

Licensing (Licensing and Gambling) Sub-Committee

Thursday, 4th November, 2021
at 4.00 pm

PLEASE NOTE TIME OF MEETING

Virtual Meeting

This meeting is open to the public

Members

Three Members drawn from the Licensing Committee

Contacts

Democratic Support Officer
Maria McKay
Email: maria.mckay@southampton.gov.uk

Executive Director Communities, Culture & Homes

Mary D'Arcy
Tel: 023 8083 4611
Email: mary.d'arcy@southampton.gov.uk

PUBLIC INFORMATION

The Members of the Licensing Committee are Councillors, G Galton, B Harris, Laurent, Leggett, McEwing, Noon, J Payne, Spicer, Stead 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

Southampton: Corporate Plan 2020-2025 sets out the four key outcomes:

- Communities, culture & homes - Celebrating the diversity of cultures within Southampton; enhancing our cultural and historical offer and using these to help transform our communities.
- Green City - Providing a sustainable, clean, healthy and safe environment for everyone. Nurturing green spaces and embracing our waterfront.
- Place shaping - Delivering a city for future generations. Using data, insight and vision to meet the current and future needs of the city.
- Wellbeing - Start well, live well, age well, die well; working with other partners and other services to make sure that customers get the right help at the right time

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 2021/22

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 **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)** (Pages 1 - 4)

To approve and sign as a correct record the Minutes of the meetings held on 6 October 2021 and 13 October 2021 and to deal with any matters arising.

5 **STATEMENT FROM THE CHAIR**

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 VARIATION OF PREMISES LICENCE - BRIDGE ROAD OFF LICENCE, 53 BRIDGE ROAD, SOUTHAMPTON SO19 7GR** (Pages 5 - 48)

Wednesday, 27 October 2021

Executive Director Communities, Culture & Homes

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Public Document Pack Agenda Item 4

SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 6 OCTOBER 2021

Present: Councillors G Galton, Spicer and Streets

22. **ELECTION OF CHAIR**

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

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

RESOLVED that the minutes of the meetings held on: 31 March 2021, 7 April 2021, 28 April 2021i, 28 April 21ii, 12 May 2021, 26 May 2021, 2 June 2021, 9 June 2021, 16 June 2021, 22 June 2021, 23 June 2021, and 28 July 2021, be approved and signed as a correct record.

24. **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. Following that private session, at which time the matter would be determined, written confirmation of the decision of the Sub-Committee will be distributed to all parties to the hearing.

25. **APPLICATION FOR A NEW PREMISES LICENCE 7TH HEAVEN CAFE 19 CHURCH STREET SO15 5LG**

The hearing was held as a virtual meeting using Microsoft Teams and was streamed live online for the press and public to view via the Live Events platform.

The Sub-Committee considered very carefully the report of the Service Director – Communities, Culture and Homes. Representations by all the parties present at the hearing, as well as written representations, were fully taken into consideration.

The Sub-Committee considered the representations, both written, and given orally at the Hearing, by all parties. The Human Rights Act 1998, The Equality Act 2010 and The Crime and Disorder Act 1998 Section 17 have been considered whilst making the decision.

Due regard was given to the provisions of the Licensing Act 2003, including the statutory licensing objectives, the statutory guidance and the City Council's adopted statement of licensing policy.

The Sub-Committee also received emails from Hampshire Constabulary and those were taken into consideration by the Sub-Committee. The Sub-Committee took into account that Hampshire Constabulary and Licensing had agreed conditions be placed on the licence should it be granted.

The Sub-Committee noted that no other Responsible Authorities had made representations to the Hearing.

Having considered all of the above the Sub-Committee:

RESOLVED to grant the licence for the sale of alcohol on site in accordance with the application and the conditions agreed with the Hampshire Constabulary.

Reasons

The Sub-Committee noted the representation received by one local resident and that the appropriate Responsible Authorities had been in contact with the applicant and had imposed conditions on the license, which were agreed by the applicant.

The Sub-Committee noted that one of the residents suggested that there was an issue with the advertising of public notices displayed at the premises. However, the applicant confirmed that all relevant notices complied with statutory requirements.

The Sub-Committee noted that the objections were potential public nuisance issues but that there was no evidence of a real risk of a breach of the licensing objectives.

The Sub-Committee listened to the concerns of the local resident regarding issues of noise and potential anti-social behaviour. Local residents should be assured that following the grant of a license, they can request a review of the license if they experience any issues with noise or anti-social behaviour.

There is a right of appeal for any party to the Magistrates' Court. All parties will receive written notification of the decision with reasons which will set out that right in full.

SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 13 OCTOBER 2021

Present: Councillors G Galton, B Harris and Spicer

26. **ELECTION OF CHAIR**

RESOLVED that Councillor Galton be appointed as Chair for the purposes of this meeting.

27. **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. Following that private session, at which time the matter would be determined, written confirmation of the decision of the Sub-Committee would be distributed to all parties to the hearing.

28. **APPLICATION FOR VARIATION OF PREMISES LICENCE - ONE OXFORD, 1 OXFORD STREET, SOUTHAMPTON SO14 3DJ**

The hearing was held as a virtual meeting using Microsoft Teams and was streamed live online for the press and public to view via the Live Events platform.

The Sub-Committee considered very carefully the application for a variation of the premises licence at ONE OXFORD, 1 OXFORD STREET, SOUTHAMPTON, SO14 3DJ in the report by the Service Director – Communities, Culture and Homes in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 (as amended) and the rules of natural justice.

The Sub-Committee made its decision on the basis of all of the evidence submitted, both in writing and given orally at the Hearing, with due regard to the licensing objectives, statutory guidance, and the Council's adopted Statement of Licensing Policy.

Additionally, the Human Rights Act 1998, the Crime and Disorder Act 1998 and the Equality Act 2010 were borne in mind whilst making the decision.

