

Licensing (Licensing and Gambling) Sub-Committee

Wednesday, 28th June, 2023
at 3.00 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
Melanie Morley

Email: Melanie.Morley@southampton.gov.uk

Executive Director Place

Adam Wilkinson

Email: Adam.Wilkinson@southampton.gov.uk

PUBLIC INFORMATION

The Members of the Licensing Committee are Councillors M Bunday, J Baillie, Beaurain, Mrs Blatchford, A Frampton, Kenny, Noon, Powell-Vaughan, Whitbread and Windle.

Role of the Sub-Committee

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 2022-2030 sets out the four key goals:

- Strong Foundations for Life.- For people to access and maximise opportunities to truly thrive, Southampton will focus on ensuring residents of all ages and backgrounds have strong foundations for life
- A proud and resilient city - Southampton's greatest assets are our people. Enriched lives lead to thriving communities, which in turn create places where people want to live, work and study
- A prosperous city - Southampton will focus on growing our local economy and bringing investment into our city.
- A successful, sustainable organisation - The successful delivery of the outcomes in this plan will be rooted in the culture of our organisation and becoming an effective and efficient council.

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

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

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

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

Use of Social Media:- The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting. 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 for the Municipal Year
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 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 meetings held on 1st February 2023 and 31st May 2023 and to deal with any matters arising, attached.

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 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 **NEW PREMISES APPLICATION - VNG STORES 128 ABOVE BAR STREET, SOUTHAMPTON SO14 7DU** (Pages 5 - 48)

New Premises Application - VNG Stores, 128 Above Bar Street, Southampton SO14 7DU

Tuesday, 20 June 2023

Executive Director Communities, Culture & Homes

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SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 1 FEBRUARY 2023

Present: Councillors M Bunday, G Galton and Furnell

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

RESOLVED: that the minutes for the Sub-Committee meeting on 30 November 2022 be approved and signed as a correct record.

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

RESOLVED: That at a predetermined point during the consideration of all items the Sub-Committee would move into private session in order to receive legal advice when determining issues.

10. **NEW PREMISES APPLICATION - THE BUGLE, 1A BUGLE STREET SOUTHAMPTON SO14 2AL**

The Sub-Committee considered an application for a premises licence in respect of a New Premises Licence - The Bugle, 1a Bugle Street Southampton SO14 2AL.

Charlotte Heyes (representing the applicant), Councillor Bogle, Mr and Mrs Elia, Ron Williamson and Ros Cassy were present in the meeting 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 The Sub-Committee has considered very carefully the application as submitted. Representations by all the parties present at the hearing as well as written representations were also fully taken into consideration.

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. 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.

The Sub-Committee also took into account that neither Hampshire Constabulary nor any other Responsible Authorities had made representations to the Sub-Committee Hearing.

The Sub-Committee had very serious concerns about the apparent inexperience of the applicant, the corporate arrangements with several different companies involved and the arrangements for security at events. However, these concerns amounted to

speculation and the security issue is addressed by the conditions agreed with the police.

Having considered all of the above the Sub-Committee agreed to grant the licence in accordance with the application but subject to the conditions agreed with the police and set out in the email from Mark Hawley dated 21st December 2022. The terminal hour for New Year's Eve will be 2-00 a.m.

Reasons:

The Sub-Committee heard from Cllr Bogle, Mr Williamson, Mr & Mrs Elia and Ms Cassy opposing the application and Ms Hayes for the applicant.

The Sub-Committee noted that conditions had been agreed with Hampshire Constabulary and so no responsible authorities made representations.

The Sub-Committee has listened to the concerns of the local residents which related to noise, security and road safety. However, as this is a new application the concerns amount to speculation as to what might happen at the premises.

The Sub-Committee received legal advice that speculation as to what may happen cannot be considered. Advice was also given that the legislation had a presumption of grant so that they can only refuse the application if concerns raised cannot be met by conditions. The conditions agreed with the police do meet concerns that do not amount to speculation. Advice was also received that the responsible authorities are regarded as experts in their respective fields.

The Sub-Committee noted that the application referred to a number for residents to contact the premises with any concerns and all parties are recommended to utilise this and any other method of dialogue.

Residents should be assured that if they cannot resolve issues through dialogue and the concerns raised do materialise they have the right to seek a review of the licence which would be heard by the Sub-Committee.

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 31 MAY 2023

Present: Councillors M Bunday, A Frampton and Noon

Apologies:

1. **ELECTION OF CHAIR**

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

2. **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.

3. **APPLICATION FOR VARIATION OF PREMISES LICENCE - GRIFFIN, 35-37 ANGLESEA ROAD, SOUTHAMPTON SO15 5QH**

The hearing was held as a remote hearing with all parties participating virtually 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 Griffin 35 - 37 Anglesea Road Southampton SO15 5QH. It has given due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted statement of Licensing Policy. 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 made its decision on the basis of all of the evidence submitted, both in writing and given orally at the Hearing.

The Sub-Committee noted that representation had been made by the Fire Service, Planning and Sustainability – Development Control and three residents. No other responsible authority had made representations.

The application was for a full variation to extend the current licence as follows: 1) Live music until 23:00hrs every day. 2) Recorded music, late night refreshment, and supply of alcohol to 01:30hrs Monday to Saturday and midnight on Sunday. 3) A new plan of the area to be licensed.

