons will be allowed entry or re-entry to the premises after 02:00 with the exception of staff that are there in a working capacity.

#### **Dispersal Policy**

A dispersal Policy will be adopted during the last trading hour to ensure minimal disturbance to neighbours and to tackle the problem of anti-social behaviour and crime. This will include:

- 1) During the last 30 minutes of trading the service points of the bar will be reduced and certain staff reallocated to collect glasses.
- 2) On occasions when the premises closes after midnight then music volume will be reduced and the tempo slowed down during the last 30 minutes of trading. Lighting levels will be raised to encourage the gradual dispersals of customers.
- 3) DJ announcements will be used to encourage gradual dispersal and to remind customers to leave quietly.
- 4) Door supervisors or staff will remove all bottles and glasses from any customer who attempts to leave the venue carrying one.
- 5) Door supervisors or staff will patrol the outside perimeter of the premises at the end of the evening for a least an additional 15 minutes or until persons have dispersed from the immediate area to ensure the safe and quiet dispersal of customers. Any customers congregating or loitering outside after leaving the premises will be asked to depart quickly and quietly.
- 6) Notice will be displayed in prominent positions at the exit of the premises request customers to leave quickly and quietly.

## **Conditions already attached to the licence (excluding mandatory).**

### **CCTV**

The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside areas.

CCTV warning signs to be fitted in public places.

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

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.

Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.

The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected. There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered must be in a viewable format on either disc or VHS. Footage supplied in a digital format on CD or DVD will also have a copy of the CCTV system software enabled on the disc to allow playback.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Hampshire Western Police Licensing Unit within 24 hours.

### **Incident book**

An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request. Any incidents that include physical altercation or disorder, physical ejection, injury, id seizure or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.

If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry. At the close of business on each day the incident book will be checked by the manager on duty where any entries will be reviewed and signed. If incidents have occurred the duty manager will de-brief door staff at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book.

### **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 store manager/manageress.

The refusals log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority.

The record of refusals will be retained for 12 months.

#### Challenge 25

There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.

Acceptable identification for the purposes of age verification will include a driving licence, passport, HM Forces ID card or photographic identification bearing the PASS logo and the person's 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.

Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training which must be signed and dated by the member of staff who has received that training.

#### Training

All staff will receive refresher training every six months as a minimum and records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.

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

All training records will be made immediately available for inspection by Hampshire Constabulary and any responsible Authority upon request. Training records will be kept for a minimum period of two years. Training records will be kept on the licensed premises to which they relate to.

#### Toilet Checks

The public toilets within the premises shall be checked every 30 minutes between the hours of 18:00 and closing. A record shall be kept by the premises and presented on request by Hampshire constabulary. Toilet check records shall be kept for a minimum period of 3 months.

#### Door Staff

On every Friday, Saturday and New Year's Eve and any Sunday preceding public holidays there shall be a minimum of 2 SIA registered door staff from 19:00 hours to closing. Further SIA registered staffing will be subject to a risk assessment by the management.

On all other occasions when the premises are open for licensable activities after 19:00 hours there shall be a minimum of 1 SIA registered door staff when there are in excess of 100 patrons. Further SIA registered staffing will be subject to a risk assessment by the management.

The risk assessment will take into consideration, as a minimum:-

i, the number of patrons

ii, the nature of the event

iii, the time the event will take place

Records of the risk assessment for each event will be kept at the premises for a minimum of 3 months.

Insert name and address of relevant licensing authority and its reference number (optional)

Southampton City Council  
 PO Box 1767  
 Southampton  
 SO18 9LA



**Application to vary a premises licence 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.

**X/We** 1865

*(Insert name(s) of applicant)*

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

Premises licence number  
 2013/01934/01SPRM

**Part 1 - Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description Brunswick Square	
Post town Southampton	Post code SO14 3AR
Telephone number at premises (if any)	02380 222605
Non-domestic rateable value of premises	£ 16,500.00

**Part 2 - Applicant Details**

Daytime contact telephone number	[REDACTED]	
E-mail address (optional)	[REDACTED]	
Current postal address if different from premises address	128 Obelisk Road Woolston	
Post town	Southampton	Post code SO19 9DP



### Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes  No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

Yes  No

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

to increase the operating hours of the premises and the activities that will take place there to 0400 Monday - Sunday inclusive.

