

Licensing (Licensing and Gambling) Sub-Committee

Wednesday, 22nd January, 2020
at 4.00 pm

PLEASE NOTE TIME OF MEETING

Council Chamber - Civic Centre

This meeting is open to the public

Members

Three Members drawn from the Licensing Committee

Contacts

Democratic Support Officer
Pat Wood

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Service Director - Transactions & Universal Services

Mitch Sanders

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PUBLIC INFORMATION

The Members of the Licensing Committee are Councillors Mrs Blatchford, G Galton, B Harris, Kataria, McEwing, Noon, Prior, Renyard, Spicer, and Streets.

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

The Southampton City Council Strategy (2016-2020) is a key document and sets out the four key outcomes that make up our vision.

- Southampton has strong and sustainable economic growth
- Children and young people get a good start in life
- People in Southampton live safe, healthy, independent lives
- Southampton is an attractive modern City, where people are proud to live and work

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.

By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and or/training purposes. The meeting may be recorded by the press or members of the public.

Any person or organisation filming, recording or broadcasting any meeting of the Council is responsible for any claims or other liability resulting from them doing so.

Details of the Council's Guidance on the recording of meetings is available on the Council's website.

Dates of Potential Meetings Municipal Year 2019/20

Meetings are scheduled on a weekly basis usually at 4pm on a Wednesday evening.

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

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 - 4)

To approve and sign as a correct record the Minutes of the meeting held on 18 December 2019 and to deal with any matters arising.

6 **EXCLUSION OF THE PRESS AND PUBLIC - LEGAL ADVICE**

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 GRANT OF A PREMISES LICENCE - DHALI WAL STORE, 123 DERBY ROAD, SOUTHAMPTON SO14 0DT** (Pages 5 - 84)

Application for the grant of a premises licence - Dhaliwal Store, 123 Derby Road, Southampton SO14 0DT

Tuesday, 14 January 2020

Service Director - Transactions and Universal Services

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SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 18 DECEMBER 2019

Present: Councillors Mrs Blatchford, G Galton and McEwing

31. **ELECTION OF CHAIR**

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

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

RESOLVED that the minutes of the meeting held on 27 November 2019 be approved and signed as a correct record.

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

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

34. **APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE - BAR SO16, 228A BURGESS ROAD, SOUTHAMPTON SO16 3AY**

The Sub-Committee considered the report of the Service Director of Transactions and Universal Services for an application for a premises licence in respect of Bar SO16, 228A Burgess Road, Southampton SO16 3AY.

Jas Mandair and Baljit Mandair, representatives from the applicant company, and two representatives from a local business, James Rhodes and Adrian Melina were present and with the consent of the Chair, addressed the meeting.

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

RESOLVED that the premises licence be granted.

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

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

The Sub-Committee has considered very carefully the application for a premises licence at Bar SO16, 228a Burgess Road, Southampton SO16 3AY. 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 the representations, both written and given orally today, by all parties. Human rights and equality legislation has been borne in mind whilst making the decision.

The Sub-Committee noted that the applicant had amended the application (as set out in the report commencing at page 54 of 88) following representations from Hampshire Constabulary, Environmental Health and the Planning department, and two objections, one from a local business and the second from a local resident.

The Sub-Committee also considered one letter received in support of the application.

The applicant confirmed that the agreed conditions at pages 82 of 88 to page 84 of 88 were the consolidated conditions put forward by the Responsible Authorities, after discussion with the applicant.

The Sub-Committee noted that no further representations or comment had been received from the above Responsible Authorities following circulation of the amended application and conditions on the 29 November 2019.

The applicant company was represented by Jas Mandair and Baljit Mandair. The local business who had made representations was represented by Adrian Melina and James Rhodes. The Sub-Committee also considered the written representation from a local resident, Verity Charlton, who was unable to attend. No Responsible Authorities attended the hearing.

The Sub-Committee having considered all of the above has determined to grant the amended application subject to the agreed conditions at pages 82 of 88 to page 84 of 88 of the report.

Reasons

The Sub-Committee heard evidence from a local business orally at the hearing and in written representations relating to concerns about noise, in particular possibly affecting four tenanted properties. It also raised concern about possible unauthorised parking on their business premises (public nuisance).

The resident was particularly concerned with issues of potential noise disturbance from the premises including, but not limited to, recorded music within the premises and from smokers outside the premises. The resident also raised concerns about noise from the beer garden but the Sub-Committee noted that the amended application no longer included a beer garden. The resident also raised concerns about potential nuisance parking in the area.

The Sub-Committee does acknowledge these concerns. However, the Sub-Committee does not consider it would be appropriate or proportionate to refuse the application in whole or in part at this time on the basis of the evidence presented. The Sub-Committee considered it particularly significant that the Responsible Authorities that had made representations on the original application had then agreed conditions and had not attended the hearing.

Residents and local businesses can be reassured that where the grant of any application leads to an adverse impact upon the licensing objectives a review of the licence can be brought and appropriate steps taken at that time.

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.

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Agenda Item 7

DECISION-MAKER LICENSING (LICENSING & GAMBLING) SUB COMMITTEE

SUBJECT HEARING TO CONSIDER AN APPLICATION FOR GRANT OF A PREMISES LICENCE -
Dhaliwal Store, Dhaliwal Store 123 Derby Road Southampton SO14 0DT

DATE OF HEARING 22nd January 2020 at 16:00

REPORT OF SERVICE DIRECTOR – TRANSACTIONS & UNIVERSAL SERVICES

E-mail licensing@southampton.gov.uk

Application Date :2nd December 2019

Application Received 3rd December 2019

Application Valid 3rd December 2019

Reference : **2019/06850/01SPRN**



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Representations from Responsible Authorities

Responsible Authority	Satisfactory?
Safeguarding Children	Yes
Fire Service	No Response
Environmental Health - Licensing	Yes
Home Office	No Response
Planning and Sustainability	No Response
Public Health Manager	No Response

Police - Licensing	Agreed Conditions
Trading Standards	No Response

Other Representations

Name	Address	Contributor Type
Mr Gulzar Sharif	53 Derby Road, Southampton,SO14 0DJ	Resident
Bevois Ward Cllrs.	Members' Room, Southampton City Council, Civic Centre, Southampton SO14 7LY	Councillors
Anas Al-korj	Fitrah Southampton Islamic Primary School, The Cultural Centre,55 Northumberland Road, Southampton SO14 0EJ	Headteacher
Mr. Sajjad Kiani	166 Derby Road, Newtown, Southampton SO14 0DS	Resident
Mr. Karimi	Chair of Southampton Umar Al-Farooq Islamic Centre,169-193 Derby Road, Southampton SO14 0DZ	Chair of Southampton Umar Al-Farooq Islamic Centre
Mrs. J Goatley	Maytree Nursery and Infant School, Derby Road, Southampton SO14 0DT	Headteacher
Mr. Mohammad Naeem	168 Derby Road, Southampton SO14 0DS	Resident
Cllr. Toqeer Kataria	Members' Room, Southampton City Council, Civic Centre, Southampton SO14 7LY	Councillor
Dr. Abdoulie Sanneh	West Itchen Community Trust,53 Derby Road, Southampton SO14 0DJ	West Itchen Community Trust

Legal Implications

1. The legislation specifically restricts the grounds on which the sub-committee may refuse an application for grant of a premises licence, or impose conditions. The legislation provides for a presumption of grant of an application for a premises licence, subject to the determination of the application with a view to promoting the licensing objectives in the overall interests of the local community. In doing so the sub-committee must give appropriate weight to:
 - the steps that are appropriate to promote the licensing objectives;
 - the representations (including supporting information) presented by all the parties;
 - its own statement of licensing policy
 - the Statutory Guidance
2. An application may be refused in part and thereby only permit some of the licensable activities sought.
3. An applicant for grant of a premises licence whose application has been refused, or who is aggrieved by conditions imposed, may appeal against the decision to the Magistrates' Court. Any

other person, who made a valid representation, may appeal to the Magistrates' Court against the decision to grant the application or against any conditions imposed.

4. In considering this application the sub-committee will sit in a quasi-judicial capacity and is thus obliged to consider the application in accordance, in particular, with both the Licensing Act 2003 (Hearings) Regulations 2005 (as amended) and the rules of natural justice. The practical effect of this is that the sub-committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.
5. Only persons that made relevant representations or their representative, within the time limits, will be allowed to present evidence and this will be restricted to the points raised in their written representation. Any evidence used to expand upon specific points already raised in a written representation should be served upon all parties in good time before the hearing date in order to allow proper consideration. A failure to properly serve any such additional evidence in advance is likely to mean it cannot be produced or relied upon at the hearing.
6. 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 affects another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.

Equality Act 2010

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

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

Summary of application

Applicant	<i>Mrs. Anuragpreet Kaur</i>
Agent for licence Holder:	<i>Semper Fidelis Consultancy</i>
Proposed DPS	<i>Mr. David Nicholas Semper</i>

This is an application for a new premises licence. The premises is a pre-existing convenience store, which would like to supply by retail alcohol for off sales only.

Opening Times (applied 3/12/19) Monday to Sunday 07:00 – 00.30 Amended on 10/12/19 hours below: Monday to Sunday 07:00 – 00.00	Supply by retail of alcohol (for consumption off the premises only) Monday to Sunday 07:00 – 00:00
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The application has received representations from local schools, community groups, councillors and local residents.

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

1. Spirits

Spirits of ABV over 20% will only be sold from behind the counter.

2. CCTV

CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly regarding facial recognition.