The Sub-Committee heard evidence from the applicant in the form of a prepared statement from the Premises Licence Holder, and oral representations from the DPS. The objectors did not attend, so only their written objections were considered.

Considering all the above, the Sub-Committee:

RESOLVED to grant the application, subject to the following additional conditions and agreed as follows:

- Live music shall be permitted until 23:00 every day
- Recorded music, late night refreshment and the supply of alcohol shall be permitted until 00:00 (midnight) every day inside the building.
- Patrons shall not be permitted onto the outside area after 10pm every day.
- The plan of the licenced area to be approved, insofar as it is in the curtilage of the Griffin.

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.

The Sub-Committee noted the concerns of the residents, which were mainly concerned with public nuisance in the form of noise caused by customers and music being played at the venue.

The objections were based on public nuisance, given that the hours could lead to customers noise and loud music creating a nuisance for residents in a heavily residential neighbourhood. Accordingly, the Sub-Committee had to determine to what extent, if at all, the proposed variation would lead to additional issues at the premises and whether these could be mitigated by further conditions. On balance the Sub-Committee felt that the amount of time applied for was excessive and would increase the public nuisance in a way that would not be remediable by conditions, however a short extension would be permissible.

The additional conditions are imposed to ensure that the public nuisance caused by patrons in the pub's beer garden is mitigated by only permitting them into the garden until 10pm. The committee, recognising that the area is heavily residential, were concerned that there was not enough of a plan to mitigate noise caused at a time when residents will be going to sleep.

Although the sub-committee recognises that there have been no issues since the pub re-opened in October 2022, and a plan is being developed to promote all of the licensing objectives, it is not satisfied that there is enough detail currently in the plan to satisfy the sub-committee that the licensing objectives will be completely met. The sub-committee were also mindful that the hours applied for were disproportionate in relation to other venues in the area, and this could cause further issues.

The sub-committee felt that it would be reasonable to close the beer garden at 10pm and only permit the sale of alcohol until midnight, in line with other venues in the area.

The sub-committee were however encouraged by the Applicant stating that they are taking measures beyond their licence to promote the licensing objectives. Members of the public should be assured that there is a general right to review a premises licence which can be brought by residents or responsible authorities, where there is evidence that the objectives are not being met. In the event that the premises causes issues of concern the licence, in its entirety, can be considered at that stage where the evidence supports it.

The Sub-Committee acknowledged the genuine concerns of the residents but is limited to dealing with the application in accordance with the Licensing Objectives. 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 GRANT OF A PREMISES LICENCE – **VNG Stores 128 Above Bar Street Southampton SO14 7DU**

DATE OF HEARING 28th June 2023 15.00 Hours

REPORT OF SERVICE DIRECTOR – PLACE

E-mail licensing@southampton.gov.uk

Application Date : 4th May 2023 Application Received 4th May 2023

Application Valid : 4th May 2023 Reference : **2023/01618/01SPRN**



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Representations from Responsible Authorities

| Responsible Authority | Satisfactory? |
|----------------------------------|---------------|
| Licensing | Objection |
| Safeguarding Children | No Response |
| Fire Service | Satisfactory |
| Environmental Health - Licensing | No Response |

| | | |
|-------------------------------------------------------------|----------------|-------------------------|
| Home Office | No Response | |
| Public Health Manager | No Response | |
| Planning & Sustainability - Development Control - Licensing | Satisfactory | |
| Police - Licensing | Objection | |
| Trading Standards | No Response | |
| Other Representations | | |
| Name | Address | Contributor Type |
| | | |

Legal Implications

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

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

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

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

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

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

Only persons that made relevant representations or their representative, within the time limits, will be allowed to present evidence and this will be restricted to the points raised in their written representation. Any evidence used to expand upon specific points already raised in a written representation should be served upon all parties in good time before the hearing date in order to allow proper consideration. A failure to properly serve any such additional evidence in advance is likely to mean it cannot be produced or relied 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 affect another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.

Copies of the application for grant 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 new premises application is for a small shop including off licence sales. It is in the City Centre Cumulative Impact Zone.

| | |
|---------------------------------------|------------------------------|
| Applicant | VNG Stores Ltd. |
| Designated Premises Supervisor | Ashishkumar Vasantlal Gajjar |

Licensable Activities.

| | |
|-----------------------------|---------------|
| Supply by retail of alcohol | |
| Monday | 07:00 - 23:30 |
| Tuesday | 07:00 - 23:30 |
| Wednesday | 07:00 - 23:30 |
| Thursday | 07:00 - 23:30 |
| Friday | 07:00 - 00:00 |
| Saturday | 07:00 - 00:00 |
| Sunday | 07:00 - 23:00 |

Included in Report

Application

Plan

Police Objection

Licensing Objection

Hearing Procedures

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We VNG STORES LTD

(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 VNG STORES 128 ABOVE BAR STREET | | | |
| Post town | SOUTHAMPTON | Postcode | SO14 7DU |

| | |
|-----------------------------------------|-------------------|
| Telephone number at premises (if any) | |
| Non-domestic rateable value of premises | £20,750.00 |