The Sub-Committee noted that none of the Responsible Authorities attended the Hearing, but that conditions had been agreed with the applicant, to be added to the licence, should the variation be granted.

The Sub-Committee heard from the applicant and three local residents making representations objecting to the application. Five representations in total were received. Those received in writing alone were also fully taken into consideration.

In light of all the above, the Sub-Committee:

RESOLVED to grant the application for a variation to the premises Licence subject to the agreed conditions.

Reasons

Legislation provides for a presumption of the granting of a variation of a premises licence, subject to the determination of the application with a view to promoting the licensing objectives in the overall interests of the local community.

Conditions were set by Environmental Health and agreed by the applicant. The conditions set out by Environmental Health in the report addressed the issues raised by the local residents objecting to the variation in licensable activity. A pavement licence for street furniture would be also be required.

Whilst the Sub-Committee noted the concerns of the residents, it was satisfied that there were no complaints regarding the operation of the business to either Licensing or the Responsible Authorities during the period of the business commencing operation and the application for a variation of the licence.

The Sub-Committee noted that a pavement licence would be required for licensable activity to be extended to the outside pavement area.

The Sub-Committee noted the Applicant's representation that Off sales licensable activity was predominantly for the sale of alcohol via telephone and website sales to existing customers.

There is a general right to review a premises licence, which can be brought by residents or responsible authorities. In the event that the premises causes issues of concern the licence, in its entirety, can be considered at that stage where there is evidence support it.

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

Agenda Item 7

DECISION-MAKER LICENSING (LICENSING & GAMBLING) SUB COMMITTEE

SUBJECT HEARING TO CONSIDER AN APPLICATION FOR VARIATION OF A PREMISES LICENCE – **Bridge Road Off Licence 53 Bridge Road Southampton SO19 7GR**

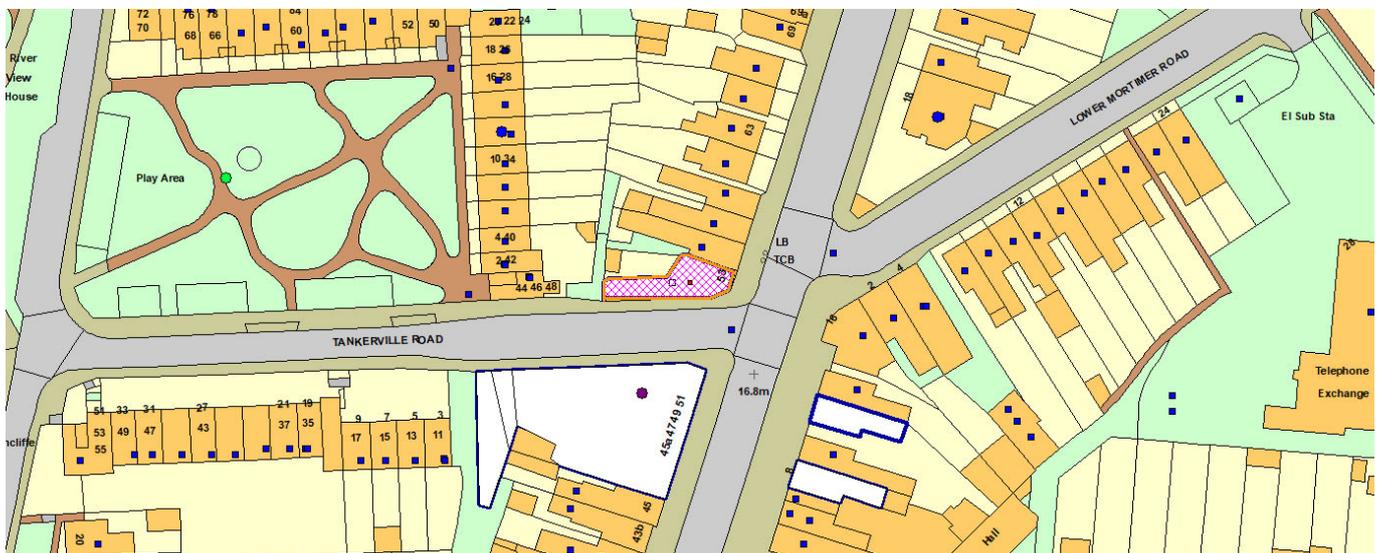
DATE OF HEARING 4th November 2021 16.00hrs

REPORT OF SERVICE DIRECTOR – COMMUNITIES,CULTURE AND HOMES

E-mail licensing@southampton.gov.uk

Application Date : 20th September 2021 Application Received 20th September 2021

Application Valid : 20th September 2021 Reference : **2021/03010/01SPRV**



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Representations from Responsible Authorities

Responsible Authority	Satisfactory?
Safeguarding Children	Satisfactory
Fire Service	Satisfactory
Environmental Health - Licensing	No Response
Home Office	No Response

Building Control	Satisfactory	
Public Health Manager	No Response	
Police - Licensing	Agreed Conditions	
Trading Standards	Unsatisfactory	
Other Representations		
Name	Address	Contributor Type
Cllr Alex Houghton	Peartree Ward Councillor Southampton City Council Civic Centre SO14 7LY	Ward Councillor
Mr. Jonathan Richard Finch	81 Bridge Road Southampton SO19 7GS	Resident
Mr and Mrs Cattrall	6 Lower Mortimer Road Southampton SO19 2HF	Resident
Mrs. Brenda Cox	22 Bridge Road Southampton SO19 7GQ	Resident

Legal Implications

The legislation specifically restricts the grounds on which the sub-committee may refuse an application for variation of a premises licence or impose conditions. The legislation provides for a presumption of grant of an application for variation of a premises licence, subject to the determination of the application with a view to promoting the licensing objectives in the overall interests of the local community. In doing so the sub-committee must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- its own statement of licensing policy
- the Statutory Guidance

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

An applicant for variation of a premises licence whose application has been refused, or who is aggrieved by conditions imposed, may appeal against the decision to the Magistrates' Court. Any other

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

In considering this application the sub-committee is obliged to consider the application in accordance, in particular, with both the Licensing Act 2003(Hearings) Regulations 2005 (as amended) and the rules of natural justice

The practical effect of this is that the sub-committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.