### Part 4 - Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

#### Provision of regulated entertainment

Please tick all that apply

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

Provision of late night refreshment (if ticking yes, fill in box I)

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

In all cases complete boxes K, L and M

# A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both - please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1000	0400	<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	1000	0400			
Wed	1000	0400	<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur	1000	0400			
Fri	1000	0400	<u>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</u> (please read guidance note 6)		
Sat	1000	0400			
Sun	1000	0400			

# B

<b>Films</b> Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both - please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1000	0400	<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	1000	0400			
Wed	1000	0400	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur	1000	0400			
Fri	1000	0400	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	1000	0400			
Sun	1000	0400			

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon	1000	0400	
Tue	1000	0400	State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed	1000	0400	
Thur	1000	0400	Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri	1000	0400	
Sat	1000	0400	
Sun	1000	0400	

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1000	0400	Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	1000	0400			
Wed	1000	0400	State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur	1000	0400			
Fri	1000	0400	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 (please read guidance note 6)		
Sat	1000	0400			
Sun	1000	0400			

## E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both - please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1000	0400	<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	1000	0400			
Wed	1000	0400	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	1000	0400			
Fri	1000	0400	<u>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</u> (please read guidance note 6)		
Sat	1000	0400			
Sun	1000	0400			

## F

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both - please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1000	0400	<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	1000	0400			
Wed	1000	0400	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	1000	0400			
Fri	1000	0400	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	1000	0400			
Sun	1000	0400			

## G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1000	0400	<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	1000	0400			
Wed	1000	0400	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur	1000	0400			
Fri	1000	0400	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	1000	0400			
Sun	1000	0400			

## H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	1000	0400		<u>Please give further details here</u> (please read guidance note 4)	Outdoors
Tue	1000	0400	Both		<input type="checkbox"/>
Wed	1000	0400	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Thur	1000	0400			
Fri	1000	0400	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	1000	0400			
Sun	1000	0400			

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both - please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start				Both	<input type="checkbox"/>
Finish			<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
			<b>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</b> (please read guidance note 6)		

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption - please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
Day				Off the premises	<input type="checkbox"/>
Start				Both	<input type="checkbox"/>
Finish			<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	1000	0400			
Tue	1000	0400			
Wed	1000	0400			
Thur	1000	0400			
Fri	1000	0400			
Sat	1000	0400			
Sun	1000	0400			
			<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 6)		

# 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 9).

It is not envisaged that there will be any entertainment or matters that may give rise to concern in respect of children. The premises will continue to operate as they have been currently, save that the opening hours will be extended to 0430, 7 days per week to all activities and events to finish at 0400.

# L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	1000	0430	<p><b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 6)</p>
Tue	1000	0430	
Wed	1000	0430	
Thur	1000	0430	
Fri	1000	0430	
Sat	1000	0430	
Sun	1000	0430	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

It is not envisaged that any of the conditions will be changed or amended by virtue of the extended opening hours.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

**Reasons why I have not enclosed the premises licence or relevant part of premises licence.**

a certified copy of the Premises Licence is enclosed.

## M

**Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:**

**a) General - all four licensing objectives (b, c, d and e) (please read guidance note 10)**

The applicant does not propose any additional steps. The applicant confirms that the premises will continue to operate as currently save for the extended hours. The doorstaff and supervisors will be continue to be utilised.

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

see (a) above



**c) Public safety**

see (a) above

**d) The prevention of public nuisance**

see (a) above

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

See (a) above.

**Checklist:**


**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- 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 5 - Signatures** (please read guidance note 11)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	14 <sup>th</sup> January 2015
Capacity	Solicitor

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	
<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 14) Paris Smith LLP 1 London Road Southampton	
<b>Post town</b>	<b>Post code</b> SO15 2AE
<b>Telephone number (if any)</b>	02380 482482
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>	

Morning Licensing,

'EH wish to make a representation against the application to vary the licence for the above referenced premises due to the noise nuisance complaints received (Nov 2013, October 2014, November 2014 and January 2015 and the Noise Abatement Notice that remains on the premises since being served in January 2014

EH are not fully confident that the sound insulation/attenuation is appropriate for all types of music at the premises as to minimise any likelihood of complaints, particularly if an extension to the hours was permitted. The period in which there could be noise nuisance would be increased and although the abatement notice remains on the premises, and further action would be taken for a breach of the notice, it seems inappropriate to allow an extension in the circumstances.'

Regards

Elaine Jeffery  
Principal Environmental Health Officer  
Southampton City Council

08 February 2015

Dear Licensing Team,

I would like to make an objection against the proposal put forward by the 1865 Club to extend their licensing hours to 04:00am Mon – Sun.

Since opening the club has caused a constant noise nuisance and despite the alterations made to the venue, noise is still a major problem. I am in constant communication with the Southampton City Council over the issue and have now lost track of the number of times I have contacted them to report excessive noise.