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|------------------------------------------------------|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" 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 | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | 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 type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| Date of birth: | | I am 18 years old or over <input type="checkbox"/> | | Please tick yes | |
| Nationality: | | | | | |
| Current residential address if different from premises address | | | | | |
| Post town | | | | Postcode | |
| 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) | | | | | |

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 | | I am 18 years old or over <input type="checkbox"/> | | Please tick yes | |
| Nationality | | | | | |

| | | | |
|----------------------------------------------------------------|--|----------|--|
| 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 VNG STORES LTD |
| Address 34 CLAREMONT CRESCENT SOUTHAMPTON SO15 4GQ |
| Registered number (where applicable) 13648935 |
| Description of applicant (for example, partnership, company, unincorporated association etc.) PRIVATE LIMITED COMPANY |
| Telephone number (if any) [REDACTED] |
| E-mail address (optional) [REDACTED] |

Part 3 Operating Schedule

When do you want the premises licence to start?

| | | |
|----------------------|----------------------|----------------------|
| DD | MM | YYYY |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

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

| | | |
|----------------------|----------------------|----------------------|
| DD | MM | YYYY |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

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

OFF LICENCE AND CONVENIENCE STORE

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 | <u>Please give further details here</u> (please read guidance note 4) | | |
| Mon | | | | | |
| Tue | | | <u>State any seasonal variations for performing plays</u> (please read guidance note 5) | | |
| Wed | | | | | |
| Thur | | | <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) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

B

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

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|---------------------------------------------------------------------------------------------------------|-------|--------|---------------------------------------------------------------------------------------------------------------------------------------------|----------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| 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 | <u>Please give further details here</u> (please read guidance note 4) | | | | | |
| Mon | | | | | | | | |
| 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 | <u>Please give further details here</u> (please read guidance note 4) | | |
| Mon | | | | | |
| Tue | | | | | |
| Wed | | | | | |
| Thur | | | | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |
| | | | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) | | |
| | | | <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) | | |

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 | <u>Please give further details here</u> (please read guidance note 4) | | |
| Mon | | | | | |
| Tue | | | <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) | | |
| Wed | | | | | |
| Thur | | | <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) | | |
| Fri | | | | | |
| 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

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|-----------------------------------------------------------------------------------------------------------------------------------------------|-------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|--------------------------|
| 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 | | | | | |
| 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 5) | | |
| | | | | | |
| 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 6) | | |
| 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 | <u>Please give further details here</u> (please read guidance note 4) | | | |
| Mon | | | | | | |
| Tue | | | <u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) | | | |
| Wed | | | | | | |
| Thur | | | <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) | | | |
| Fri | | | | | | |
| Sat | | | | | | |
| Sun | | | | | | |

J

| | | | | | |
|----------------------------------------------------------------------------------------|-------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 7) | | | <u>Will the supply of alcohol be for consumption – please tick</u> (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 | <u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5) | | |
| Mon | 07:00 | 23:30 | | | |
| Tue | 07:00 | 23:30 | | | |
| Wed | 07:00 | 23:30 | | | |
| Thur | 07:00 | 23:30 | | | |
| Fri | 07:00 | 00:00 | | | |
| Sat | 07:00 | 00:00 | | | |
| Sun | 07:00 | 23:00 | | | |
| | | | <u>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</u> (please read guidance note 6) | | |

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 MR ASHISHKUMAR VASANTLAL GAJJAR | |
| [REDACTED] | |
| [REDACTED] | |
| [REDACTED] | |
| [REDACTED] | |
| [REDACTED] | |
| Personal licence number (if known) 2011/00140/LAPER | |
| Issuing licensing authority (if known) BRIGHTON & HOVE 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).

NONE

L

| Hours premises are open to the public Standard days and timings (please read guidance note 7) | | | State any seasonal variations (please read guidance note 5) |
|-----------------------------------------------------------------------------------------------------|-------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Day | Start | Finish | |
| Mon | 07:00 | 23:30 | <p>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 6)</p> |
| | | | |
| Tue | 07:00 | 23:30 | |
| | | | |
| Wed | 07:00 | 23:30 | |
| | | | |
| Thur | 07:00 | 23:30 | |
| | | | |
| Fri | 07:00 | 00:00 | |
| | | | |
| Sat | 07:00 | 00:00 | |
| | | | |
| Sun | 07:00 | 23:00 | |
| | | | |

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

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

1. Challenge 25 policy to be in place at all times
2. CCTV to be installed and 31 days recoding system staff trained to download images when required
3. All staff to be trained in responsible alcohol retailing

b) The prevention of crime and disorder

1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from the council.
2. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises.
3. The CCTV system shall display on any recordings, the correct date and time of the recording.
4. A member of staff trained in the use of the CCTV system shall be available at the premise at all times that the premises are open to the public.
5. A CCTV camera shall be installed to cover the entrance of the premises and further cameras installed to cover the internal area and servery counter.
6. A suitable intruder alarm complete with panic button shall be fitted and maintained.
7. An incident log shall be kept at the premises, and made available for Inspection on request to an authorised officer of the council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
9. All staff employed at the premises will have UK right to work status checked, once passed that stage they shall be offered employment.