Cameras shall encompass all ingress and egress to the premises, fire exits, and all areas where the sale/ supply of alcohol occurs.

Equipment MUST be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days.

The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in recordable media format, and able to produce it to a Police Officer and/or an authorised Local Authority/Council Trading Standards Officer on demand and in a viewable format.

The CCTV equipment shall be kept in a secure environment under the control of the DPS or other responsible named individual.

An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Police (on contact number '101') and Council Licensing Department immediately.

The Management will monitor the exterior of the premises using CCTV and use their best endeavours to disperse any persons who appear to be congregating outside the premises.

3. Incident Log

An incident log must be kept at the premises. Incident log records will be retained for a period of 12 months from the date it occurred. It will be made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), an authorised Trading Standards Officer or the Police, and must record the following:

- (a) all crimes reported to the premises (where relevant to the licensing objectives)***
- (b) all ejections of patrons***
- (c) any complaints received (where relevant to the licensing objectives)***
- (d) any incidents of disorder***
- (e) any faults in the CCTV system or searching equipment or scanning equipment***
- (f) any visit by a relevant authority or emergency services, noting time, date & purpose and those officials by name.***

4. Alcohol

- a) There will be no single sales of cans or bottles of beer, lager or cider.***
- b) No beer, lager or cider shall be sold in excess of 6.5% ABV.***

5. Signage

Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quickly and quietly.

6. Refusals Register

A written register of Refusals will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months and will be collected by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer the Local Authority/Council on demand.

7. Challenge 25

The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer the Local Authority/Council. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any counter advertising the scheme operated.

8. Training

Before commencing their duties all new staff must receive information and training concerning the sale of age-restricted products.

This training must cover their legal responsibilities and action to be taken in the event of suspicions being aroused that someone is purchasing or attempting to purchase an item under the legal age.

All employees will sign a letter to acknowledge that they have completed this training and have understood their responsibilities on this area.

This training should be reviewed and updated at reasonable intervals but at least annually

All staff shall be fully trained to perform their role. They will also be trained in the contents of the premises licence including times of operation, licensable activities and all conditions.

Training shall be recorded in documentary form that will be available for inspection at the request at all reasonable times by an authorised officer from a relevant responsible authority. The records will be retained for at least 12months. Agreed.

- Application form and plan amended opening hours– Pages 7-35
 - Representations - Objecting – Pages 36-64
 - Agreed conditions with Hampshire Constabulary – Pages 65-67
 - Applicants crime evidence – Pages 68-75
- Hearing Procedure Notes – Pages 76-79

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 Anuragpreet KAUR

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Dhaliwal Store, 123 Derby Road			
Post town	SOUTHAMPTON	Postcode	SO14 0DT

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£4950

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as**

- | | |
|--|---|
| a) an individual or individuals * | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname KAUR			First names Anuragpreet		
Date of birth		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality Indian					
Current residential address if different from premises address		169 Northumberland Road			
Post town	SOUTHAMPTON			Postcode	SO14 0EP
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					
Attached UK Residence Permit					

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SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over			I am 18 years old <input type="checkbox"/> Please tick yes		
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name
Address

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	01	2020

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
 This is a pre-existing shop, albeit currently vacant. WE would like to open a Convenience Store, and to obtain an Off-Licence in order to add to our offering. Consequently, we have proposed a comprehensive raft of Conditions to ensure that we promote and support the Licensing Objectives in their entirety.

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

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

Plays 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 type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<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					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

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

D

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

E

Live music 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 type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri			<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					
Sun					

F

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

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
			<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					
Fri			<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					
Sun					

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)					
Mon	07:00	00:00						
Tue	07:00	00:00						
Wed	07:00	00:00						
Thur	07:00	00:00				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	07:00	00:00						
Sat	07:00	00:00						
Sun	07:00	00:00						

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name David Nicholas SEMPER	
Date of birth	
Address	
Postcode	
Personal licence number (if known) PL2926	
Issuing licensing authority (if known) Herefordshire Council	

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).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	07:00	00:30	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
Tue	07:00	00:30	
Wed	07:00	00:30	
Thur	07:00	00:30	
Fri	07:00	00:30	
Sat	07:00	00:30	
Sun	07:00	00:30	

M

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

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

In making this application, we have taken into account the Guidance issued under the Licensing Act 2013 and the Licensing Policy of Southampton City Council.

We have inspected the area and have noted the environmental and socio-economic composition. We have also consulted the Crime Mapper service on Police.gov.uk. As a consequence of all this, we are applying effective conditions in order to promote the Licensing Objectives. We would stress that NO more than 20% of the shop's floorspace would be given over to alcohol display.

b) The prevention of crime and disorder

1. Spirits of high ABV will be sold from behind the counter.
2. CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly regarding facial recognition. Cameras shall encompass all ingress and egress to the premises, fire exits, and all areas where the sale/ supply of alcohol occurs.
Equipment MUST be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days.
The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in recordable media format, and able to produce it to a Police Officer and/or an authorised Local Authority/Council Trading Standards Officer on demand and in a viewable format.
The CCTV equipment shall be kept in a secure environment under the control of the DPS or other responsible named individual.
An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.
In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Police (on contact number '101') and Council Licensing Department immediately.
3. An incident log must be kept at the premises. Incident log records will be retained for a period of 12 months from the date it occurred. It will be made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), an authorised Trading Standards Officer or the Police, and must record the following:
 - (a) all crimes reported to the premises (where relevant to the licensing objectives)
 - (b) all ejections of patrons
 - (c) any complaints received (where relevant to the licensing objectives)
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system or searching equipment or scanning equipment
 - (f) any visit by a relevant authority or emergency services, noting time, date & purpose and those officials by name.
4. There will be no single sales of cans or bottles of beer, lager or cider.
5. No beer, lager or cider shall be sold in excess of 6.5% ABV.

c) Public safety

6. All fire exits shall be kept clear at all times

d) The prevention of public nuisance

7. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quickly and quietly.

8. The Management will monitor the exterior of the premises using CCTV and use their best endeavours to disperse any persons who appear to be congregating outside the premises.

e) The protection of children from harm

9. A written register of Refusals will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months and will be collected by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer the Local Authority/Council on demand.

10. All staff engaged in the sale of alcohol to be trained in Responsible Alcohol Retailing within 1 month of commencing employment at the premises. Retraining will be carried out annually. Training records shall be kept on the premises and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of the Local Authority/ Council) on demand.

11. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer the Local Authority/Council. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any counter advertising the scheme operated.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to ☒

work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	Nick SEMPER on 02/12/2019
Capacity	Licensing Consultant & Agent

For joint applications, signature of 2nd applicant 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	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Semper Fidelis Consultancy Rural Enterprise Centre Vincent Carey Road Rotherwas Business Park			
Post town	HEREFORD	Postcode	HR2 6FE
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) i k			

DATA PROTECTION

The Council is collecting this information in order to perform this service or function, and if further information is needed in order to do so, you may be contacted using the details provided.

In performing this service, the Council may be required to share your information with other organisations or departments, but it will only do so when it is necessary in order for the service to be provided.

The Council may also share your personal information for the purposes of the prevention, investigation, detection, or prosecution of criminal offences, but will not share your personal information, or use it for this, or any other purpose, unless provided for by law.

For more detail about how we handle your personal data please see our privacy policies:

For Southampton City Council applications: <http://www.southampton.gov.uk/privacy>
For Eastleigh Borough Council applications: <https://www.eastleigh.gov.uk/privacy>

Notes for Guidance

- 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.
- In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.

- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;

- any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. 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.
 8. 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'.
 9. 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.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by

providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's

permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,

- (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
- (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
- (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

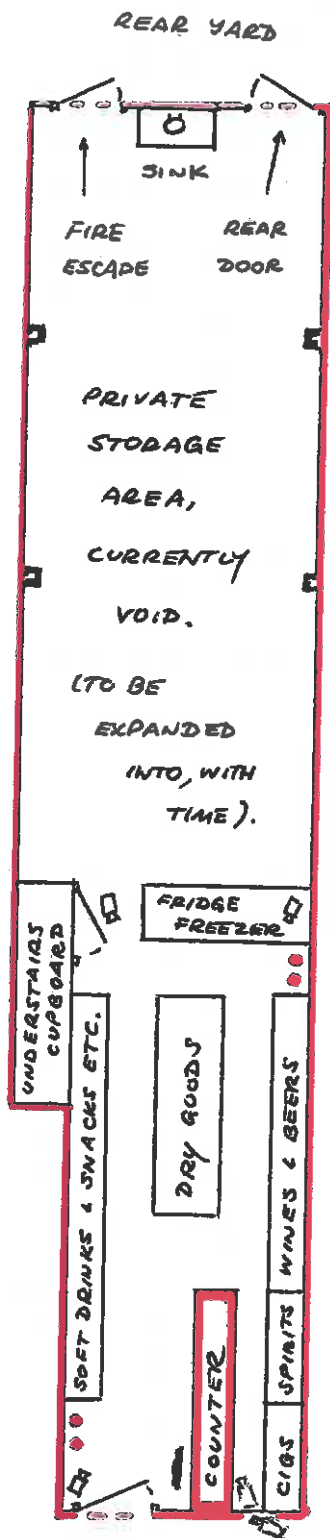
Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.