The music starts as early as 15:00 on some days when they are doing sound checks and goes on until after midnight. The base of the music can be heard over the television, through ear plugs and disrupts normal conversation. I have owned and lived in my property since it was built in 2006 and had not experienced excess noise other than occasional noise from neighbours until the 1865 club was opened. I have a young child who is often woken or kept awake by the music.

The Environmental Health out of hours noise department have visited my property to measure the noise level on multiple occasions and have stated that if the problem continues action will be taken against the venue. I am aware that the club did make some adjustments to the building but the problem continues and little has improved.

There are other problems creating a public nuisance caused by The 1865 Club such as drinks glasses and glass beer bottles frequently being left in the adjacent car park, on the pavement and on the road around the venue. These regularly leave broken glass scattered over all of the above. The 1865 Club is in a state of disrepair, parts of the masonry from the clubs roof has fallen 30 foot directly onto a public walkway (pavement) this is a danger to pedestrians. The club has made no attempt to remove graffiti from the rear of the building which overlooks ours and other properties.

The state of the building and its close proximity has made it difficult to sell our property and we have had negative comments from potential buyers about The 1865. If the license is extended I believe it will make it even more difficult for us and other property owners to sell their properties and/or impact on property values.

There is a large new development adjacent to The 1865, which will soon see hundreds of new property owners and tenants living in very close proximity to the venue, many of whom will be affected by the noise nuisance.

Kind regards,

Mr James Corlass

47 Orchard Place,  
Southampton,  
Hampshire.  
SO14 3BW

**Jeffery, Andy**

---

**From:** Massie, Gordon [REDACTED]  
**Sent:** [REDACTED] 2015 13:22  
**To:** Licensing  
**Subject:** 1865 club

Licensing team

My name is Gordon Massie, living at 88 Orchard Place, Southampton.  
I would like to make representations regarding the change of licensing the 1865 club are proposing.  
This building, until fairly recently was the dockers club where once or twice a month on a Saturday, they held a disco/function there. The noise was heard, but because of the time of the week, finishing at 12:00am and limited number of patrons, the disturbance was limited.

Now, the 1865 club have concerts there Monday - Sunday, where the noise emanating from what is essentially a warehouse, is heard at greater levels if you are living higher than the roof of the club. It really is loud, and can be heard regardless of which side of the apartment block you happen to occupy. The roof of this building is unsuitable for absorbing noise from the type of concerts being held here.

The 1865 club is right in the middle of a residential area, with the club mere meters from peoples front doors. This application for a licence extension coincides with the building of a large number of family properties bordering Queensway and Brunswick Square but, because they are not fully completed/occupied, no representations can be submitted.

Queuing and dispersal of up to 1500 patrons is also a noise nuisance with access to a car park opposite Orchard Place blocked while doing so.

I would like the licensing team to acknowledge these points as a matter of urgency.

Thank you

Gordon Massie

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**Any views or opinions presented are solely those of the author and do not necessarily represent those of the Trust unless explicitly stated otherwise.**

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**Think of the environment. Please avoid printing this e-mail unnecessarily.**

**Jeffery, Andy**

---

**From:** Brian and Chris Baker [REDACTED]  
**Sent:** 03 February 2015 19:22  
**To:** Licensing  
**Subject:** Extended hours for 1865

Dear Sir or madam

Re: Extended Opening Hours for 1865 Club, Brunswick Place, Southampton

Myself and my wife are resident of 80 Orchard Place and would like to lodge our feelings against the proposed extension to the opening hours of the 1865 Club until 4am Monday to Sunday.

At the present time the 1865 Club was just tolerable because of the restricted time the club is open till. However due to the increase in bands performing the noise level has become unacceptable due to:

- The roller doors at the rear of the club are open during performances for emergency exits;
- The loading and unloading of equipment before and after bands have preformed;
- The number of people queuing before a performance;
- Disturbances from people leaving the club;
- Volume in traffic from dropping off and picking up of patrons;
- Plus insufficient car parking facilities.

Also there is new residential accommodation being built on Queensway which is aimed at young families and this accommodation backs onto the Club. Therefore the extended opening hours will cause a nuisance not only to these new residents but also to the current resident of the local area with young families.

Yours faithfully

Mr and Mrs B Baker

**Jeffery, Andy**

---

**From:** [REDACTED]  
**Sent:** 03 February 2015 19:26  
**To:** Licensing  
**Subject:** licensing hours

Dear Sir/Madam

As an owner/occupier at Orchard Place Southampton I write to register my objection to the application for extending the opening hours of the 1865 Club in Brunswick Square SO14 3AR on the grounds that it will cause inevitable nuisance and noise in the early hours. I trust my objection will be noted and duly considered.