c) Public safety

1. Fire exit signs displayed
2. CCTV working at all times

d) The prevention of public nuisance

1. Notice displayed asking customers to leave quietly from premises also customers will be told in person to leave quietly and not to disturb the local neighbourhood
2. Strict policy in place to tell all staff not to serve alcohol to drunks at all
3. Appropriate signage will be displayed, in prominent position informing customers they are being recorded on CCTV

e) The protection of children from harm

1. A challenge 25 policy will be in force, where any person looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. Challenge 25 posters displayed where alcohol is sold.
2. The only acceptable ID will be those with photographic identification documents, including passport, photo-card, driving license or proof of age card bearing the PASS hologram.
3. An refusal book shall be kept at the premises and updated as and when required, and made available for inspection on request to an Licensing Officer, Police or other responsible authority.
4. The licensee will ensure that staff are trained regularly as appropriate in respect to the Licensing Act 2003 legislation, staff to be trained regularly in underage sales prevention.
5. A sign stating “No proof of age – No sale” shall be displayed at the point of sale.

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 (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.**

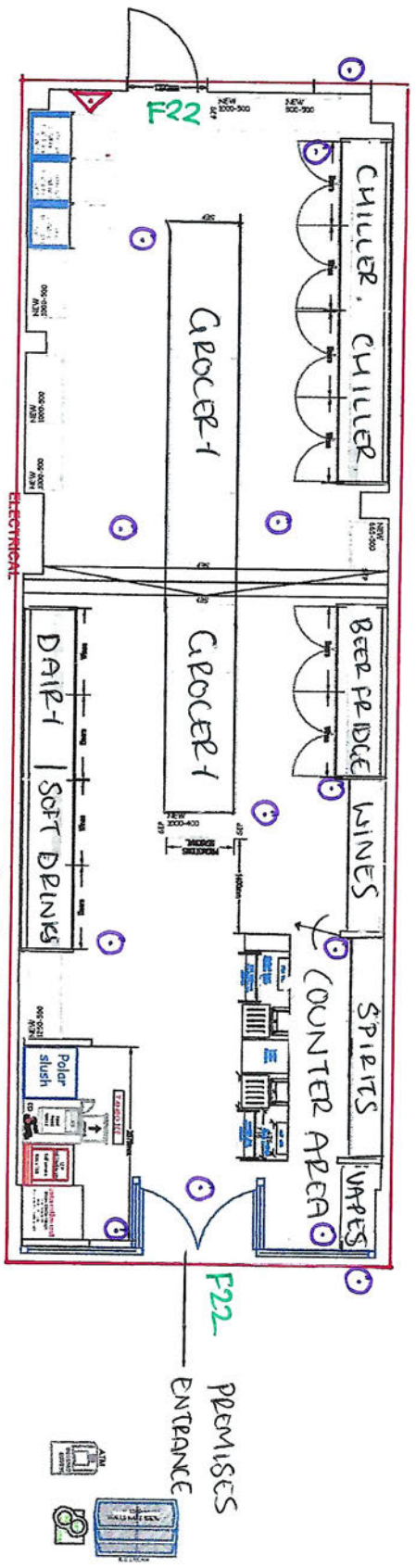
| | |
|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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, if appropriate (please see note 15) |
| Signature | [REDACTED] |
| .Date | 03/05/2023 |
| Capacity | DULY AUTHORISED 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) MR SURENDRA PANCHAL PERSONAL LICENCE COURSES UK LTD 145 STATION ROAD | | | |
| Post town | WEST DRAYTON | Postcode | UB7 7ND |
| Telephone number (if any) | [REDACTED] | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED] | | | |

PROPOSED LICENSING FLOOR PLAN



- N01
- N02
- N03
- N05
- N27
- N28
- N29
- N30
- N32
- N33
- N35
- N50

PLEASE NOTE:
 GIVE TO THE PLAN AND ACCEPT THAT THE QUOTE IS BASED ON THE INFORMATION PROVIDED. ITEMS NOT SHOWN ON THIS PLAN WILL BE CHANGED TO MEASUREMENTS.

| | | | |
|----------------------------------------|---------------------|------------------------------------------------------|---------------------------------------|
| CLIENT'S NAME SOUTHAMPTON | CLIENT'S SIGNATURE | CLIENT'S NAME Ash | PLANNING PERMIT SOUTHAMPTON |
| SALES MAN NAME MATT SULLIVAN | SALES MAN SIGNATURE | PROJ ADDRESS 28, ABOVE BAR ST, SOUTHAMPTON | DATE 24.04.23 |
| | | VERSION RVB | DATE 24.04.23 |
| | | STATUS DRAFT | |

PREMISES DETAILS:
 VNC STORES LTD
 128 ABOVE BAR STREET,
 SOUTHAMPTON
 SO14 7DU

KEY:

- LICENSABLE
- ACTIVITY AREA
- CCTV
- F22 FIRE EXIT SIGN
- △ FIRE EXTINGUISHER.