Only persons that made relevant representations or their representative, within the time limits, will be allowed to present evidence and this will be restricted to the points raised in their written representation. Any evidence used to expand upon specific points already raised in a written representation should be served upon all parties in good time before the hearing date in order to allow proper consideration. A failure to properly serve any such additional evidence in advance is likely to mean it cannot be produced or relied upon at the hearing.

The sub-committee must also have regard to:

- *The Crime and Disorder Act 1998*
Section 17 of the Crime and Disorder Act 1998 places the sub-committee under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.
- *The Human Rights Act 1998*
The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the sub-committee to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the sub-committee that could have an effect upon another person's Human Rights must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the sub-committee which 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.

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

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.

SUMMARY

This application is to increase the hours for the Sale of Alcohol Sunday – Thursday 08.00 to 23.00 and Friday and Saturday 08.00 to 02.00. The shop will close at 23.00 and a night hatch will only be used after this time.

Applicant	Mr. Rashid Ahmed
Designated Premises Supervisor	Rashid Ahmed

Licensable Activities.

Supply by retail of alcohol

Monday	08:00 - 23:00
Tuesday	08:00 - 23:00
Wednesday	08:00 - 23:00
Thursday	08:00 - 23:00
Friday	08:00 - 02:00
Saturday	08:00 - 02:00
Sunday	08:00 - 23:00

Hampshire Constabulary have agreed conditions with the applicant but the application has received a representation from Trading Standards and four public representations.

Included in Report

Application

Plan

Current Licence

Police Agreed Conditions

Trading Standards Objection

4 Public Representations

Hearing Procedure

Southampton City Council

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Mr Rashid Ahmed

(Insert name(s) of applicant)

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

Premises licence number 2021/01575/01SPRD

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Bridge Road Off Licence 53 Bridge Road			
Post town	Portsmouth	Postcode	SO19 7GR

Telephone number at premises (if any)	██████████
Non-domestic rateable value of premises	£5,800

Part 2 – Applicant details

Daytime contact telephone number	██████████		
E-mail address (optional)	██████████		
Current postal address if different from premises address	131 Firgrove Road		
Post town	Southampton	Postcode	SO15 3ET

Part 4 Operating Schedule

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

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-----------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Wed			<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 7)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
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 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>																							
				Outdoors	<input type="checkbox"/>																							
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			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)																									
			<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 7)																									

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			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 5)		
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Wed			<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 7)		
Thur					
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			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 4)	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 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<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 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	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 6)		
Mon	08.00	23.00			
Tue	08.00	23.00			
Wed	08.00	23.00			
Thur	08.00	23.00			
Fri	08.00	00.00			
Sat	00.00	02.00			
	08.00	00.00			
Sun	00.00	02.00			
	08.00	23.00			
			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 7)		

K

<p>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 10).</p> <p style="text-align: center;">None</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	08.00		
		23.00	
Tue	08.00		
		23.00	
Wed	08.00		
		23.00	
Thur	08.00		
		23.00	
Fri	08.00		
		00.00	
Sat	00.00	02.00	
	08.00	00.00	
Sun	00.00	02.00	
	08.00	23.00	
Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)			

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

None

Please tick as appropriate

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

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

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

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

As existing plus:

- 1: All images must be of good quality and capture the facial images of all customers entering the premises.
- 2: The premises will maintain a CCTV log book to record a weekly check of the CCTV system. This log book will be available for inspection by a Police Officer or Authorised Officer from the Licensing Authority.
- 3: When the premise is open after 23.00, all customers will only be served from the night hatch.

b) The prevention of crime and disorder

As existing plus:

- 4: The premises are secured at the front and side door with metal roller shutters
- 5: When the DPS is not on duty a contact telephone number will be immediately available at all times.
- 6: The premises will not store or sell any psychoactive substances known as 'legal highs', store or sell fireworks and knives of any size or description.
- 7: An incident log book / Register will be operated at the premises.
 - 7.1: All log records will be retained for a period of 12 months from the date it occurred. The Incident Report Log Book / Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident.
 - 7.2: The Incident Log shall be made immediately presented for viewing 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 will record the following:
 - (a) All crimes reported to the premises (where relevant to the licensing objectives)

(b) Any incidents of disorder arising from customers visiting the shop

c) Public safety

As existing:

d) The prevention of public nuisance

As existing plus:

8: A trade waste bin will be fitted outside the shop for the use of customers and emptied on a regular basis.

9: All trade waste will be stored in suitable lidded bins and removed from the premises on a regular basis.

10: The manager will endeavour to ensure that no exterior lighting will cause a nuisance to residential premises.

11: Notices will be displayed in a prominent position to remind customers to leave the area quickly and quietly and to respect local residents.

e) The protection of children from harm

As existing plus:

12: Proxy signs warning all persons not to sell alcohol to children will be displayed in close proximity to where all alcohol is sold.

13: The shop's Refusals Policy will be displayed in a prominent position in the shop

14: No person under the age of 18 will be employed to work at the premises.