Thanking you in anticipation

Yours Spencer L Payne  
61 Orchard Place  
Southampton.

**Jeffery, Andy**

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**From:** Nora Alrajebah [REDACTED]  
**Sent:** 05 February 2015 14:04  
**To:** Licensing  
**Cc:** [REDACTED]  
**Subject:** Regrading 1865 Club extended opening hours

Dear Mr/Ma'am,

We are writing regrading the 1865 club proposal to extend their opening hours until 4 am from Monday to Sunday.

We live in 65 Orchard Place, just opposite to the club's site. We honestly believe that extending the club's opening hours throughout the week (during working days) until 4 am will make it very difficult for us who live nearby in residential areas, lots of noise will be caused from the club and people who will queue.

Therefore, we kindly ask you to decline their proposal as it will be a cuase of disturbance and noise for us, which would make the living there as explained before very difficult.

Thank you very much  
Nora Alrajebah and Abdelaziz Alrugaibah



**Jeffery, Andy**

---

**From:** [REDACTED]  
**Sent:** 05 February 2015 21:18  
**To:** Licensing  
**Subject:** 1865 proposal for extended opening hours (Brunswick Square, Southampton, SO14 3AR)

To whom it may concern

I have recently discovered (via my neighbours) that 1865 have put forward a proposal to have their opening hours extended until 4am Monday to Sunday. We have not received any communication advising the residents of this.

As a resident living directly opposite the 1865 building (on the 4th floor), I am deeply opposed to this proposal and in fact I wish to raise a complaint against 1865 for noise nuisance.

Since 1865 opened, they hold more frequent music events (than the original workman's venue did) and I have found that on the nights that a band is playing, the music is too loud especially the bass beat. This can start as early as 4pm (when they start to warm up!) until late when they close. I have triple glazing on the windows that look out onto the venue but I still hear a loud thudding noise and find the noise vibrates the items I have on my window sill and the windows themselves and I have to raise the volume of my television to hear it and block out the noise from outside. The noise of the bass reverberates around the building so I can also hear the beat of the music in the back bedrooms and this has disturbed my sleep.

Also, during the summer when I wish to open my balcony door to enjoy the weather, I have to put up with the noise and it can be overbearing especially if you want peace and quiet!

The only current relief is knowing that they are only open on the current hours. If the opening hours are extended, the noise will be a constant nuisance 7 days a week and will affect the neighbouring residents including myself immensely.

There are also apartments being built directly on the other side of the venue which will also suffer this inconvenience.

I am also deeply concerned at the affect the venue will have on the value of my property should I wish to sell it in the future. The venue was not open 9 years ago when I bought the property and I am not happy that this venue has been granted permission to become a live music venue considering the proximity to the residential areas.

Please take this email as representation to oppose the proposal made.

Could you please acknowledge this email and advise of the outcome.

Yours sincerely

Kristine Nolan  
81 Orchard Place, Southampton, SO14 3BW

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# Agenda Item 8

**DECISION-MAKER** Licensing (Licensing and Gambling) Sub-Committee  
Hearing to Consider an application for Variation of a Premises Licence –  
**SUBJECT** Manor Service Station, 123 Bitterne Road West, SO18 1AR

**DATE OF HEARING** Thursday 05 March 2015

**REPORT OF** Head of Legal and Democratic Services

**E-mail** [licensing@southampton.gov.uk](mailto:licensing@southampton.gov.uk)

Application Date : 20 January 2015      Application Received 20 January 2015

Application Valid : 20 January 2015      Reference : **2015/00223/01SPRV**



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

<b>Responsible Authority</b>	<b>Satisfactory?</b>
Local Safeguarding Children Board	No response Received
Hampshire Fire And Rescue	Yes
Environmental Health - Licensing	Yes

Planning & Sustainability	No Response Received	
Public Health	No Response Received	
Hampshire Constabulary	<b>No</b>	
Trading Standards	Yes	
<b><i>Other Representations</i></b>		
<b>Name</b>	<b>Address</b>	<b>Contributor Type</b>
Mr. R Foley	11 Chafen Road Southampton SO18 1BD	Resident
Miss Nina Williams	3 Chafen Road Southampton SO18 1BD	Resident
Mr. Tony Messon	9 Chafen Road Southampton SO18 1BD	Resident
Ms. Kath Dawkins	9 Chafen Road Southampton SO18 1BD	Resident