123 DERBY ROAD
SOUTHAMPTON



Scale 1:100

— LICENSABLE ACTIVITIES

● CO2 EXTINGUISHER

● WATER EXTINGUISHER

□ CCTV

— CCTV MONITOR

**Form of Consent given by the Person whom the Applicant
wished to be the Premises Supervisor.**

I, David Nicholas SEMPER, of

hereby consent to
being named as the premises supervisor in a new licence granted under
Paragraph 4 of Schedule 8 to the Licensing Act 2003 to Dhaliwal Store
where the holder of the licence has consented to the application being
made by the applicant for Dhaliwal Store, 123 Derby Road,
SOUTHAMPTON SO14 0DT if that application is successful.

Personal Licence No: PL2926

Issuing Authority: Herefordshire

Signed: _____

Dated: 03/12/19

Head, Karen

From: Nick Semper
Sent: 10 December 2019 17:30
To: Head, Karen
Subject: Re: Premises licence application Dhaliwal store - Derby Road Southampton

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My apologies.
Same as, then.
Thanks for resolving that anomaly ✓

Nick SEMPER

On 10 Dec 2019, at 16:28, Head, Karen <[REDACTED]>

Yes that was for the sale of the alcohol, but you did not change the opening hours of the shop.

Kind Regards

Karen Head
Licensing Officer
Southampton and Eastleigh Licensing Partnership
Southampton City Council

Post: Licensing - Southampton City Council
PO Box1767,Southampton SO18 9LA

From: Nick Semper |
Sent: 10 December 2019 16:25
To: Head, Karen
Subject: Re: Premises licence application Dhaliwal store - Derby Road Southampton

CAUTION: This email originated from a non UK Government address. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Karen,
I spoke to Tricia about this and confirmed on a supplementary email from your Dept to amend the Blue Notice that had been posted.
Yes - the terminal hour is now 00:00hrs ✓

Nick SEMPER

On 10 Dec 2019, at 16:06, Head, Karen <

wrote:

Dear Sirs,

Premises licence application Dhaliwal store - Derby Road Southampton

Having seen your reply to the police regarding the above application, can you please confirm that you wish to amend the opening hours on the above application to read the following:

Opening hours 07:00 to 00.00 Monday to Sunday.

Kind regards

Karen Head
Licensing Officer
Southampton and Eastleigh Licensing Partnership
Southampton City Council

Head, Karen

From: publicaccess@southampton.gov.uk
Sent: 20 December 2019 21:51
To: Licensing
Subject: Comments for Licensing Application 2019/06850/01SPRN

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

Comments were submitted at 9:50 PM on 20 Dec 2019 from Mr Gulzar Sharif.

Application Summary

Address: 123 Derby Road Southampton SO14 0DT

Proposal: Premises Licence

Case Officer: Tricia Young

[Click for further information](#)

Customer Details

Name: Mr Gulzar Sharif

Email:

Address: 53 Derby Road, Southampton SO14 0DJ

Comments Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 9:50 PM on 20 Dec 2019 I wish to object for the following reasons

1. Shop is positioned in a residential area. Opening hours until passed midnight will have a negative impact on the wellbeing of residents
2. Area suffers from a number of street drinkers who intimidate residents
3. there are a disproportionate number of alcoholics visiting the area and are known to seek out shops for low cost alcohol
4. A number of fights have taken place where the individuals were highly intoxicated

In summary the noise, disorder and antisocial behaviour will be unacceptable to the adjoining residential homes and community.

From: Barnes-Andrews, Stephen (Cllr)
Sent: 30 December 2019 08:03
To: Licensing; Kataria, Toqeer
Cc: Bates, Phil; Rayment, Jacqui (Cllr)
Subject: Licensing Application 2019/06850/01SPRN

Dear Mr Bates,

On behalf of the Bevois Ward Councillors I am writing to object to the above application. Derby road is already well served by Retailers selling alcohol. I believe the local school has objected and the Community have organised a Petition. Granting this application would effect, the protection of Children from harm, the level of Public Nuisance and Crime and Disorder. Alcohol abuse, has played a major part in many of the crimes seen in Derby Road. Street drinking and litter caused by broken alcohol bottles, already make the local Adventure playground unusable for local children. Bevois Councillors have been working with the local Police to tackle Alcohol related anti social behaviour and crime on Derby Road. I would urge the Licensing Committee to consider the safety and welfare of the local Community and refuse this application.

Councillor Stephen Barnes-Andrews

McGuinness, Ian

From: Kataria, Toqeer
Sent: 30 December 2019 19:28
To:
Cc: Bates, Phil
Subject: RE: Licensing Application 2019/06850/01SPRN

Follow Up Flag: Follow up
Flag Status: Flagged

Please take this email as confirmation that I support the objection and am happy for it to be associated to my name as a Bevois Cllr.

Councillor Toqeer Kataria
Bevois Ward (Southampton)

From: Rayment, Jacqui (Cllr)
Sent: 30 December 2019 17:36
To:
and
Cc:
Subject: RE: Licensing Application 2019/06850/01SPRN

Please take this email as confirmation that I support the objection and am happy for it to be associated to my name as a Bevois Cllr.

Councillor Rayment
Deputy Leader Southampton City Council
Cabinet Member Transport & Place
Bevois Ward Cllr

Gina Wilson PA to Cllr Rayment

Sent from my iPhone

From: McGuinness, Ian
Sent: Monday, December 30, 2019 12:35:22 PM
To: Barnes-Andrews, Stephen (Cllr)
Cc: Kataria, Toqeer <
Subject: RE: Licensing Application 2019/06850/01SPRN

Good Afternoon Councillor,

Many thanks for your email, which as advised by separate email has been deemed a valid representation.

I note your email states is on behalf of the Bevois Ward Councillors, however for clarity, we will require confirmation from each Councillor should they also seek to make representation.

Please note the consultation period ends 31st December 2019. (Tomorrow).

Kind regards,

Ian

Ian McGuinness

Senior Licensing Officer
Southampton and Eastleigh Licensing Partnership
Southampton City Council

Post: Licensing - Southampton City Council
PO Box 1767, Southampton. SO18 9LA

From: Barnes-Andrews, Stephen (Cllr)

Sent: 30 December 2019 08:03

To: Licensing

Kataria, Toqeer

Cc: Bates, Phil; Rayment, Jacqui (Cllr)

Subject: Licensing Application 2019/06850/01SPRN

Dear Mr Bates,

On behalf of the Bevois Ward Councillors I am writing to object to the above application. Derby road is already well served by Retailers selling alcohol. I believe the local school has objected and the Community have organised a Petition. Granting this application would effect, the protection of Children from harm, the level of Public Nuisance and Crime and Disorder. Alcohol abuse, has played a major part in many of the crimes seen in Derby Road. Street drinking and litter caused by broken alcohol bottles, already make the local Adventure playground unusable for local children. Bevois Councillors have been working with the local Police to tackle Alcohol related anti social behaviour and crime on Derby Road. I would urge the Licensing Committee to consider the safety and welfare of the local Community and refuse this application.

Councillor Stephen Barnes-Andrews

McGuinness, Ian

From:
Sent: 29 December 2019 22:36
To: Licensing
Cc:
Subject: Application to Grant Alcohol Licence to 123 Derby Road Southampton SO14 0DT

CAUTION: This email originated from a non UK Government address. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sirs

I am concerned and object to the above application as there are already three outlets selling alcohol in the immediate vicinity. This is a grave concern for the local community.

There is already rising level of crime and disorder in the area and this will only increase the opportunities for more crime and disorder.

This will jeopardise the public safety by making the unbearable level of littering (beer cans) even more unbearable.

As a local school using the local park (Rope Walk Garden) and YMCA sport centre we use Derby Road a lot and are already impacted by significant amounts of groups of drinkers hanging around the area, and often getting into fights while children are passing by them. The council and the community need to prevent the public nuisance and not open a new door for more nuisance.

As our pupils walk by regularly, this will be a higher risk.

Granting such licence will increase the harm to the children.

Stopping it will protect children from harm.

Yours sincerely,
Anas Al-korj - Headteacher

Fitrah Southampton Islamic Primary School
The Cultural Centre
55 Northumberland Road
Southampton
SO14 0EJ

From: [Sajjad Kiani](#)
To: [Licensing](#)
Subject: Alcohol License. 2019/06850/01SPRN objection letter
Date: 29 December 2019 16:09:45

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166 Derby Road

Newtown

Southampton

SO14 0DS

21st December 2019

Licensing Team

Southampton City Council

PO BOX 1767

Southampton

SO18 9LA

Dear Phil Bates,

REF: Licensing application: 2019/06850/01SPRN

I am a local resident living directly opposite to the premises that has applied for this license. I object to this license being granted for the following reasons which we believe most certainly contravene with the licensing objectives highlighted on your website.

Currently there are three shops on Derby Road that sell retail alcohol. There are a number of issues related to these outlets that directly affect local

community safety, well-being, crime and disorderly behaviour, safety and harm to children and the public.

There are three Schools, two Mosques, two Gurdwaras and West Itchen Community Centre linked to Derby Road. These institutions are mainly used by families and children from Newtown and Nicholstown. Derby Road is the central road, used by families and children to and from these places.

Granting this license will result in an increase in crime and disorder (damaging cars, kicking waste bins, verbal abuse, robbery) further hinder public safety (broken glass, cans with sharp edges, violent behaviour), cause more nuisance (late night, early morning street drinking, noise unsocial times) and increase harm to children safety and well-being and safety to and from school.