15: Verification of the 'Right to Work' for any staff employed at the premises will be retained at the premises from the first day of employment and for up to 12 months after the person has left.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or (to be paid via link)
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable. *Electronic*
application
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, 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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	20 th September 2021
Capacity	Agent on behalf of the applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

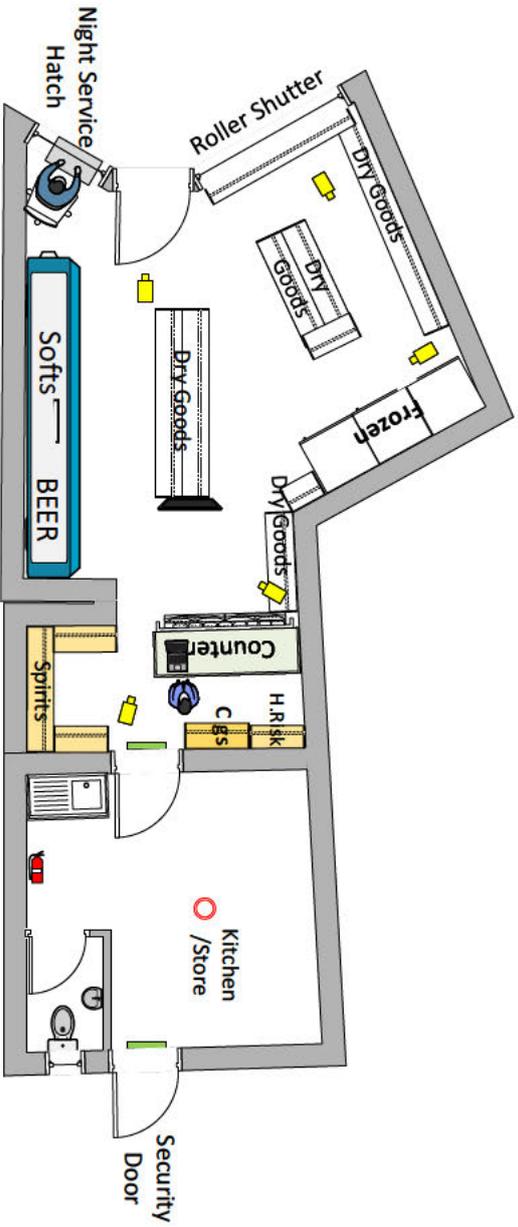
Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Tony Clarke
JMC Licensing Consultants
540 Antrim Road

Post town	Belfast	Post code	BT15 5GJ
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

LEGEND	Smoke Detector	○	Fire Bell	■	Fire Exit	■
Camera	Fire Ext. Water	🚒	Monitor	📺		



Drawing Purpose

PREMISES LICENCE APPLICATION

Drawing Details

The purpose of this drawing is for the submission of a Premises Licence Application.
 All Measurements have been drawn in millimeters.
 This drawing is not be used for the intention of any building, shop fitting or construction purposes.

Name of Premises

Bridge Road Off Licence

Premises Address

**53 Bridge Road
 Southampton
 SO19 7GR**

SCALE

1-100



SOUTHAMPTON
CITY COUNCIL

Schedule 12
Part A
Premises Licence

Regulation 33,34

Premises licence number 2021/01575/01SPRD

Part 1 – Premises details

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

Bridge Road Off Licence

53 Bridge Road
Southampton
SO19 7GR

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Supply by retail of alcohol

The times the licence authorises the carrying out of licensable activities

Supply by retail of alcohol

Monday	09:00 - 21:00
Tuesday	09:00 - 21:00
Wednesday	09:00 - 21:00
Thursday	09:00 - 21:00
Friday	09:00 - 21:00
Saturday	09:00 - 21:00
Sunday	09:00 - 21:00

The opening hours of the premises

Monday	09:00 - 21:00
Tuesday	09:00 - 21:00
Wednesday	09:00 - 21:00
Thursday	09:00 - 21:00
Friday	09:00 - 21:00
Saturday	09:00 - 21:00
Sunday	09:00 - 21:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies
Alcohol is supplied for consumption off the premises

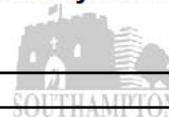
Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Rashid Ahmed
131 Firgrove Road
Southampton
SO15 3ET



Registered number of holder, for example company number, charity number (where applicable)
Not applicable



Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Rashid Ahmed



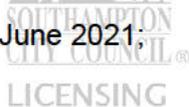
Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence Number: 2021/03678/02SPEN
Licensing Authority: Southampton City Council



This premises licence is issued by Southampton City Council as licensing authority under part 3 of the Licensing Act 2003 and regulations made thereunder

Dated this 2nd day of June 2021;



Licensing Manager
Southampton & Eastleigh Licensing Partnership
PO Box 1767
Southampton
SO18 9LA

Annex 1 – Mandatory Conditions

1 No supply of alcohol shall be made under the premises licence:

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor for the premises does not hold a personal licence or his personal licence is suspended.

2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

4 1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2 For the purposes of the condition set out in paragraph 1 —

(a) 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) 'permitted price' is the price found by applying the formula —

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) 'relevant person' means, in relation to premises in respect of which there is in force a premises licence —

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) 'relevant person' means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) 'value added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.

3 Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ('the first day') would be different from the permitted price on the next day ('the second day') as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating Schedule

1 CCTV

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

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

The recording equipment shall be stored and operated in a secure environment with limited access, to avoid damage, theft, unauthorised viewing and maintain the integrity of the system.
The system shall be serviced at twelve monthly intervals and maintained to a standard that is acceptable to the police licensing department responsible for the area.
The system clock shall be checked regularly for accuracy taking account of GMT and BST.
Digital systems shall have sufficient storage capacity for 28 days evidential quality recordings (minimum 4 frames per second).
The images produced shall be date and time stamped.
A notice shall be displayed at the entrance to the premises advising that CCTV is in operation.
An additional recording CCTV camera shall be installed and fully operational whilst the venue is open to the public to cover the area immediately outside the front of the premises.