## Legal Implications

1. The legislation specifically restricts the grounds on which the sub-committee may refuse an application for variation of a premises licence, or impose conditions. The legislation provides for a presumption of grant of an application for variation of a premises licence, subject to the determination of the application with a view to promoting the licensing objectives in the overall interests of the local community. In doing so the sub-committee must give appropriate weight to:
  - the steps that are appropriate to promote the licensing objectives;
  - the representations (including supporting information) presented by all the parties;
  - its own statement of licensing policy
  - the Statutory Guidance
2. An application may be refused in part and thereby only permit some of the licensable activities sought.
3. An applicant for variation of a premises licence whose application has been refused, or who is aggrieved by conditions imposed, may appeal against the decision to the Magistrates' Court. Any other person, who made a valid representation, may appeal to the Magistrates' Court against the decision to grant the application or against any conditions imposed.
4. In considering this application the sub-committee will sit in a quasi-judicial capacity and is thus obliged to consider the application in accordance, in particular, with both the Licensing Act 2003 (Hearings) Regulations 2005 (as amended) and the rules of natural justice. The practical effect of this is that the sub-committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.
5. The sub-committee must also have regard to:
  - *The Crime and Disorder Act 1998*  
Section 17 of the Crime and Disorder Act 1998 places the sub-committee under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

- *The Human Rights Act 1998*

The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the sub-committee to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the sub-committee that could have an effect upon another person's Human Rights must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the sub-committee which affect another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.

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

## Summary of application

<b>Premises:</b>	Manor Service Station
<b>Licence Holder:</b>	Platinum Retail Limited
<b>Agent for licence Holder:</b>	Winckworth Sherwood LLP
<b>DPS:</b>	Thevamathuram Sritharan
<b>Proposed Variation</b>	

A petrol forecourt store selling a broad range of groceries, household products and alcohol. The variation is as follows.

1: to extend the hours for the sale of alcohol to 24hrs daily

2: To remove the following condition:-

**a, It is a condition of your licence that you comply with the extant provisions of the Children and Young Persons Act 1933, as amended.**

**b, The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 21 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.**

Existing hours are: - sale by retail of alcohol 08:00 – 23:00 every day

late night refreshment 23:00 – 05:00 every day

### **Conditions already attached to the premises licence (excluding mandatory)**

1 (i) A CCTV System will be installed, or the existing system maintained, such system to be fit for the purpose.

(ii) The CCTV system shall be capable of producing immediate copies of recordings on site. Copies of recordings will either be recorded on good quality video tape or digitally on to CD/DVD or other equivalent medium.

(iii) Any recordings shall be retained and stored in a suitable and secure manner for a minimum of 28 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.

(iv) The CCTV system will incorporate a camera covering the entrance door and the alcohol display areas and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the Police from time to time.

(v) The system will display, on any recording, the correct time and date of the recording.

(vi) A system will be in place to maintain the quality of the recorded image and a complete audit trail maintained.

(vii) The CCTV system will be maintained so as to be fully operational throughout the hours that the premises are open for any licensable activity.

2 The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 21 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.

**By Special Delivery**

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

Solicitors and  
Parliamentary Agents

Minerva House  
5 Montague Close  
London  
SE1 9BB  
DX: 156810 London Bridge 6  
Switchboard 020 7593 5000  
Direct Line 020 7593 0277  
www.wslaw.co.uk

19 January 2015

Our Ref: CVE/34163/5/RPB



Dear Sirs

**Application to vary Premises Licence**

**Applicant:** Platinum Retail Limited  
**Premises:** Manor Service Station, 123 Bitterne Road West,  
Southampton, SO18 1AR  
**Premises Licence No:** 2014/03433/01SPRD

**We enclose the following:**

1. Application to vary the premises licence pursuant to Section 34 of the Licensing Act 2003.
2. The premises licence.
3. A cheque for £315 in respect of your fee.

As the application is to vary hours for the sale of alcohol, we have not enclosed a plan.

We are authorised to sign the application on behalf of Platinum Retail Limited.

We confirm that a copy of this application has been sent to each of the responsible authorities.

Please ensure that all correspondence relating to this application is sent to this office and not to the applicant or the premises.