Only few months back there was a fight on the middle of Derby Road between two drunk men. This was witnessed and reported by Emma head teacher of Mount Pleasant Junior School, whilst she was walking a class of children along Derby Road during the day. Emma was shocked and terrified to see such level of violence during the day on Derby Road. Parents see this on a daily basis, they feel unsafe to have their children walking along Derby Road. This was one incident witnessed by headteacher, there are many like this directly linked to alcohol bought from retail outlets on Derby Road. Many residents do not report to the police in fear of repercussions.

Some of the planters on Derby Road are managed by children from Maytree Infant School. The school make good use of local area to teach children about planting and green environment. In recent times we have seen that there are many bottles, broken glass and cans with sharp edges thrown inside these planters, making it unsafe for school. Council and residents have cleaned this up many times to make it safe. Granting this license will just increase this problem make our children vulnerable and take our children away from such educational lessons. There is a clear safeguarding issue for this school directly related to the sale of retail alcohol during the day from shops on Derby Road.

The mosque opposite Maytree School on Derby Road on a daily basis remove alcohol cans and bottles from their planters, sweep up broken glass. They have had their windows sealed for fear of robbery and damage. Drunk men congregate and drink outside the other people house, school and mosque, they urinate on the walls and children play areas. Similar behaviour has also been seen at the entrance gates of West Itchen Community Centre, other end of Derby Road, close to another retail alcohol

shop.

Alcohol sold in local shops is targeted to certain communities and same brand bottle and cans are seen on the streets.

Hours proposed is a concern to public safety, increase crime and nuisance. During long summer days children can not sleep well because of noise from buying and drinking of the road outside houses. Families can not go out for a walk on weekends with alcohol being sold such early hours in a residential area. The shop in question is located between terrace houses, dense residential family housing. The hours are not fit for a residential area. These hours are more suited for city centre commercial setting.

Women have also been subject to verbal abuse by drunk men congregating outside retail alcohol shops during morning, day and late hours. Public nuisance, name calling means that women and children try not to walk on that side of Derby Road to avoid these men as they feel intimidated and frightened.

Granting this license does not fit into council objective of “making Southampton a cleaner, healthier, more sustainable and attractive environment for all”, especially in a residential area like Derby Road. We do not want an environment where our planters are dangerous to use and for the schools, parents and children frightened to participate in activities on Derby Road. Nor do we want an environment where people feel unsafe and intimidated so much so that the local children playground can not be used because of broken glass and cans.

Derby Road also has Public Spaces Protection Orders (PSPOs). This area is known for its alcohol related problems. Residents are working very hard with the police and council to make this area better, and granting this license would mean nothing but to escalate these problems and increase children vulnerability, crime and disorderly behaviour. Because of high alcohol consumption the area has attracted many beggars. We have just managed to remove a beggar from this area few months back with the help of the council and police.

Safe City Strategic Assessment outlines the priorities of the Safe City Partnership to reduce anti-social behaviour in the city and the harm caused by alcohol. Granting this license will increase anti social behaviour, harm to children, families, and hinder education from schools. Families especially

women and children feel intimidated to walk the streets.

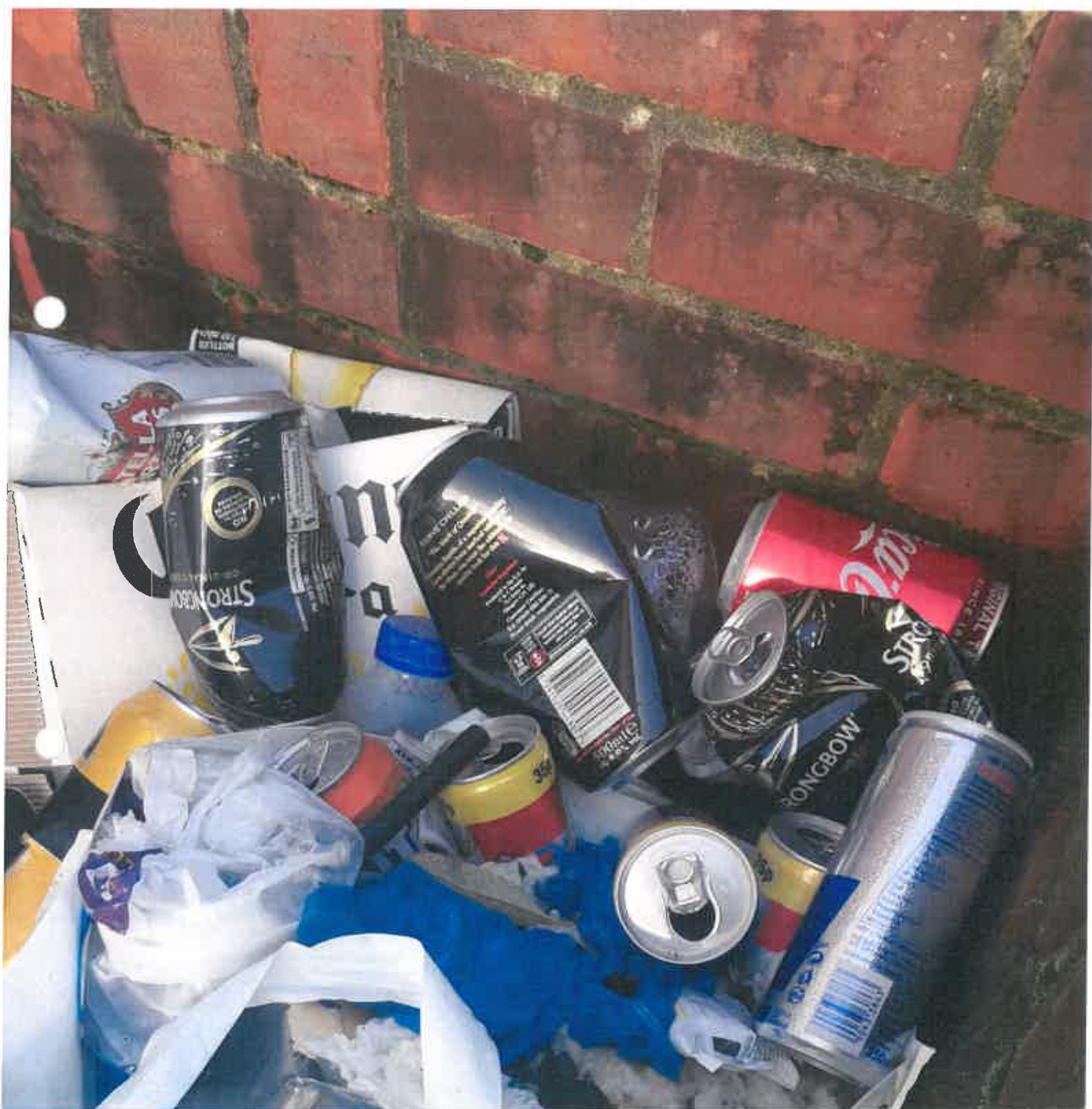
We understand that existing retail alcohol licenses granted on Derby Road can not be withdrawn as they are historic. However, we do not want any more problem and issues by granting further licenses which will undermine your licensing objectives.

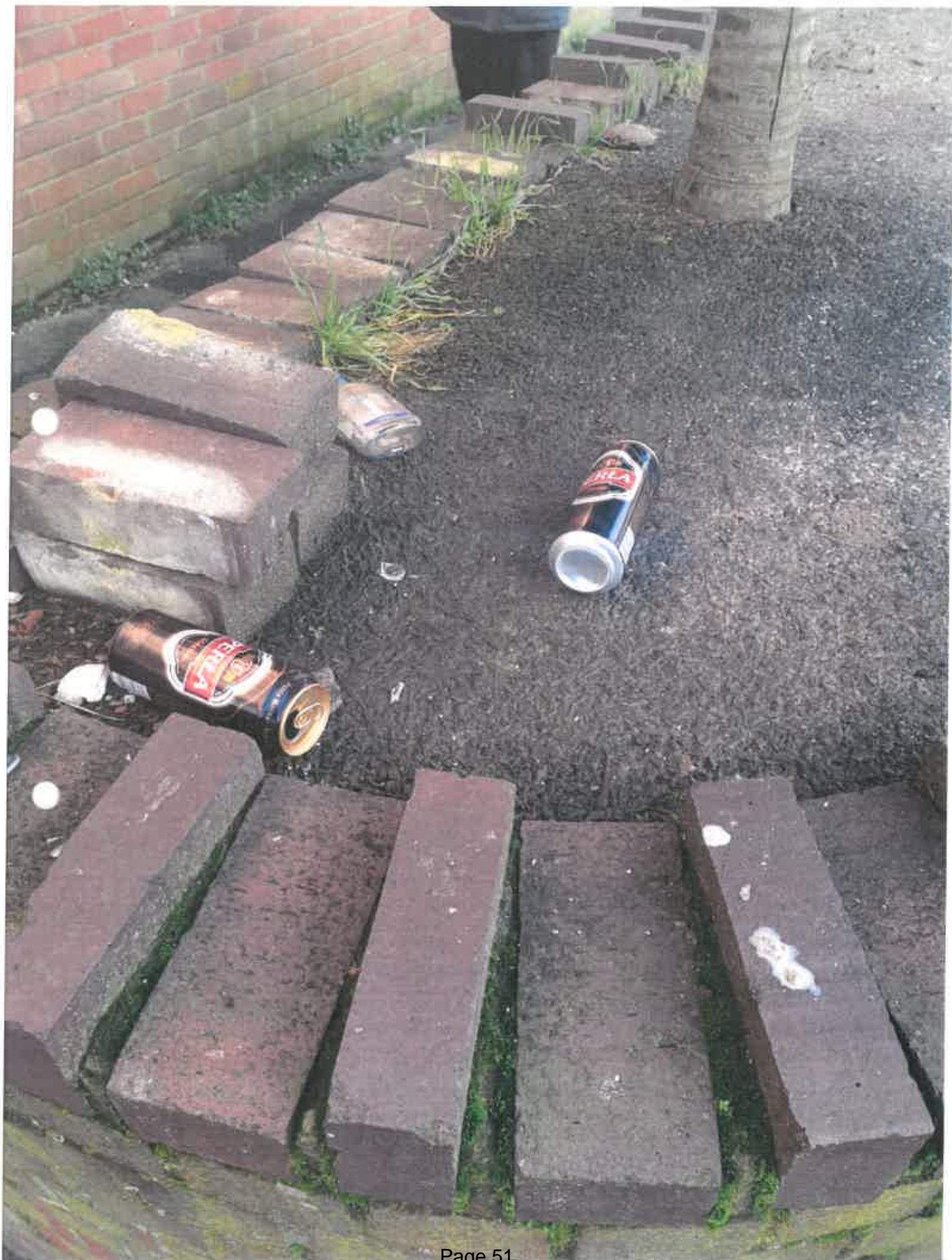
We hope you will consider our objections and reject this license application. Residents, schools and community organisations on Derby Road have seen the issues first hand of retail alcohol sale. We believe by granting this license there is be more issues then prevention. I have also spoken to Councillor Kataria, Schools and community organisations who are also concerned and will write into you.