It is important that the Police are able to access data from the systems quickly and easily and therefore provision shall be made that at all times a person is in attendance who is nominated by the data controller who has access to the secure area who is able to operate the equipment
Ensure all operators receive training from the installer when equipment is installed and that this is cascaded down to new members of nominated staff.
Have a simple operator's manual available to assist in replaying and exporting data (particularly important with digital systems) and to produce images to the police responsible authority for the purpose of the prevention and detection of crime as long as the request is lawful and complies with the data protection Act.

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

2 Refusals Log

A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the venue manager/manageress.
The refusals log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority.
The record of refusals will be retained for 12 months.

3 Staff Training

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

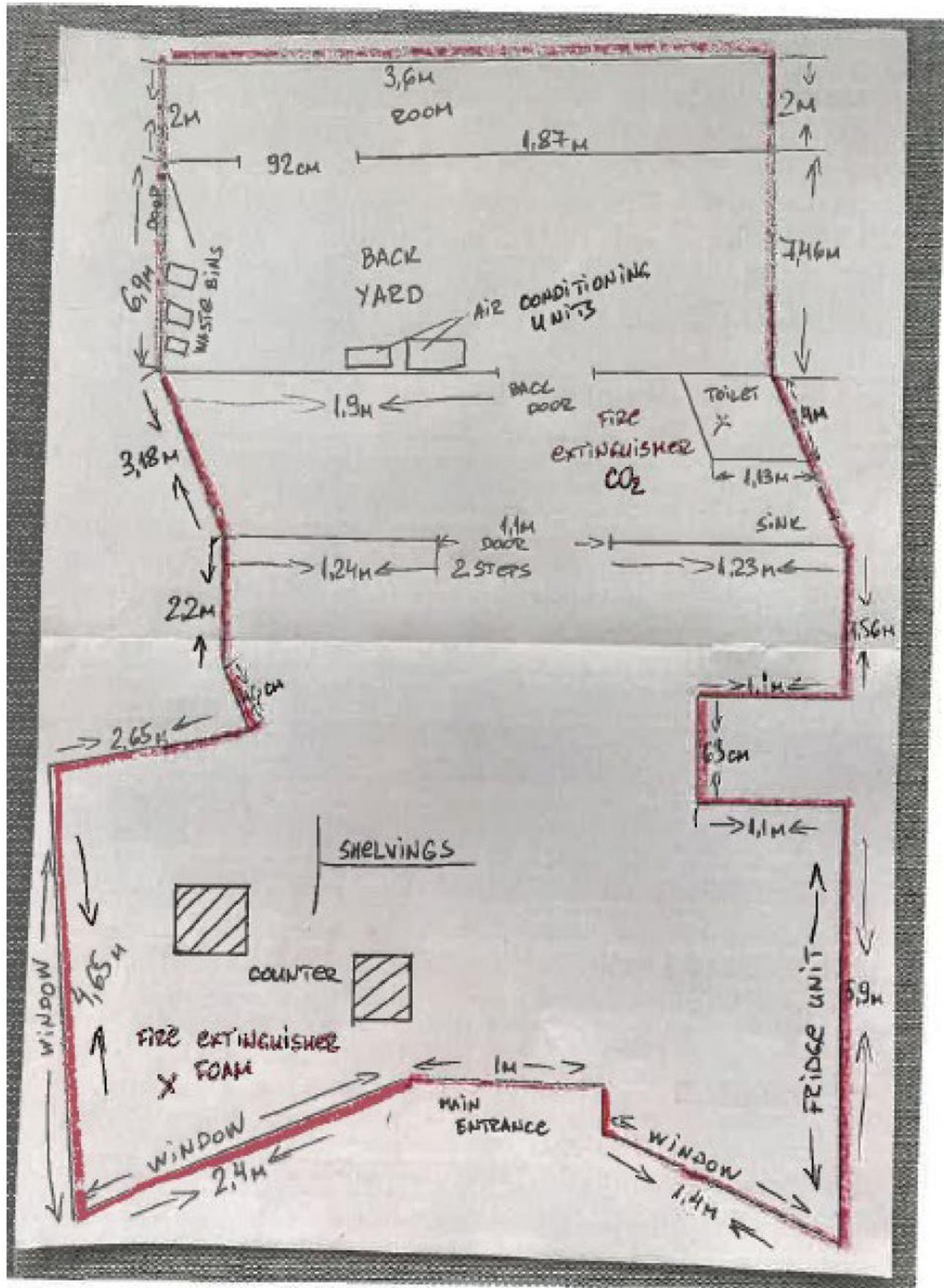
4 Challenge 25

There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.
Acceptable identification for the purposes of age verification will include a photo card driving licence, passport or photographic identification bearing the "PASS" logo and the persons date of birth.
If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.
'Challenge 25' posters shall be displayed in prominent positions at the premises.

Annex 3 – Conditions attached after a hearing by the licensing authority

1 None

Annex 4 – Plans



Plan not reproduced to scale.

From: [Scott, Lee \(25597\)](#)
To: [Licensing](#)
Cc: [REDACTED]
Subject: FW: Bridge Road off licence
Date: 14 October 2021 16:10:16

Good afternoon licensing,

Please be aware that Hampshire Constabulary wish to make a representation against the premises licence full variation for Bridge Road off licence in Woolston.

However I have received an e-mail from the consultant acting on behalf of the licence holder who has confirmed agreement to the wording change on one of their own proposed conditions as below.

The confirmation e-mail was sent to me separately from this e-mail chain. I received an e-mail from Tony Clarke JMC Licensing at [REDACTED] on 14/10/21 1120 stating the following

Dear PC Scott,

With reference to the wording of the condition you have amended I am in full agreement with this change and would be more than happy to support the change on behalf of my client.