Yours faithfully

[Redacted signature]

[Redacted signature]

[Redacted] 7593 0277  
DF 020 7593 5099  
[Redacted]



Application to vary a premises licence 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 Platinum Retail Limited

*(Insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

**Premises licence number**

2014/03433/01SPRD

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description

Manor Service Station  
123 Bitterne Road West

Post town	Southampton	Postcode	SO18 1AR
-----------	-------------	----------	----------

Telephone number at premises (if any)

Non-domestic rateable value of premises      £47,500

**Part 2 – Applicant details**

Daytime contact  
telephone number

E-mail address (optional)

Current postal address if different  
from premises address

The Hollies  
Chorleywood Road

All correspondence to:  
Winckworth Sherwood LLP  
(Ref: CVE/34163/5/RPB)  
Minerva House  
5 Montague Close  
London  
SE1 9BB

Post town	Rickmansworth	Postcode	WD3 4ER
-----------	---------------	----------	---------

RECEIVED  
20 JAN 2015

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
┆	┆	┆
┆	┆	┆
┆	┆	┆

**Please describe briefly the nature of the proposed variation** (Please see guidance note 1)

A petrol forecourt store selling a broad range of groceries, household products and alcohol. Situated at Manor Service Station, 123 Bitterne Road West, Southampton, SO18 1AR to be varied as follows:

1. To extend the hours for the sale of alcohol to 24 hours daily.
2. To remove all the embedded restrictions contained in the premises licence.
3. To remove condition 2 set out in Annex 2 of the premises licence.
4. To include in Annex 2 the conditions set out in Section M of the application.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

##### **Provision of regulated entertainment**

**Please tick all that apply**

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

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Sale by retail of alcohol** (if ticking yes, fill in box J)

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

A

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

B

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

C

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

D

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

E

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



F

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

G

Performances of dance 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	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			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

Late night refreshment Standard days and timings (please read guidance note 6)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Fri					
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	0000	2400						
Tue	0000	2400						
Wed	0000	2400						
Thur	0000	2400						
Fri	0000	2400						
Sat	0000	2400						
Sun	0000	2400						
						<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)		

K

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

The premises sell alcohol and other age restricted products.

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	0000	2400	
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	
			<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

1. The hours for the sale of alcohol are currently restricted to:

Monday to Sunday: 0800 to 2300

2. All the embedded restrictions contained in the premises licence.

3. Condition 2 set out in Annex 2 of the premises licence.

The above restrictions and condition would be removed as a consequence of the proposed variation.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

## **M**

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

The existing conditions on the premises licence to remain unchanged except for condition 2 set out in Annex 2 of the premises licence.

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

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

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

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

2. An incident book/register shall be maintained to record:

- All incidents of crime and disorder occurring at the premises
- Details of occasions when the police are called to the premise

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

### **c) Public safety**

### **d) The prevention of public nuisance**



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

1.	The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.
2.	All staff engaged or to be engaged in the sale of alcohol on the premises shall receive the following training in age restricted sales: <ul style="list-style-type: none"> <li>- Induction training which must be completed and documented prior to the sale of alcohol by the staff member.</li> <li>- Refresher/reinforcement training at intervals of no more than 6 months.</li> </ul> Training records will be kept at the premises available for inspection by a police officer on request.

Checklist:


**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- 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 5 – Signatures** (please read guidance note 10)

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

Signature	
Date	19 January 2015
Capacity	Solicitors duly authorised on behalf of the Applicant

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
-----------	--

Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 13) (Ref: CVE/34163/5/RPB) Winckworth Sherwood LLP Minerva House 5 Montague Close			
<b>Post town</b>	London	<b>Post code</b>	SE1 9BB
<b>Telephone</b>	[REDACTED]		
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b> [REDACTED]			

**Notes for Guidance**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

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 state 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 intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.



**New grant or variation of premises licence  
Or club premises certificate  
Form for representations from Hampshire Constabulary**

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

**Hampshire Constabulary is a responsible authority and wish to make a representation regarding under the Licensing Act 2003, regarding the:**

<input type="checkbox"/> 1: Grant for a personal licence	(Object within 14 days)
<input type="checkbox"/> 2: Grant for a temporary event notice (TEN)	(Object within 3 days)
<input type="checkbox"/> 3: Transfer of a premises licence	(Object within 14 days)
<input type="checkbox"/> 4: Variation of designated premises supervisor	(Object within 14 days)
<input checked="" type="checkbox"/> 5: Grant/Variation of a premises licence/club prem' certificate	(Object within 28 days)

Name of Applicant:	Platinum Retail Limited
Name of Proposed DPS:	

Details of relevant conviction ( Personal Licence Applications ONLY)

Postal address of premises:	Manor Service Station 123 Bitterne Road West Southampton
Postcode:	SO18 1AR

**Details of responsible authority applicant**

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title /Rank:	PC
Surname: Cherry	First Names: Jackie
Current postal address :	Southampton Central Police Station Southern Road Southampton
Postcode:	SO15 1AN
Daytime telephone number:	02380 533368
E-mail address: (optional)	

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



**New grant or variation of premises licence  
Or club premises certificate  
Form for representations from Hampshire Constabulary**

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

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

*Please select  
one or more  
boxes*

Please state the ground(s) for representation:

On behalf of the Chief Officer of Police, I am writing to lodge a representation against the proposed variation on the following grounds:

- 1) The prevention of Crime and Disorder
- 2) Public Safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

The police have concerns over this proposed variation that the applicant have submitted and therefore object to their request for extending the premises licensing operating hours.