Yours sincerely

Sajjad Khan

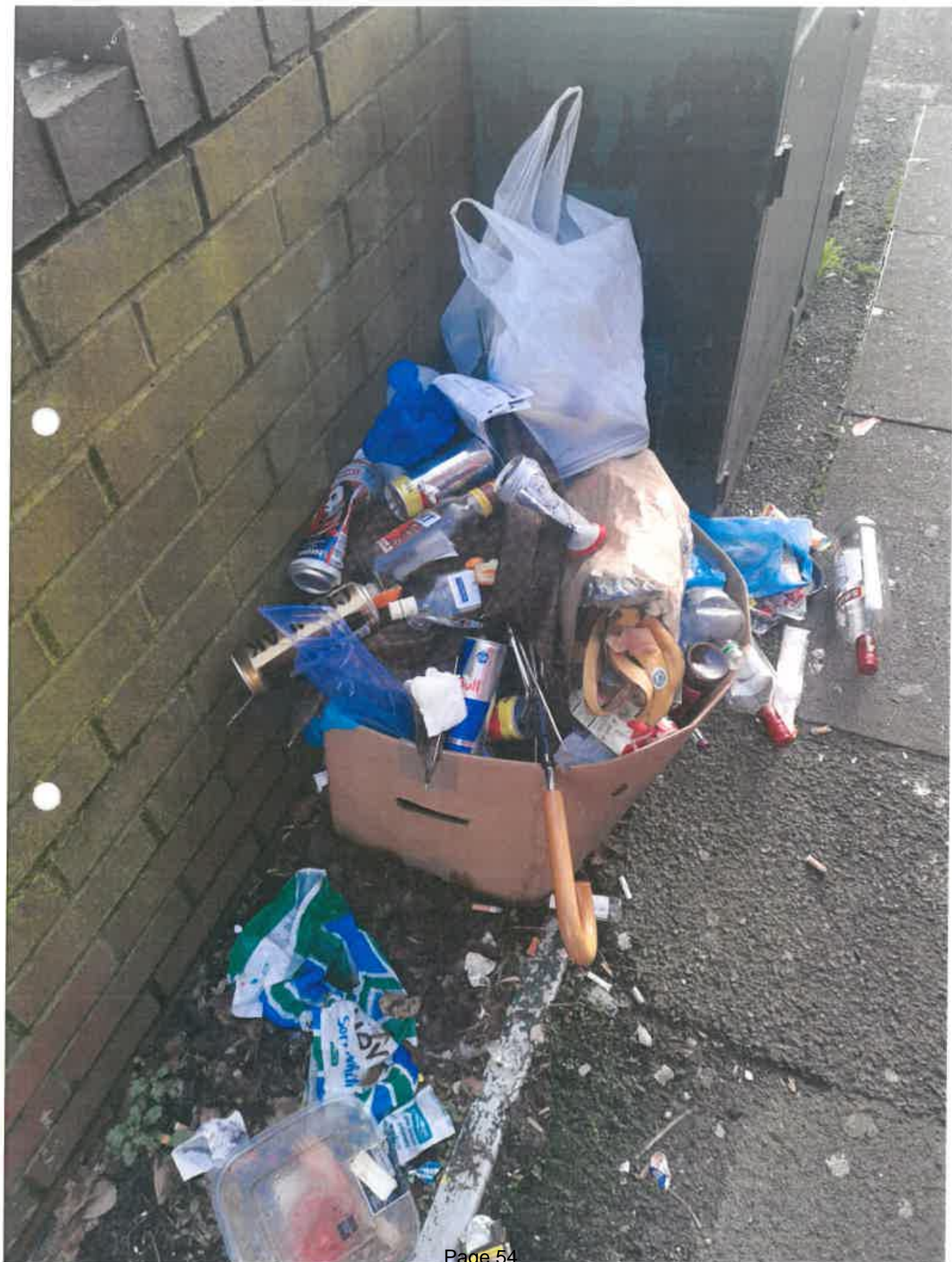












From: [Abdul Karimi](#)
To: [Licensing](#)
Subject: Objection to the licence on derby road
Date: 29 December 2019 14:12:16

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To the licence department.

REF: Application to Grant Alcohol licence to [123 Derby Road](#) Southampton So14 0DT

I write this objection on behalf of our committee all members and users of Southampton Umar Al-Farooq Islamic Centre on Derby Road object to this application and ask the council to refuse this license on the following grounds.

- There are currently three shops selling retail alcohol on this road. There is no need for any more in a residential family housing area like Derby Road. A lot of our congregation and users of the centre are from Derby Road and joining roads. We provide after school tuition for over 62 children [from 4:30pm to 8pm](#) we are very much concerned with safeguarding issue in the evening for children to walk safely to and from their homes. Even their parents mainly mothers do not feel safe walking children because of abuse and behaviours of drunk, mainly men gathering outside corners of the roads.
- This shop will create lots of dangerous litter which includes broken bottles and cans a problem we face with existing retail selling alcohol shops on Derby Road. Even though the centre is closed after [11pm](#) the aftermath of street drinkers such as broken bottles, cans, smell of urine is what we have to witness most morning, especially on weekends.
- Granting this new license will not help to calm any of these problems already faced. In fact it would increase crime and disorder and cause further harm to children and make them vulnerable. We provide an educational service, by granting this license will make children vulnerable to crime.
- Everyday we have to clear our entrance and front garden from dangerous broken bottles before we can give access to children to the centre. We have even had drunk men urinating during day light hours. Our building has also been subject to damage caused by alcohol bottles thrown into our children play area.

Kind Regards

Mr Karimi

Chair of Southampton Umar Al-Farooq Islamic Centre
[169-193 Derby Road](#)
[Southampton](#)
[SO14 0DZ](#)

Sent from my iPhone

20th December 2019

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

Dear Sirs

**Application for the Grant of a Premises License
123 Derby Road Southampton SO14 0DT**

I have been made aware of the above application and wish to express my concerns regarding this.

There are already three outlets selling alcohol in the immediate vicinity and we are currently impacted by significant amounts of bottles and cans strewn outside - and inside - my school. Children have seen groups of drinkers during school hours and adults collapsed through drink. The impact of drinkers using the local Adventure Playground is well known, so much so this is now hardly used by families. A further outlet will likely increase these issues.

However, my main concern in this instance is the potential safeguarding risk to my children where this establishment is intending to open at 7.00am while children are walking to and from school. The potential impact of the behaviour of those who need to buy alcohol at this time on my children and families I feel is a real risk.

Clearly, closing at 00.30am would impact school less – apart from a likely increase in dangerous litter – but I have grave concerns for the local community.

Yours faithfully,

Jan Goatley
Headteacher

Petition to refuse Licensing application 2019/06850/01SPRN

Received On
30 DEC 2019
Southampton &
Eastleigh Licensing Partnership

<p>Petition summary and background</p>	<p>Sale of retail alcohol from 7am to 00:30am 7 days a week at 123 Derby Road. These timings are more suited to commercial setting around the city center, on the main road and not in dense residential housing.</p> <p>There are three shops selling retail alcohol on Derby Road. Residents on Derby Road have witnessed first hand drinking alcohol-related anti-social behavior, crime, litter, nuisance, abuse and harm to children from those that buy alcohol from these shops. This is the main road used by children and families to and from schools, places of worship and community centers. Local councilors and the police are well aware of alcohol related crime disorder to public safety.</p> <p>It is a safeguarding issue for children that walk to schools (Maytree School on Derby Road). Women feel intimidated and afraid of violence and verbal abuse walking past street drinkers that buy alcohol from Derby Road. We have all seen the state of adventure playground filled with broken glass, bottles and cans with sharp edges. Noise from late hours of the night and early morning cause nuisance to working class and children. Children are disturbed by noise that has a knock on effect to their schooling, a bad night sleep keeps children tired all day. This has been reported many times to police and Council bigger problem during summer.</p> <p>We have also seen drinkers banned from one establishment on Derby road that then walk to the next. By granting this license it will make it more easier for those that are banned to buy alcohol from new establishment and cause further problems.</p> <p>This license has already caused discomfort in the community, granting this license will fume further community tension. By granting this license the council will not prevent these anti social issues of crime, public safety and children exposed to harm. This application is against council four licensing objectives. By Derby Road Residents.</p>
<p>Action petitioned for</p>	<p>This petition seeks Southampton City Council to reject licensing application, not to grant retail alcohol license to 123 Derby Road, Southampton, SO14 0DT between the hours 7:00am till 00:30am 7 days a week ref: 2019/06850/01SPRN for the reasons highlighted above.</p>