Kind Regards

Tony Clarke

JMC licensing

[REDACTED]

Can the below wording be added to the list of conditions regarding the night service hatch over and above the original as proposed along with all the other conditions offered in the application. With this complete it is not considered necessary by us to take this representation forward to a hearing.

Kind regards

PC 25597

Lee Scott

PC 25597

Lee Scott

Licensing & Alcohol Harm Reduction Team

Southampton Central Police Station

[REDACTED]

From: Scott, Lee (25597)

Sent: 13 October 2021 12:25

To: [REDACTED]

Subject: Bridge Road off licence

Good afternoon,

Can you please advise on a matter regarding the full variation application for the Bridge Road off licence in Bridge Road Woolston. On the additional proposed conditions it states that when the premises is open after 2300 all customers will be served through a night hatch.

Current wording

When the premise is open after 23.00, all customers will only be served from the night hatch.

Whilst this may seem trivial can I seek your agreement to the following wording

When the premises is open after 2300, the shop will be locked and customers will not be permitted access. All orders and service will be made via the night service hatch.

The reason to request the wording change is that it leaves it open for persons to enter and wonder about the premises so long as they make payment at the service hatch. These defeats the purpose of keeping the service swift and keeping staff safe as well as encouraging quick departure post service.

Kind regards

Lee Scott

PC 25597

*Lee Scott
Licensing & Alcohol Harm Reduction Team
Southampton Central Police Station*



This email contains information which is confidential and may also be privileged. It is for the exclusive use of the addressee(s) and any views or opinions expressed within are those of the originator and not necessarily those of the Force. If you are not the intended recipient(s) please note that any form of distribution, copying or use of this email or the information contained is strictly prohibited and may be unlawful. If you have received this communication in error please forward a copy to informationsecurity@thamesvalley.police.uk and to the sender. Please then delete the email and destroy any copies of it. DO NOT use this email address for other enquiries as it will not be responded to, nor any action taken upon it. If you have a non-urgent enquiry, please call the Police non-emergency number 101. If it is an emergency, please call 999. Thank you.

Trading Standards Service

Southampton City Council
Civic Centre
Southampton S014 7LY

Direct dial: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

Please ask for: Lucas Marshall

Our ref:

Your ref:

13th October 2021

Licensing
Southampton City Council
PO Box 1767
Southampton
SO18 9LA

Dear Sir/Madam

Licensing Act 2003

Bridge Road Off Licence, 53 Bridge Rd, Woolston, Southampton

I write with reference to the application to vary the licence for Bridge Road Off Licence, 53 Bridge Road, Southampton, which has been made by Rashid Ahmed, and which relates to the extension of hours for licensable activities at the premises.

This premises has caused concern to Trading Standards, due to Ahmed's failure to meet the Licensing Objectives, to Prevent Crime & Disorder and Protection of Children from Harm and to act in accordance with conditions on the Premises Licence, which are detailed below:

On 13th July 2021 I conducted an alcohol under age test purchase exercise in Southampton using a 15 year old boy. This was a joint exercise with Police Licensing Officers of Hampshire Constabulary. Alcohol, namely 2 cans of Fosters lager, were sold at Bridge Road Off Licence by a member of staff, [REDACTED]. It appeared that she had not received training from Rashid Ahmed in the prevention of under age sales, and records of training, as required under the training condition on the Premises Licence, were not available. Additionally conditions relating to age verification (Challenge 25), the keeping of a refusals book, and the operation of the CCTV system were not being complied with. Non-compliance with these conditions would constitute unauthorised sales of alcohol, offences under the Act.

The premises was inspected following the sale and 10 x bottles of illegal (non-UK Duty Paid) Zubrowka Vodka were found displayed for sale - it is an offence to knowingly keep these at a Licensed Premises under Section 144 of the Act. Traceability documents, such as invoices or a stocktake record, were not available for the Zubrowka vodka, as required under Article 18 of EU Regulation 178/2002, an offence under Regulation 19(1) of the Food Safety & Hygiene (England) Regulations 2013. When questioned under caution Ahmed claimed that this vodka had been purchased from the previous owner, [REDACTED], when he bought the business. [REDACTED] has stated that he had not bought Zubrowka for sale whilst he traded at that premises.

9% Karpackie beer was also displayed for sale at £1.69 – this was of interest because the price was low (high strength beers attract a high level of duty) and the usual retail price

would be over £1.99. On request Ahmed did provide invoices for this beer from an AWRS registered wholesaler, however the price which he paid per can was £1.75, yet he was selling for only £1.69 which makes no business sense. Rashid claimed that he was making a loss on these beers as he wanted to get customers into the shop, however this is not sustainable and it may be that Ahmed has an additional illicit source for the beer.

Other concerns regarding the premises related to intelligence received about 53 Bridge Road Off Licence – this included a screen print of a message on social media advertising for vacancies at Bridge Road Off Licence, posted by a [REDACTED], a pseudonym for [REDACTED] who is alleged to be involved in organised crime, the supply of illegal tobacco within Southampton. My thoughts were that Ahmed may have been put forward as a front by [REDACTED] to obtain a Premises Licence at 53 Bridge Rd, as he would not be best placed to do so himself. Ahmed was subsequently interviewed, and I questioned him regarding his relationship with [REDACTED]. He identified [REDACTED] as a friend, who had helped him with advice regarding the business, but said that he had no financial interest in the business. During interview Rashid AHMED claimed little experience/knowledge of the licensed trade as an excuse for the non-compliances found at his premises, and to explain why he was unfamiliar with the Licensing Objectives and with the conditions on his licence. He could have familiarised himself with the conditions by simply reading his Licence.