The applicant are requesting the following variation to be added to their premises licence.

"To extend the hours for the sale of alcohol to 24 hours daily"

"To remove all the embedded restrictions contained in the premises licence"

"To remove condition 2 set out in Annex 2 of the premises licence and replace with the new proposed conditions set out in section M of this application".

Police Licensing are in agreement that the embedded restrictions can be removed from the existing premises licence as these are now outdated conditions.

However, with the removal of the existing conditions laid out in Annex 2 this premises is requesting to increase their opening hours to 24 hours which will allow them to sell alcohol during this time with no form of security protecting the premises or staff members during this time either by way of security staff or cctv, this is unacceptable and demonstrates poor practice.

Proposed conditions which assists with prevention of crime and disorder have been submitted to the company for them to view and add to their new premises licence to demonstrate due diligence and promote good practice when working within the licensing objectives. (Annex A).



**New grant or variation of premises licence  
Or club premises certificate  
Form for representations from Hampshire Constabulary**

Unfortunately at the time of this objection being raised the company has not committed to any of these new proposals.

**It is an offence, under section 158 of the Licensing Act 2003 to make a false statement  
in or in connection with this representation**

**Police recommendations (including any conditions)**



The minimum that Hampshire Licensing would accept for this premises to operate 24 hours are the following conditions: CCTV; Challenge 25; refusal book; incident book; training; kiosk to be closed from 2300hrs with 2 members of staff employed during the night. (exact wording for each condition is attached within Annex A).

Without these conditions applied to the licence Hampshire Licensing will have no confidence that the premises will operate efficiently and safely, therefore we do not feel that the licensing objectives are being supported or the staff protected.

**Signature of Officer Completing**

Name PC Cherry Collar Number: 24272  
Signature:  : 13/2/15

**Signature of Authorising Officer**

Name PJ 2205 MARTIN CONLAN Collar Number: \_\_\_\_\_  
Signature:  : 13/2/15  


## **ANNEX A**

### **1) To operate a refusals log**

A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the manager.

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.

### **2) to operate an incident log**

An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request.

Any incidents that include physical altercation or disorder, physical ejection, injury, id seizure or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.

If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry.

At the close of business on each day the incident book will be checked by the manager on duty where any entries will be reviewed and signed. If incidents have occurred the duty manager will de-brief door staff at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book.

### **3) Training**

Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training which must be signed and dated by the member of staff who has received that training.

All staff will receive refresher training every six months as a minimum and records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.

In addition to their training a written test related to the training given will be conducted before the staff member is permitted to sell or authorise alcohol. The test will consist of a

minimum of ten questions of which the pass rate is 80%. Anyone who fails to reach the prescribed pass rate will be retrained and re-tested. Anyone not attaining the pass rate will not be permitted to sell or authorise the sale of alcohol until the pass rate is attained. There will be a minimum of two sets of questions to be used in the training which will be rotated upon each subsequent six month training session.

All training records will be made immediately available for inspection by Hampshire Constabulary and any responsible Authority upon request. Training records will be kept for a minimum period of two years. Training records will be kept on the licensed premises to which they relate to.

#### **4) CCTV**

CCTV cameras to be installed. These camera need to be located within the premises to cover all public areas including outside of the premises covering the entrance and exit.

CCTV warning signs to be fitted in public places.

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

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of **28 days**.

Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.

The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.

There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered must be in a viewable format on either disc or VHS. Footage supplied in a digital format on CD or DVD will also have a copy of the CCTV system software enabled on the disc to allow playback.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Hampshire Western Police Licensing Unit within 24 hours.

#### **5) Challenge 25**

There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.

Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and the persons date of birth.

If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.

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

#### **6) Single Cans**

Single cans, can I also request at this stage that a condition be added that no single cans of alcohol is sold a minimum of 4 cans per sale.

#### **7) Members of staff**

After 2300hrs kiosk to be closed and all sales to be made through the kiosk window. A minimum of 2 members of staff to be employed from this time to 0600hrs for Health and Safety reasons ensuring that the Licensing Objectives are fully met.

#### **8) High strength alcohol products**

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

#### **9) Signage**

Signage will be displayed outside the premises informing customers they are not to consume alcohol on the forecourt and asking them to leave the premises quietly.