Petition to refuse Licensing application 2019/06850/01SPRN

No	Name	Signature	Contact/ address	Comment	Date
1					
2	SASSAD KHAN		166, DERBY ROAD		25/12/19
3	MOLHAMMAD NAEM		168 DERBY ROAD SOLIHDS		27/12/19
4	MOHAMMED EHTESHAMUDDIN		59, BRINTONS ROAD, SO140BD		27/12/19
5	Soria N...		103 Ly...		
6	AYESHA SANA SOHEL		102 Graham Road		27/12/19
7	Komal Ali		66 Northbrook Road		27/12/19
8	Nadia Masood		129 Derby Road		27/12/19
9	Muhammed Masood		129 Derby Road		27/12/19
10	Romana Syed		67 Alfred Street		27/12/19
11	Afiah Samad		67A Alfred Street		27/12/19
12	Imran Malik		63 Alfred Street		28/12/19
13	Farida		2 Buller Street		29-12-19
14	Sultan			Don't want it	29-12-19
15	Saira Bashir		4, BOUNE STREET	DON'T WANT IT	29/12/19

Petition to refuse Licensing application 2019/06850/01SPRN

No	Name	Signature	Contact/ address	Comment	Date
16	Shanvaz Panneer		174 DERBY ROAD SO140DS	OBJECT	23/12/19
17	Zaid Warib		47B DERBY ROAD SO140DS	wedont need no more trouble	23/12/19
18	Shanmim Islam		170 Derby Rd SO140DS	NO LATE NIGHT DISTURBING	23/12/19
19	Wajid Anwar		176 Derby Rd SO140DS	NO LATE NIGHT Disturbing	23/12/19
20	Abra Ali		174 DERBY ROAD, SO140DS	TO PREVENT PUBLIC NUISANCE	23/12/19
21	Zuhra Islam		170 Derby Road	No Disturbing my elderly Mother	23/12/19
22	WASIB ABBASI		47B Derby Road	Protecting children from Alcohol	23/12/19
23	NAHEED FAZAN		SO141HZ.	SECURING PUBLIC SAFETY	23/12/19
24	FASAN ABBASI		174 DERBY ROAD SO141HZ	THE PREMISES ARE UNSAFE FOR THE SAME	23/12/19
25	ZIARAT HUSSAIN		127 DERBY RD SO140DT	OF ALCOHOL CHILDREN DISORDER late night road traffic on neighborhood	30/12/2019
26	Majid Mirza		186 DERBY RD SO140DS	Broken bottles children can not play drinking people.	30/12/2019
27	SHAMSHAD ALI BEE		146 DERBY RD SO140DS	children go mosque + school, carry binoculars at road	30/12/19
28	TAREER HMEED		142 DERBY ROAD SO140DS	noise nuisance, drink- ing people	30/12/19
29	in Achwan		61 Derby Road SO140DJ	Not happy with ↑ heavy	29/12/19
30	Zaidan Khan		99 Derby Road	Young children to much noise	30/12/19
31	Gurpreet Singh		119 Derby Rd	at night	30/12/19
	WASIM AHMED		190 DERBY RD.	Disturbance + petty crime	30/12/19

Petition to refuse Licensing application 2019/06850/01SPRN

No	Name	Signature	Contact/ address	Comment	Date
32	DOEEL AHMED SUDHAN		4, BULLAR STREET	WE DON'T WANT IT	29/12/19
33	WAQAS AJI SUDHAN		137 Northumberland Rd	we Don't want it	29-12-19
34	JAMIL AHMED SUDHAN		SS Northbrook Rd	We Don't want it	29-12-19
35	M. SINGH		12, BULLAR ST	" "	" "
36	A. SINGH		14, BULLAR ST	" "	" "
37	K. W. KANAR		12, BULLAR ST	" "	" "
38	S. KANAR		"	"	"
39	M. KANAR		-14 " "	"	"
40	IRFAN KHAN		18, Bullar Street	" "	" "
41	CARLA KHAN		"	"	"
42	HAIDAR KHAN		22, BULLAR STREET	"	"
43	KHATUN BI KHAN		"	"	"
44	FAIROZ KHAN		"	"	"
45	AALIYA KHAN		"	"	"
46	ZAKIRA KHAN		"	"	"
47	KASIM SHAIKH		16 BULLAR STREET	"	"

Petition to refuse Licensing application 2019 / 06950 / 01SPRN

No	Name	Signature	Contact/ address	Comment	Date
48	Seher Rizvi		25 Bullay Street	not willing	29/12
49	Muhammad Rizvi		" "	Don't want shop	"
50	Seruh Inan		Northumberland	"	"
51	Sandera tyb		Northumberland	"	"
52	Muhammad Inan		" "	"	"
53	Sayeeda begun		31. bullay st.	"	"
54	Fotik Miah		"	"	"
55	Md. Abdul Latif		29 Bullay st.	"	"
56	HUSNA ARA		"	"	"
57	Nahid		10 Bullay Street	"	29/12/19
58	Aeshid -		10 Bullay Street	"	29/12/19
59	Fatamata balde		9 Bullay Street	"	"
60	Mohammed boh		8 Graham St "	"	"
61	HUSNA		8 Graham St	Not willing	29/12/19
62	Lavu Miah		8 Graham St	Not willing	29/12/19
63	Mandria Begum		8 Graham St	Not willing	29/12/19

Petition to refuse Licensing application 2019 / 06950 / 01SPRN

No	Name	Signature	Contact/ address	Comment	Date
64	Mr Kuntach	"	29 Corakun rd	don't want	29/12/19
65	Mr Abdul Rehman	"	"	"	
66	Mr Zia ul Rehman	"	"	"	
67	Arisha Jami	"	"	"	
68	Hawq Galgumud Abdullah AL	"	38 Graham road	"	
69	Mr Younas	"	10 Graham Road	"	
70	Friba	"	3 Bulver Street	"	
71	Abdul Abdul	"	"	"	"
72	Ghafoor	"	"	"	"
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Petition to refuse Licensing application 2019/06850/01SPRN

No	Name	Signature	Contact/ address	Comment	Date
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Petition to refuse Licensing application 2019/06850 01SPRN

No	Name	Signature	Contact/ address	Comment	Date
96					
97					
98					
99					
100					

From: [Kataria, Toqeer](#)
To: [Bates, Phil](#); [McGuinness, Ian](#)
Subject: Alcohol licensing objection
Date: 30 December 2019 19:26:26

Dear Mr Bates,

Ref: Licensing Application 2019/06850/01SPRN

Sale of retail alcohol from 7am to 00:30am 7 days a week at 123 Derby Road SO14.

Another retailer selling alcohol on Derby Road which already sees street drinking and alcohol-related anti-social behaviour can only make the situation worse.

I believe that if this license is granted it would have a negative effect on several of the licensing objectives, in particular the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. Alcohol abuse has played a major part in many of the worrying crimes we have seen on Derby Road. Street drinking and dangerous litter caused by broken alcohol glass bottles outside schools and residential houses makes it difficult from children to walk to from schools and community centres. Adventure playground is **virtually** unusable by children because of dangerous litter and street drinkers congregating daily.

Street drinkers congregate outside shops on Derby Road where alcohol is purchased, drink outside other people's homes, not giving way to public and often shouting abuse, targeting women. Same happens late hours of the night, resulting in noise nuisance.

Bevois Councillors have been working very closely with local Police to tackle alcohol related anti-social behaviour and crime on Derby Road. We are currently in the process to install signs on Derby Road to stop street drinking, however residents are aware the police cannot monitor this at all times.

A petition has also been signed by residents which states that there are three existing shops selling retail alcohol on Derby Road which are on the same road as schools and community centres. I would like the licensing committee to consider the petition, objections from residents, schools and community organisations on Derby Road, it is these people that see the effects of retail alcohol sold on their door step.

Kind regards

Councillor Toqeer Kataria
Bevois Ward (Southampton)

From:
To: [Licensing](#)
Subject: West Itchen Community Trust - Rep
Date: 31 December 2019 12:19:59

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The representation is on behalf of the Trust

Sent from my iPhone

On 31 Dec 2019, at 11:01, Licensing <Licensing@southampton.gov.uk> wrote:

Good Morning,
Many thanks for your email.
Can you confirm this representation is on behalf of West Itchen Community Trust, rather than yourself as a local resident?
Many thanks,
Ian
Ian McGuinness
Senior Licensing Officer
Southampton and Eastleigh Licensing Partnership

PO Box 1767, Southampton. SO18 9LA

From: Bantaba4Change [[m](#)]
Sent: 30 December 2019 20:26
To: Licensing
Cc: Kataria, Toqeer

Subject: Re: Alcohol Licensing application 2019/06850/01SPRN - Sale of retail alcohol from 7am to 00:30am 7 days a week at 123 Derby Road

CAUTION: This email originated from a non UK Government address. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Ian,
Thank you for your email seeking for clarifications regarding my recent request for you to reconsider the alcohol licensing application to open an alcohol shop on Derby Road. I will start by saying, I am an employee of West Itchen Community Trust and also support centre manager for TUVAA. Both West Itchen Community Trust and TUVAA centre are located at 53 Derby road. West Itchen is a community development charity working with the local people and institutions in the neighbourhood trying to address inequalities by supporting the locals to make their area a place where people can live, grow, play, and age safely. We want them to feel proud of the neighbourhood they call home. TUVAA centre provides support to the local people and their children. We help them with their day to day support needs, ranging from visa applications to problems with landlords, from addressing isolations to running sports/social clubs for kids. I am also a resident at 89 Cranbury Avenue and I work my kids to St. Mary's Primary school through Derby Road. Clearly Derby Road is used by me, my family, my clients on daily basis.