On 30th September, following Ahmed's application for variation, I visited Bridge Rd Off Licence with PC Lee Scott. I noted two boxes containing a total of 48 nitrous oxide cylinders displayed for sale. Nitrous oxide is categorised as a psychoactive substance, and as such is banned from sale under the Psychoactive Substances Act 2016, except for certain legitimate purposes. Before these products were banned Nitrous Oxide was often sold in head shops and legal high shops, along with drugs paraphernalia, and the sellers invariably claimed that it was for the purpose of cream dispensing, a permitted use, though highly unlikely given their customer base. Ahmed claimed that the nitrous oxide was for cream dispensers, though he did not stock any of the dispensing devices from which cream is dispensed, and went on to say that a customer had asked him to buy it in and he had no knowledge that people used it to get high. Ahmed did appear to be complying with conditions on this occasion. I instructed him to remove Perla brand beers from sale – the Food Information Regulations 2014 require all food and drink to be labelled in English, and these were not, and I requested invoices to be provided to me for these beers by Ahmed by 7th October. As of yet these have not been provided, an offence under Regulation 19 of the Food Safety & Hygiene (England) Regulations 2013.

Ahmed indicated that business was not going well, and if it did not improve then he would sell up. He is currently the only member of staff. On 4th October I was notified of an advert from Facebook which appears to be placed by Ahmed and is an offer of sale of the business.

Ahmed does appear to have rectified past non-compliances, for example his failure to adhere to conditions, and he passed another attempted under age test purchase of alcohol which the police conducted on 1st September. However he continues to run a business which does not comply with the Prevention of Crime & Disorder in other respects, detailed above, and I believe that this is due to a lack of competence on his part. Southampton City Council's Trading Standards Service therefore objects to Ahmed's application. Should the variation be granted I would ask that the following conditions be imposed on his premises licence:

Labelling & Traceability

Compliance checks will be conducted by staff on the labelling of food (including drinks & alcoholic drinks), prior to their sale from the premises. If these products are not labelled in English they will be quarantined and identified as not for sale at the premises. These checks will be documented and non-compliant product, and quantity thereof, must be identified in this document . The Premises Licence Holder must also keep complete traceability records, such as invoices, receipts and delivery notes, relating to food (including drinks and alcoholic drinks) obtained by him/her for sale from his/her premises. These records must include the name, address, AWRS number (for alcohol suppliers) and telephone number of the supplier, the date of supply, the products supplied, and their prices. The documents referred to above must be available on request to Responsible Authorities within 24 hours and must be kept for a period of 24 months.

Psychoactive Substances

Products which can be used as psychoactive substances, including Nitrous Oxide, will not be sold from the premises.

Yours faithfully

Lucas Marshall
Trading Standards Officer

Cc Southampton Licensing Unit, Hampshire Constabulary, Central Police Station, Southern Road,
Southampton SO15 1AN
Cc Rashid Ahmed, 53 Bridge Rd Off Licence, Woolston, Southampton

From: [Steven Cattrall](#)
To: [Licensing](#)
Subject: 53 Bridge Road Southampton SO19 7GR
Date: 29 September 2021 19:08:48

Hello

I am emailing you on behalf of my parents Mr and Mrs Cattrall of 6 Lower Mortimer road SO19 2HF [REDACTED], neither of which have access to emails or the internet as they are elderly, and they wish to object in the strongest manner the application to extend the off licence opening hours past 9pm at night.

Looking at this application you need to look at some points as follows

1. Is this needed in the area at that time of night? And the answer to that is very obviously NO. There are no reasons at all that make a compelling reason for extending the opening hours, it does not serve a local urgent need, provide a service desperately needed at that time of night.

2. What would be the impact on residents in the area if hours were extended. When alcohol and young people mix, it can very quickly get very noisy, and damage will occur to local shops and houses without doubt. This property would become a late night meeting place for those who wish to carry on drinking after even the local pubs shut, with the noise, litter and disruption this would cause. You will well know that there is already an issue with youths loitering in the estate behind the shops, and this would only increase. Therefore there is a big risk that crime and disorder would increase in the local area if this is allowed to happen.

3. The increased noise and traffic that would occur during a normally quieter time of the night, and as there is no parking in front of the shop, then the side roads would be used with the continued revving of engines and slamming of car doors until 2am at weekends and 11pm during the week (some people have to work as well!)

I am sure that if that were a public house at 53 Bridge road you would not allow an extension to 2am at the weekend in a residential area, so why should an Off Licence be any different.

Nothing about this proposal has any merit, and if Cllr Alex Houghton left his office and asked the local residents their views, he would get 100% against it, as any right minded person would if faced with the potential for anti social behaviour and noise until 2am in the morning.

My parents have asked me to email this to you on their behalf along with Mrs Cox, as they are really worried about the impact this will have on their lives. My parents would have worded this email in stronger language than i have used such is their anger

Please feel free to reply to me at any time.

Steven Cattrall

From: [Steven Cattrall](#)
To: [Licensing](#)
Subject: 53 Bridge Road Southampton SO19 7GR
Date: 29 September 2021 19:08:48

Hello

I am emailing you on behalf of [REDACTED]
[REDACTED] Mrs Brenda Cox of 22 Bridge Road SO19 7GQ, neither of which have access to emails or the internet as they are elderly, and they wish to object in the strongest manner the application to extend the off licence opening hours past 9pm at night.

Looking at this application you need to look at some points as follows

1. Is this needed in the area at that time of night? And the answer to that is very obviously NO. There are no reasons at all that make a compelling reason for extending the opening hours, it does not serve a local urgent need, provide a service desperately needed at that time of night.

2. What would be the impact on residents in the area if hours were extended. When alcohol and young people mix, it can very quickly get very noisy, and damage will occur to local shops and houses without doubt. This property would become a late night meeting place for those who wish to carry on drinking after even the local pubs shut, with the noise, litter and disruption this would cause. You will well know that there is already an issue with youths loitering in the estate behind the shops, and this would only increase. Therefore there is a big risk that crime and disorder would increase in the local area if this is allowed to happen.