Licensing Team  
Southampton & Eastleigh Licensing Partnership  
Southampton City Council  
PO Box 1767  
Southampton  
SO18 9LA

11 Chafen Road  
Bitterne Manor  
Southampton  
SO18 1BD  
14<sup>th</sup> February 2015

Dear Sir,

Reference 2015/00223/01SPRV. Platinum Retail Ltd. Manor Service Station 123 Bitterne Road West, Southampton. SO18 1AR. Proposed extension to alcohol licence.

The above BP Service Station has applied for an extension of their alcohol licence for it to be 24 hour, 7 days a week.

Bitterne Manor always was and should be a quiet residential area. Unfortunately now there is already a problem with unacceptable anti-social behaviour in the area and this application would increase that risk as people would now be in the area all day and all night. We have a lot of residents who have been here many years, me included, who want to feel safe in our own homes as we get older. We also have many families with young children living in the area, so the sale of alcohol 24 hours a day is not to be encouraged. Being that the garage toilets are not readily available to their customers we already have problems with people using our gardens as toilets!

Please consider this application very carefully before you decide as it will make a big impact on the residents in the cul-de-sac, the rest of the road and the surrounding area.

Thank you.

Yours faithfully



R. FOLEY



Licensing Team  
Southampton & Eastleigh Licensing Partnership  
Southampton City Council  
PO Box 1767  
Southampton  
SO18 9LA

3 Chafen Road  
Bitterne Manor  
Southampton  
SO18 1BD  
12<sup>th</sup> February 2015

Dear Sir,

Reference 2015/00223/01SPRV. Platinum Retail Ltd. Manor Service Station 123 Bitterne Road West, Southampton. SO18 1AR. Proposed extension to alcohol licence.

The above BP Service Station has applied for an extension of their alcohol licence. The petrol garage backs on to our properties in the Chafen Road cul-de-sac. They have already withdrawn a planning application for increased retail space and a 24 hour "Subway" café included in the design and now it seems that they want a 24 hour, 7 days a week alcohol licence instead.

I don't think that a licence to serve alcohol is at all the right thing to have in a petrol garage situated on the very busy main A3024 road anyway. At present they are encouraging people to drink and drive, so to grant them a 24 hour, 7 days a week alcohol licence would be lethal!

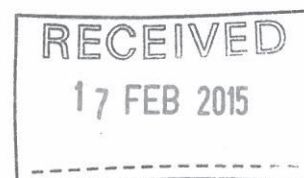
We already have problems with anti-social behaviour in the area so this would increase the risk of encouraging more people to loiter day and night. We have just had a burglary in the house next door to me and a rather nasty assault on another of my neighbours by a man found hiding in the early hours of the morning just outside his house in the cul-de-sac. Also there are no toilets easily available to their customers so you can imagine the disgusting behaviour we already have to endure without it being on a 24 hour basis!

Bitterne Manor is a quiet residential area consisting of three bedroomed family houses so this new proposal would greatly affect me and the other existing residents.

I urge you to consider the adverse affect that granting this would have on the safety and quality of life of the residents in Chafen Road and Bitterne Manor.

Yours faithfully

  
Nina Williams (Miss)



Licensing Team  
Southampton & Eastleigh Licensing Partnership  
Southampton City Council  
PO Box 1767  
Southampton  
SO18 9LA

9 Chafen Road  
Bitterne Manor  
Southampton  
SO18 1BD  
13<sup>th</sup> February 2015

Dear Sir,

Reference 2015/00223/01SPRV. Platinum Retail Ltd. Manor Service Station 123 Bitterne Road West, Southampton. SO18 1AR. Proposed extension to alcohol licence.

The above BP Service Station has applied for an extension to have a 24 hour, 7 days a week alcohol licence.

We already have problems with drinking and anti-social behaviour in the area and this would increase the risk dramatically encouraging people to hang around making more noise and mess day and night. We have just had a rather nasty burglary in the close next to us followed by a violent assault so to have more people hanging around in the area is not a good idea.

We do not feel that this is a suitable application for a petrol station to have any alcohol licence let alone a 24 hour, 7 day a week one! What about the offence of drink driving, do you not think that this would increase the risk of this?

So before you decide on this application please consider the impact that this would have on us and on the safety of the residents and their children.

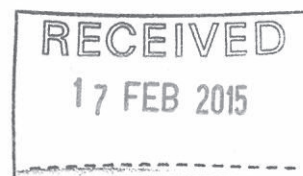
Thank you.

Yours faithfully

① Tony Messom

② Kath Dawkins

(Home owner)



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