Scale: 1:100



Form for representations/objections from Hampshire Constabulary

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

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

| | | |
|-------------------------------------|--------------------------------------------------------------|-------------------------------|
| <input checked="" type="checkbox"/> | 1: New Premises licence/club prem certificate | Representation within 28 days |
| <input type="checkbox"/> | 2: Variation of premises licence/club prem certificate | Representation within 28 days |
| <input type="checkbox"/> | 3: Minor variation of premises licence/club prem certificate | Representation within 10 days |
| <input type="checkbox"/> | 4: Variation of DPS | Object within 14 days |
| <input type="checkbox"/> | 5: Transfer of premises licence | Object within 14 days |
| <input type="checkbox"/> | 6: Standard temporary event notice | Object within 3 working days |
| <input type="checkbox"/> | 7: Late temporary event notice | Object with 3 working days |
| <input type="checkbox"/> | 8: Application for a personal licence | Object within 14 days |
| <input type="checkbox"/> | 9: Provisional statement | Representation within 28 days |
| <input type="checkbox"/> | 10: Ancillary sales notice | Object within 3 working days |
| <input type="checkbox"/> | 11: Interim authority notice | Object within 2 working days |

| | |
|-----------------------|----------------------------------------------|
| Name of Applicant: | Surendra Panchal on behalf of VNG Stores LTD |
| Name of Proposed DPS: | Mr Ashishkumar Gajjar |

| |
|----------------------------------------------------------------------|
| Details of relevant conviction (Personal Licence Applications ONLY) |
| |

| | |
|-----------------------------|-------------------------------------|
| Postal address of premises: | 182 Above Bar Street Southampton |
| Postcode: | SO14 7DU |

Details of responsible authority applicant

| | | | | | |
|----------------------------------------|--------------------------------------------------------------------|-------------------------------|-----------------------------|---------------------|----|
| Mr <input checked="" type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other title / Rank: | PC |
| Surname: | Scott | First Names: | Lee | | |
| Current postal address : | Southampton Central Police Station Southern Road Southampton | | | | |
| Postcode: | SO15 1AN | | | | |
| Daytime telephone number: | [REDACTED] | | | | |
| E-mail address: (optional) | [REDACTED] | | | | |

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

Form for representations/objections from Hampshire Constabulary

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

- | | |
|-----------------------------------------|-------------------------------------|
| 1) The prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) Public safety | <input checked="" type="checkbox"/> |
| 3) The prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) The protection of children from harm | <input checked="" type="checkbox"/> |

*Please select
one or more
boxes*

Please state the ground(s) for -representation-:

The chief of police raises a representation against this application for a new premises licence for VNG off licence store in Above Bar Street Southampton.

It is our view that the grant of this premises licence as applied with the hours requested would contribute further to existing levels of crime and disorder in the local area which is in the heart of the city centre. Further it would jeopardise public safety and create incidents of public nuisance.

The application was submitted to Southampton City Council and Hampshire Constabulary to the best of my knowledge were not consulted at any point prior to full application submission. This contradicts the S182 home office guidance.

In failing to consult prior to application the information contained within the application is poor. The location to which the premises seeks to obtain a licence sits firmly within the cultural quarter of the city. Whilst within the cultural quarter it is also within the Above Bar cumulative impact area. This premises, as an off licence is not exempt under the definitions within the cultural quarter as per the statement of licensing policy. Therefore the licence must be considered with the cumulative impact area in mind.

The licence application shows no acknowledgement of either of these factors at all, this is a poor starting point as the council policy states that there is a rebuttable presumption that applications within a defined stress area will be refused.

The applicant has failed to acknowledge this presumption with an application that offers little to uphold the licensing objectives, particularly in such a key city centre and stress location. I dare say that with such knowledge a more thorough application would have been submitted and pre-app consultation would no doubt have taken place as well as a list of volunteered conditions being attached.

The location of the licence is a concern for several reasons. Not only is it directly opposite the largest capacity nightclub venue in the city, it also sits beside busy pubs within a busy night time economy area. It is also a stones throw from the city's celebrated green space as the network of city centre parks lie directly behind this premises.

The nearby pubs and clubs sometimes have queues at their venues during night time economy hours in the evenings. This is because they have security and safety measures in place to uphold the licensing objectives and operate responsibly. These on licence locations that surround this premises are highly likely to see an adverse change to customer behaviour as a result of this premises if it were to be open at the same time.

There is a growing culture of pre-drinking widely acknowledged within the hospitality trade that

Form for representations/objections from Hampshire Constabulary

operate into the night. The availability of alcohol on the door step will only increase levels intoxication and risk to the staff at these nearby premises.

There is a concern that revellers will consume more alcohol prior to approaching the night time venues by attending this store, if seen to consume alcohol on approach to venues, they are generally turned away. Further the potential for persons turned away from night clubs for whatever reason could then see them attending this shop and they may be served as an off sale. This could inadvertently arm a disgruntled reveller with a weapon such as glass who could then return to a nearby premises where they have recently departed or been rejected. Such issues could arise through proxy sales in this situation as well with both disgruntled persons and those who are considered too intoxicated to enter elsewhere by having associates make purchases for them.

Furthermore there is no control whatsoever of the alcohol from this premises the moment it leaves the threshold of the store. Once the sale is complete there is nothing the store can do as a customer leaves. They cannot dictate where that customer goes with their purchase. Consumption on the street or even in the parks would contribute to alcohol fuelled incidents, noise nuisance, litter and increase risk to public safety. The City council are clearly concerned by public alcohol consumption as this area has been covered by a public spaces protection order and has been since 2019 and the order is currently on it's 2nd extension until 2025.