3. The increased noise and traffic that would occur during a normally quieter time of the night, and as there is no parking in front of the shop, then the side roads would be used with the continued revving of engines and slamming of car doors until 2am at weekends and 11pm during the week (some people have to work as well!)

I am sure that if that were a public house at 53 Bridge road you would not allow an extension to 2am at the weekend in a residential area, so why should an Off Licence be any different.

Nothing about this proposal has any merit, and if Cllr Alex Houghton left his office and asked the local residents their views, he would get 100% against it, as any right minded person would if faced with the potential for anti social behaviour and noise until 2am in the morning.

My parents have asked me to email this to you on their behalf along with Mrs Cox, as they are really worried about the impact this will have on their lives. My parents would have worded this email in stronger language than i have used such is their anger

Please feel free to reply to me at any time.

Steven Cattrall

From:
To: [Licensing](#)
Subject: 2021/03010/01SPRV
Date: 27 September 2021 15:04:18

Name - Jonathan Richard Finch
Address 81 Bridge Road, Southampton, Hampshire SO19 7GS

Objection to license application

I am a local resident who would have huge concerns about this, from a public safety, a crime and disorder and the prevention of public nuisance. I strongly believe that this license application will cause issues with all of the above licensing objectives.

This shop is situated on a busy main road, on a corner which often poses a danger to people crossing the road, especially late at night. I have often seen people attempting to cross here and almost being run over, despite the traffic lights being in situ. If there were people under the influence of alcohol, purchasing more alcohol at these late hours of 2am, I would be concerned for their public safety at this road junction.

I am also concerned about the impact on public nuisance, this is a densely residential area, with a large housing estate situated behind the shop and residential houses next door and surrounding this shop. People queueing to purchase alcohol from a "hatch" has a recipe for disaster. They will not be inside a shop, but will likely be "shouting" through a hatch to get their order, how will customers be suitably controlled and order maintained from behind a hatch? If customers start arguing with each other or fighting, how will the shop be able to maintain order - something that should fall within their remit and responsibility - this isnt something that should fall onto the police to maintain - the shop itself should maintain public order and prevent public nuisance - I fail to see how they can do this from behind a hatch. Noise carries easily on this street and at 2am will echo down the street, waking up residents and impacting on the lives of local residents - especially lots of young children who live nearby. I would also be hugely concerned about crime and disorder, as stated above, there does not appear to be any control by the shop about people who purchase from here - with little parking nearby, it is likely a lot of people will be visiting on foot - will they then consume their purchase nearby to this shop - increasing litter that is always associated with the night time economy - will this also lead to congregating groups in a residential area that is not suited to the night time economy and not geared up to cope with any influx of late night revellers that other areas have. There is a very minimal police presence in the local area - often with long response times - with the nearest open police station being Portswood - response times to Woolston average 10-15 minutes at the best of times - this could lead to a detriment to public life in the local area and to the enjoyment for residents. Anybody who requires alcohol, will normally have purchased this alcohol within the normal licensing hours - anybody purchasing alcohol between 11pm and 2am is normally doing so, for immediate consumption - otherwise they would just visit this shop during the normal licensing hours. Therefore I have huge concerns, as do all of my neighbours, that this alcohol will be being brought for immediate consumption - resulting in all my fears listed above, becoming reality.

Please let me know if you require any further information.

Thanks

From: [Jonathan Finch](#)
To: [Licensing](#)
Subject: Licensing website enquiry
Date: 27 September 2021 14:59:43

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.

Privacy statement:

Privacy check box

I have read the above and understand how the council will use my data

Name: Jonathan Finch

Email address: [REDACTED]

Phone number: [REDACTED]

Premises name/vehicle plate number: 2021/03010/01SPRV

Licence reference number:

Message: I am trying to leave this comment as a very concerned neighbour on the license application - please can you help me to do so - I am a local resident who would have huge concerns about this, from a public safety, a crime and disorder and the prevention of public nuisance. I strongly believe that this license application will cause issues with all of the above licensing objectives.

This shop is situated on a busy main road, on a corner which often poses a danger to people crossing the road, especially late at night. I have often seen people attempting to cross here and almost being run over, despite the traffic lights being in situ. If there were people under the influence of alcohol, purchasing more alcohol at these late hours of 2am, I would be concerned for their public safety at this road junction.

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From: [Houghton, Alex \(Cllr\)](#)
To: [Licensing](#)
Subject: 53 Bridge Road- Licensing Objection
Date: 18 October 2021 23:58:23

Dear Licensing

Apologies for the email objection (I couldn't get my public access account to work).

I believe the premises variation licensing application for 53 Bridge Road- The Bridge Road Off License will have a negative impact on the locality in which I am one of the local councillors. I wish to object to the extended opening hours proposed. In particular the late night opening by means of a hatch.

I have been contacted by several of the residents in this area who are affected who I encouraged to respond to the public consultation.

I believe the late night weekend opening (by means of a hatch) will encourage street and public drinking in an area that already struggles with this. Nearby Peartree Green is frequently used by people drinking very late into the night and this presents issues for public safety and criminal activity. The location of this store, although in a parade of shops, would be open considerably later than the other shops in the area. The Co-op closes at 10pm and the majority of the food outlets close around this time. I believe Zamano's Pizza has a slightly later licence, but I do not believe they sell alcohol. Late night alcohol sales in what is otherwise be a residential area has the potential for considerable public nuisance.

The police are only able to respond to so much and disruptive drunken behaviour in this residential area would put additional pressure on the police. I think this is a real concern that the applicant has not addressed.

Please take this on board when making a decision.

Best wishes

Alex
Cllr Alex Houghton
Peartree Ward Councillor
Southampton City Council



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.