In this email I would like to say that I am representing West Itchen Community Trust. West Itchen Community Trust are deeply concerned with the recent alcohol license application referenced above. First of all, there are currently three shops selling alcohol so the residents do not see the need for another shop. Secondly, West Itchen is deeply concerned with the safe guarding of our children with this shop opening. It was apparent that those that consume alcohol on Derby Road do it openly on the street, (mainly eastern European) as a result they throw litter on the road with broken glass, cans with sharp edges on the floor and inside the planters exposing residents to harm. Already violence caused by those that drink day and night is a common occurrence on Derby Road.

West Itchen believes that all the key licensing objectives will be violated if licence have been issued. Clearly "protection of children from harm" will be violated by granting this venue to sell alcohol. Further violence, Litter on the road will be exposed to children walking to and from school and over weekend. Only few months back there was a fight on the middle of Derby Road by two drunken/ drugged people. This was witnessed and reported by head teacher of Mount Pleasant School, whilst she was walking a class of children along Derby Road. You were also made aware of this incident at the time.

Some of the planters on Derby Road are managed by the May Tree School, children need to use Derby Road always. It is the main road to and from school. On weekends our children do not feel safe, nor do our women with people congregating drinking outside shops, never giving way. Another shop means we will not feel safe walking our children or women to walk along the road.

We want local schools to take children out for a walk on Derby Road under a safe and clean environment. Even the police are aware of the issues caused by these retail alcohol shops. Considering that the policing I'd stretched and the presence of police on Derby road is a rare occurrence, the idea of having potential increase violence on Derby Road is a major concern for both West Itchen and the police.

If you need any representation from West Itchen Community Trust, do not hesitate to get in touch.

With regards

Abdoulie

On Mon, Dec 30, 2019 at 1:12 PM Licensing

:

Good Afternoon,

Thank you for your email.

As it is addressed to Councillor Taukir, it is not clear if you also are seeking to make representation to the Licensing Authority, therefore is currently deemed invalid. Can you please advise on this matter?

The email refers to the Residents, however without further information on who you are representing, this would be deemed a representation from yourself only. Guidance on making representation is available on our website at:

<http://www.southampton.gov.uk/business-licensing/licensing/licensing-act-2003/la03-reps.aspx>

Please note the consultation period ends on 31st December 2019 (Tomorrow).

Kind regards,

Ian McGuinness

Ian McGuinness

Senior Licensing Officer

Southampton and Eastleigh Licensing Partnership

Southampton City Council

E-mail: j

Web: www.southampton.gov.uk/licensing

Post: Licensing - Southampton City Council

PO Box 1767, Southampton. SO18 9LA

From: Bantaba4Change []

Sent: 30 December 2019 12:48

To: Licensing >

Cc: Kataria, Toqeer >;

Subject: Ref: Alcohol Licensing application 2019/06850/01SPRN - Sale of retail alcohol from 7am to 00:30am 7 days a week at 123 Derby Road

CAUTION: This email originated from a non UK Government address. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Councillor Taukir,

The local residents on Derby Road are deeply concerned with the recent alcohol license application referenced above. First of all, there are currently three shops selling alcohol so the residents do not see the need for another shop. Secondly, as a local parent, community leader and community development officer I am deeply concerned with the safe guarding of our children with this shop opening. It was apparent that those that consume alcohol on Derby Road do it openly on the street, (mainly eastern European) as a result they throw litter on the road with broken glass, cans with sharp edges on the floor and inside the planters exposing residents to harm. Already violence caused by those that drink day and night is a common occurrence on Derby Road.

We the residents believe all the key licensing objectives will be violated if licence have been issued. Clearly "protection of children from harm" will be violated by granting this venue to sell alcohol. Further violence, Litter on the road will be exposed to children walking to and from school and over weekend. Only few months back there was a fight on the middle of Derby Road by two drunken/ drugged people. This was witnessed and reported by head teacher of Mount Pleasant School, whilst she was walking a class of children along Derby Road. You were also made aware of this incident at the time.

Some of the planters on Derby Road are managed by the May Tree School, children need to use Derby Road always. It is the main road to and from school. On weekends our children do not feel safe, nor do our women with people congregating drinking outside shops, never giving way. Another shop means we will not feel safe walking our children or women to walk along the road.

We want local schools to take children out for a walk on Derby Road under a safe and clean environment. Even the police are aware of the issues caused by these retail alcohol shops. Considering that the policing I'd stretched and the presence of police on Derby road is a rare occurrence, the idea of having potential increase violence on Derby Road is a major concern for both the police and the residence.

Yours sincerely

Dr. Abdoulie Sanneh

This email is confidential but may have to be disclosed under the Freedom of Information Act 2000, Environmental Information Regulations 2004 or data protection legislation. If you are not the person or organisation it was meant for, apologies, please ignore it, delete it, and notify us. SCC does not make legally binding agreements or accept formal notices/proceedings by email. E-mails may be

Head, Karen

From: Scott, Lee,25597
Sent: 10 December 2019 14:38
To: Licensing
Subject: FW: Premises licence application Dhaliwal store - Derby Road Southampton

Good afternoon,

Hampshire Constabulary wish to make a representation in relation to the Dhaliwal store, Derby Road premises licence application. However with the below agreements a hearing is not considered necessary.

It was duly noted that the application had many volunteered conditions and it is slight amendments to two of these that have since been agreed.

Can volunteered conditions 1 & 10 be edited to reflect the changes as per below.

Can the 11 conditions be added to any such licence upon it's grant.

Many Thanks
Lee
PC 25597 Lee Scott
Licensing Officer
Licensing & Alcohol Harm Reduction Team
Southampton Central Neighbourhood Police Office
Southampton City Council
Civic Centre
Southampton
SO14 7LY

From:
Sent: 06 December 2019 16:16
To: Scott, Lee,25597

Subject: RE: Premises licence application Dhaliwal store - Derby Road Southampton

Dear Lee,
Just called you but you've left the office.
Here are my thoughts in red...

Can you advise on the proposed DPS, his given address is in Wales, how is he going to maintain day to day control of the premises living so far away.

Anuragpreet ('Anu' for short) is a Sikh lady who has yet to obtain her own Personal Licence, albeit she's booked in for the APLH course early in the New Year.

She has also been overtaken by the unfortunate occurrence that her father in India has been taken seriously ill and she will have to visit the Punjab in the coming days and weeks to see him, probably pending the inevitable.

Consequently I have told her not to worry about this application, as I can manage the application until she returns. Apparently you spoke to her this afternoon prior to her imminent departure, and she has forwarded your supplementary email to me.

As concerns the DPS – that's me. One is required to nominate a DPS as part of the application process, so I have put myself up for the temporary role. It will be my job to obtain the Premises Licence, train the staff, ensure compliance

Office: (.....
Mobile:
.....

From: Mehak Anu
Sent: 06 December 2019 15:51
To: Semper Fidelis Consultancy
Subject: Fw: Premises licence application Dhaliwal store - Derby Road Southampton

Sent from Yahoo Mail for iPhone

Begin forwarded message:

On Friday, December 6, 2019, 3:17 pm, lee.scott.25597 wrote:

Good afternoon,

I have reviewed the premises licence application you have submitted for Dhaliwal Store 123 Derby Road, Southampton.

I have a few things I am hoping you can assist me with regarding the application.

Can you advise on the proposed DPS, his given address is in Wales, how is he going to maintain day to day control of the premises living so far away.

Also I have noted the licensable act of selling alcohol has been applied for until midnight but the store is to remain open until 0030. How are you going to prevent the sale of alcohol in the last 30 minutes of trading. I believe that if someone is coming in for some alcohol and they are refused this may cause unnecessary and avoidable conflict between the customer and the staff.

My suggestion would be to close at midnight in line with the licensable hours, please share your thoughts on this.

Lastly I would like to invite you to agree to the following condition changes to those proposed. The proposed conditions are very useful however please see the following.

PC 25597 Lee Scott

Licensing Officer

Licensing & Alcohol Harm Reduction Team

Southampton Central Neighbourhood Police Office

Southampton City Council

Civic Centre

Southampton

SO14 7LY

Hampshire Constabulary currently use the Microsoft Office 2007 suite of applications. Please be aware of this if you intend to include an attachment with your email. This communication contains information which is confidential and may also be privileged. Any views or opinions expressed are those of the originator and not necessarily those of Hampshire Constabulary. It is for the exclusive use of the addressee(s). If you are not the intended recipient(s) please note that any form of distribution, copying or use of this communication or the information in it is strictly prohibited and may be unlawful. If you have received this communication in error please forward a copy to: informationsecurity@thamesvalley.pnn.police.uk and to the sender. Please then delete the e-mail and destroy any copies of it. Thank you.