Therefore this licence would contradict efforts to restrict public alcohol consumption and would only increase the likelihood of public intoxication in the streets and the parks.

All factors combined the premises will only have a negative impact on this area of the city particularly in the evenings.

Since the application has been received I have sent the applicant an e-mail stating my intention to submit a representation against it. I advised that the main concern is the time and requested conditions be offered to support the licensing objectives as well. Following the initial e-mail I sent a follow up chasing a reply as well.

To date I have not had no response, so I am concerned too by the lack of engagement from the applicants. I would suggest it is imperative to work and engage with the responsible authorities at such a critical phase for them.

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

Police recommendations (including any conditions)

It is the recommendation of the police to refuse the application.

The measures offered within Section M of the application are not worded particularly well and the measures suggested are not enforceable or measurable. For example staff are to be trained regularly. This wording should be avoided as the word 'regularly' is too vague. Should the licence be granted the following conditions would be sought to added to the premises licence.

The sale of alcohol and opening hours of the premises to be no later than 2100 hours 7 days a week. If the opening hours are permitted longer than the licensable period the condition below in brackets is requested as well as all those below.

Form for representations/objections from Hampshire Constabulary

(All display units for alcohol will have lockable shutters, which will be closed and locked at the end of permitted hours for the sale of alcohol, and will not be unlocked again whilst the premises is open until the start of the authorised licensed hours on the following day)

1) The premises licence holder shall ensure that a system is in place to ensure that every individual who appears to be under 25 years of age seeking to purchase or be supplied with alcohol at or from the premises, shall produce acceptable means of identification and age confirmation. Acceptable identification shall be a passport, photo driving licence or PASS accredited photo ID. 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.

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

3) No single or any number of loose cans of any alcoholic beverage are to be sold to customers. No sales of any wine, prosecco or champagne bottles 200ml or under are to be sold at the premises. Any cans of beer, cider or any other form of pre-mixed drink must only be sold as a multi-pack as provided by the manufacturer and with a minimum size of 4.

4) No single shot drinks or spirit 25/50ml drinks are to be sold at the premises.

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

CCTV warning signs to be fitted in public places.

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

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 31 days.

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

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

There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered must be in a format that can be viewed on readily available equipment without the need for specialist software.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Hampshire Police Licensing Unit within 24 hours, and arrangements made to repair the fault without delay.

A competent trained person in the use of and operation of the CCTV must be in attendance at the premises at all times that licensable activities take place and there must be a person present, nominated by the data controller, who is able to fully operate the CCTV system to be able to download at the times of the visit onto a CD/DVD/USB stick or digitally send any information lawfully requested by any Responsible Authority.

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

**Form for representations/objections
from Hampshire Constabulary**

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

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

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

This record will be retained for 12 months

7) No item shall be on display that encourages or promotes the use of taking drugs or psychoactive substances. This shall include 'poppers' and any paraphernalia that displays cannabis logos.

8) A written or digital 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 DPS.

The refusals log will be kept and maintained at the premises at all times 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.

9) A training package shall be in place in order for all staff involved with the sale or supply of alcohol to be sufficiently trained in licensing matters proportionate to their role and aware of their responsibilities. Particular attention should be paid to underage sales / ID verification, the refusal of alcohol sales to a drunk person, proxy sales and identifying potentially vulnerable persons. The training should include the process to record incidents and refusals and impart knowledge of the conditions of the premises licence. Records shall be kept of this training, dated and signed by the staff member and trainer, with refresher training intervals of no greater than 6 months. This training must be made available for inspection from Police and other responsible authorities immediately upon request.

Lastly :-

Clarity to be sought regarding the plan submitted with the licence as well regarding the 'Polar Slush'. I am aware that alcohol slush drinks are available and it would be objected to being sold at the premises if the licence holder has aspirations to do so.

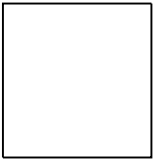
Signature of Officer Completing

Name Lee Scott

Collar Number: 25597

Signature: 

Date: 25/05/2023



Form for representations/objections from Hampshire Constabulary

Signature of Authorising Officer

| | | | |
|------------|-------------------|----------------|-------------------|
| Name | <u>S Jackson</u> | Collar Number: | <u>3354</u> |
| Signature: | <u>[REDACTED]</u> | Date: | <u>25/05/2023</u> |

From: [Young, Tricia](#) on behalf of [Licensing](#)
To: [Idox DMS Licensing](#)
Subject: FW: Representation - VNG Stores LTD 182 Above Bar Street - 2023/01618/01SPRN - Police Rep
Date: 25 May 2023 14:23:28
Attachments: [G89 VNG STORES.doc](#)

From: Scott, Lee (25597) [REDACTED] >
Sent: Thursday, May 25, 2023 12:56 PM
To: Licensing [REDACTED] >; info@personallicencecourses.com
Cc: Jackson, Stuart (3354) [REDACTED] >
Subject: Representation - VNG Stores LTD 182 Above Bar Street

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Good afternoon Licensing,

Hampshire Constabulary wish to raise a representation against the premises licence application for VNG Stores Ltd at 182 Above Bar Street Southampton. I have CC'd in the applicants to raise awareness of this representation however have previously sent two e-mails without reply.