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For more information please visit <http://www.symanteccloud.com>



Rural Enterprise Centre, Vincent Carey Road, HEREFORD, HR2 6FE

Email:

Website:

Tel: W:

Ms Karen HEAD

Southampton City Council

Dear *Karen & Tricia,*

Premises Application – Dhaliwal Stores

123 Derby Road, SOUTHAMPTON, SO14 0DJ

Thank you for your email of today. I am disappointed to receive this representation but we look forward to the Hearing on 22nd January 2020. To which end...

Attached you will find the last six months of Crimes & ASB for Derby Road obtained from the UK Crime Mapper site maintained by the Home Office. The location geo-locates to very near to the premises, fortunately, so we have an accurate official record of the localised statistics.

Month	No of Incidents	Type
Jun	2	1 x Vehicle Crime & 1 Violence or Sexual Offence
Jul	3	1 x Bicycle Theft and 2 Violence or Sexual Offences
Aug	1	1 x ASB incident
Sep	1	1 x Violence or Sexual Offence
Oct	2	1 x Drugs & 1 x Violence or Sexual Offence
Nov	2	2 x Violence or Sexual Offences

Furthermore, the Crime Mapper data does not differentiate between whether offences have occurred within a premises or in the street. There may therefore be a proportion of these offences that are related to Domestic Abuse, and some offences may also be historic reports. However, it is apparent that currently Derby Road is running at an average of under one incident per fortnight. The Council and Police must be congratulated on running such a safe City.

If deemed necessary we can submit a Freedom of Information request to the Police to drill down into these eleven incidents to ascertain how many exactly have been tagged as 'alcohol-related' and, of those, how many have occurred 'in the public space'. However, the fact that these numbers are so low, coupled with the fact that the Police Licensing Officer has not objected to this application on Crime, Disorder and ASB grounds, is 'indicative'.

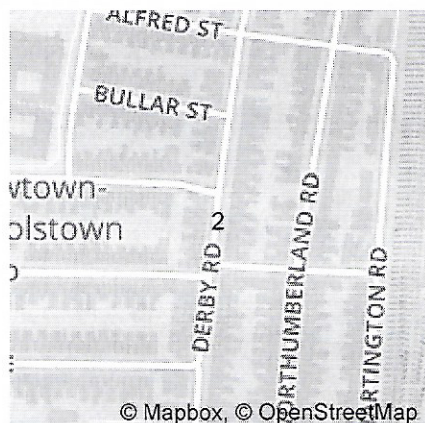
If you would be kind enough to enter these documents into the bundle as part of the documents that we wish to rely upon at the forthcoming Hearing, we would be obliged.

All that now remains is to wish you, and the City of Southampton, a happy and safe Christmas and a prosperous New Year.

With kind regards,

Nick SEMPER LLB Hons PGDipLegPrac MICS MSyl MIoL

Crime on or near Derby Road



Showing:

All crime (2)

recorded in June 2019

Update

Vehicle crime (1)

Includes theft from or of a vehicle or interference with a vehicle

Current status†

Timeline

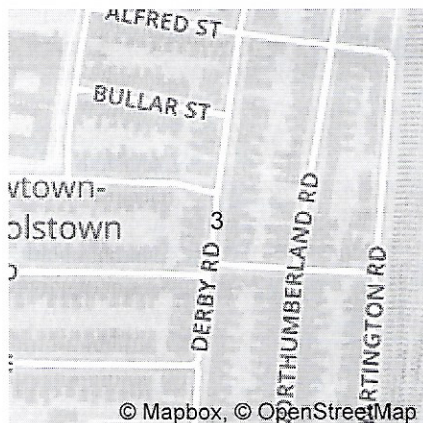
Investigation complete; no suspect identified

[Case timeline](#)

Violence and sexual offences (1)

Includes offences against the person such as common assaults, Grievous Bodily Harm and sexual offences

Crime on or near Derby Road



Showing:

All crime (3)

recorded in July 2019

Update

Bicycle theft (1)

Includes the taking without consent or theft of a pedal cycle

Current status†

Timeline

Status update unavailable

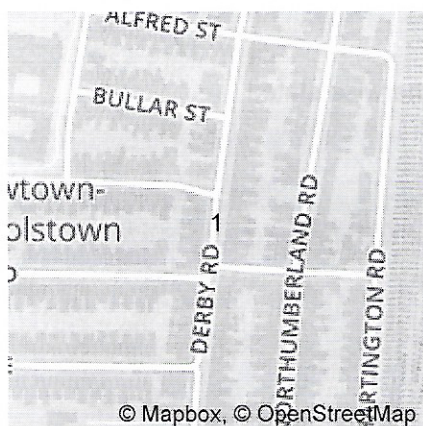
[Case timeline](#)

Violence and sexual offences (2)

Includes offences against the person such as common assaults, Grievous Bodily Harm and sexual offences

[Home](#) > [Hampshire Constabulary](#) > [Bevois](#) > [Crime map](#) >

Crime on or near Derby Road



Showing:

All crime (1)

recorded in August 2019

Update

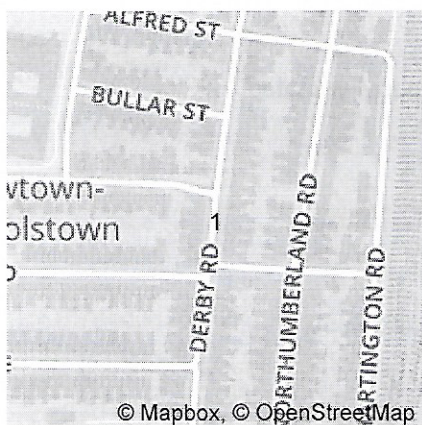
Anti-social behaviour (1)

Includes personal, environmental and nuisance anti-social behaviour

Details, case timelines and current statuses are not provided for anti-social behaviour.

[Home](#) > [Hampshire Constabulary](#) > [Bevois](#) > [Crime map](#) >

Crime on or near Derby Road



Showing:

All crime (1)

recorded in September 2019

Update

Violence and sexual offences (1)

Includes offences against the person such as common assaults, Grievous Bodily Harm and sexual offences

Current status†

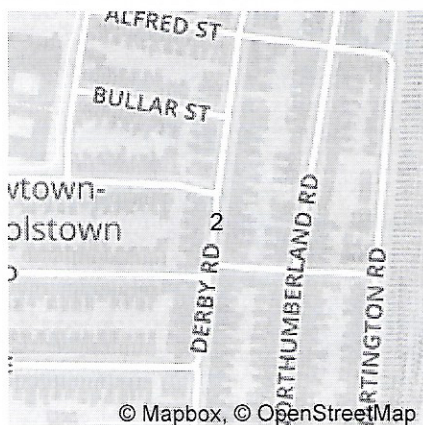
Timeline

Unable to prosecute suspect

[Case timeline](#)

† Status last updated December 2019

Crime on or near Derby Road



Showing:

All crime (2)

recorded in October 2019

Update

Drugs (1)

Includes offences related to possession, supply and production

Current status†

Investigation complete; no suspect identified

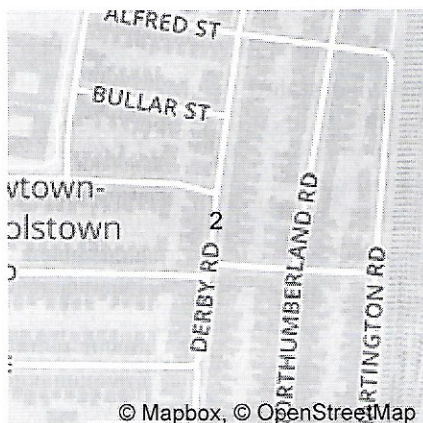
Timeline

[Case timeline](#)

Violence and sexual offences (1)

Includes offences against the person such as common assaults, Grievous Bodily Harm and sexual offences

Crime on or near Derby Road



Showing:

All crime (2) ✓

recorded in November 2019 ✓

Update

Violence and sexual offences (2)

Includes offences against the person such as common assaults, Grievous Bodily Harm and sexual offences

Current status†

Timeline

Investigation complete; no suspect identified

[Case timeline](#)

Under investigation

[Case timeline](#)

† Status last updated December 2019

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

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

Preliminary matters

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

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

General information on the conduct of the hearing

14. Each party is entitled to:
- (a) Give further information in response to any point that the Council told them before the hearing they would like clarified;
 - (b) With the permission of the Chair, seek clarification on any point by any other party;
 - (c) Address the Sub-Committee.
15. Members of the Sub-Committee may also seek clarification of any party or witness.
16. At the Chair’s discretion, the Sub-Committee’s legal advisor may ask any questions he or she thinks are relevant.

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

Hearing Procedure

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

The applicant

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

The representations

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

(d) The Chair will invite the applicant to seek clarification on any points made by those making representations.

(e) Members of the Sub-Committee or the Legal Advisor, if so permitted by the Chair, may seek clarification of those making representations or any witnesses.

Summing up

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

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

Sub-Committee's decision

31.

(a) At the end of the hearing the Sub-Committee will move to private session whilst it considers the matter.

(b) The Sub-Committee's legal advisor will remain to provide legal advice and the democratic services officer will remain to record the decision. Details of any legal advice will be recorded and referenced in the decision and reasons.

(c) The parties will be invited to wait to be informed of the outcome.

(d) As soon as the decision is reached, the public and press will be invited to return to the room in which the hearing took place, and the Chair will announce the decision and the reasons for it.

(e) If a room is available, the Committee may retire to deliberate and make its decision

(f) All parties will be formally notified in writing of the decision and reasons as soon as possible.

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

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