Can you kindly acknowledge receipt of this e-mail.

Kind regards
Lee Scott

*PC 25597
Lee Scott
Licensing & Alcohol Harm Reduction Team
Southampton Central Police Station
EXT: 4744226*

[REDACTED]

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.

**Licensing Team
Southampton and Eastleigh Licensing Partnership**



Southampton City Council
Civic Centre,
Southampton
SO14 7LY

Direct dial: 023 8083 3002
Our ref: 2023/01618/01SPRN

E-mail: licensing@southampton.gov.uk
Please ask for: Mr. Bates

Licensing Team,
Southampton and Eastleigh Licensing Partnership,
Civic Centre,
Southampton.
SO14 7LY

25th May 2023

Dear Sir or Madam,

Application by VNG Stores Ltd., for a premises licence pursuant to the Licensing Act 2003

I am writing on behalf of the Licensing Authority, as a Responsible Authority, to make a representation on the premises licence application for the above premises.

I consider the application will impact on the licensing objectives of: -

- The prevention of crime and disorder
- The prevention of public nuisance

The applicant is seeking to provide off sales of alcohol from 7am to 11:30pm Monday to Thursday, from 7am to 00:30 Friday and Saturday and 7am to 11pm on Sundays.

There is an increasing number of people living on the streets in the city centre and a number have alcohol and drug issues. The application states it will be policy not to serve drunks but does not address the issue of serving to people who will, given the opportunity, start drinking at 7am and continue through the day, becoming drunk and causing public nuisance. A condition restricting the sale of single cans and restrictions on high strength beers and ciders will be required to address this area.

Above Bar Street is one of the busiest streets in Southampton for both shopping and entertainment. The northern section has undergone a transformation in recent years with the introduction of the cultural quarter including a theatre and art gallery with a range of food led licensed premises to support the area. This is alongside the more traditional licensed premises already located in the street that support a vibrant nightlife with a mix of late night venues. The vast majority of the licensed premises within the Above Bar Street Cumulative Impact Policy stress area are in the northern section.

Despite significant reductions the area still suffers from alcohol related crime, disorder and public nuisance. The evidence used to support the stress area relates to crime and disorder levels after 7pm. The area is already densely populated with licensed venues, the majority of which provide sale by retail on the premises where customers are monitored. These other premises employ security to support the licensing objectives. A lot of this work will be undermined by the presence of an off licence where alcohol is sold as the individual is then not monitored as they consume the alcohol.

Southampton Street Pastors provide evidence of a significant amount of bottles found around the night time economy area which suggests people are pre-loading with alcohol before attending venues. They also report high levels of intoxication in the area at night. The provision of another off sales in the area is likely to exacerbate this issue.

To address this I would recommend alcohol sales finish no later than 9pm and at that point the alcohol is locked away out of view.

I have seen the objection raised by the police and support the proposals made out in their objection.

Yours faithfully,

A black rectangular redaction box covering the signature of Phil Bates.

Phil Bates
Licensing Manager

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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Agenda Item 7

Appendix 1

From: [Scott, Lee \(25597\)](#)
To: [Licensing](#)
Cc: [McGuinness, Ian](#)
Subject: E-mail chain for hearing VNG Stores
Date: 09 June 2023 10:08:07

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Good morning licensing,

Can the below e-mails sent to the representative of the applicant for VNG store premises licence be added to the hearing pack for the benefit of the committee. These e-mails were sent 11 days apart during the consultation period. These are the ones that I refer to where I state I have had no reply when I sent in my representation.

Many thanks
PC 25597
Lee Scott

From: Scott, Lee (25597)
Sent: 23 May 2023 11:05
To: info@personalllicencecourses.com
Cc: Licensing <Licensing@southampton.gov.uk>
Subject: FW: Premises License Application - VNG STORES LTD - 128 ABOVEBAR STREET, SOUTHAMPTON SO14 7DU

Good afternoon,

I write again to request to see if you have any comment regarding my approach to yourself and your client regarding the premises licence application below.

You will be all too aware this is a time limited matter.

Many Thanks
Lee Scott

From: Scott, Lee (25597)
Sent: 12 May 2023 21:51
To: info@personalllicencecourses.com
Cc: Licensing <Licensing@southampton.gov.uk>; Phil Bates [REDACTED]
Subject: RE: Premises License Application - VNG STORES LTD - 128 ABOVEBAR STREET, SOUTHAMPTON SO14 7DU

Good evening Mr Panchal,

I write to you regarding the application for a new premises licence at 128 Above Bar Street – VNG Store.

Before I enter into consultation with you or your client regarding this premises licence I am writing to advise that I will be submitting a representation against this premises licence initially regarding the hours.

The latest for this premises I would accept would be 2100.

This location is within a cumulative impact area as set out by the Southampton city council statement of licensing policy and the measures offered within section M are poor. This premises is opposite the biggest nightclub in the city and near to other large premises in an area with increased night time economy related crime and disorder.

Please can you advise if your client will be willing to accept 2100 as the terminal hour and what other voluntary conditions are you considering at the premises.

It is disappointing we could not have had these discussions pre-application as per the 182 guidance suggests.

I look forward to hearing from you.

Regards

Lee Scott

PC 25597

Lee Scott

Licensing & Alcohol Harm Reduction Team

Southampton Central Police Station

EXT: [REDACTED]

[REDACTED]

[REDACTED]

From: [Scott, Lee \(25597\)](#)
To: info@personallicencecourses.com
Cc: [Licensing](#)
Subject: VNG premises licence - 182 Above Bar Street Southampton
Date: 09 June 2023 10:35:19
Attachments: [ABOVE BAR STREET NTE 2020-22.pdf](#)

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Good morning Mr Panchal,

Thank you for your time on the phone yesterday. I was pleased you were free when I called to finally have some correspondence with you regarding the VNG premises licence application. I was disappointed to learn from you that you were too busy to reply to my e-mails during the consultation period for the premises licence application, a feeling that will be echoed by your client I am sure.

I am still not satisfied that this premises will uphold the licensing objectives and meet the requirements of the cumulative impact policy.

Please see the attached document, you'll note I have copied in the licensing authority in order for this e-mail and the document to be included in the hearing report.

Kind regards
Lee Scott

PC 25597

Lee Scott

Licensing & Alcohol Harm Reduction Team

Southampton Central Police Station

EXT: [REDACTED]

[REDACTED]

[REDACTED]



OFFICIAL



HAMPSHIRE & ISLE OF WIGHT
CONSTABULARY

Above Bar Street – Night Time Economy

01/01/2020 – 31/12/2022

Date: June 2023

Version Control: 1

Above Bar Street

This area (Cumulative Impact Policy Zone 2) covers the main commercial street in the district but the northern end has NTE venues in the Guildhall Square area. The area makes up 0.2% of the district (0.11km²).

In 2020, 17% of NTE offences were within the zone, followed by 17% in 2021 and 21% in 2022. In 2022, there were more drugs possession offences linked to the NTE in Zone 2 than in areas not within a zone in the district (27% compared to 22% not in a zone). In 2021, it had 29% of weapons possession offences.

The proportion of NTE offences within Zone 2 has increased from 2021 to 2022 (17% to 21%). Whereas, this decreased in Zone 1 (27% to 25%).

Weapons possession offences had a higher proportion in 2021 at 29% which reduced to 19% in 2022. Other sexual offences have also increased (14% in 2020, 23% in 2021 and 26% in 2022). See Appendix 1 and 2 for more detail.

Saturday night has the highest volume of offences (140, 48%), followed by Friday (82, 28%). Offences are more spread across the evening than in Zone 1 from 22:00 to 04:59 with peaks at 01:00 and 02:00.

Figure 1: Zone 2 - Above Bar with NTE Heat Map

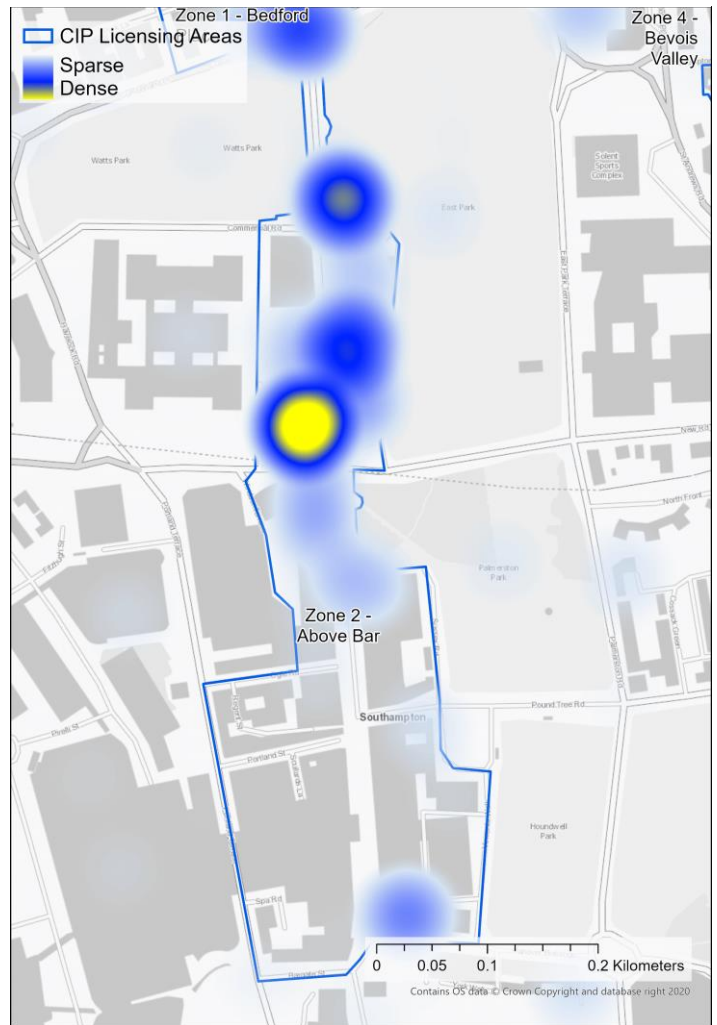
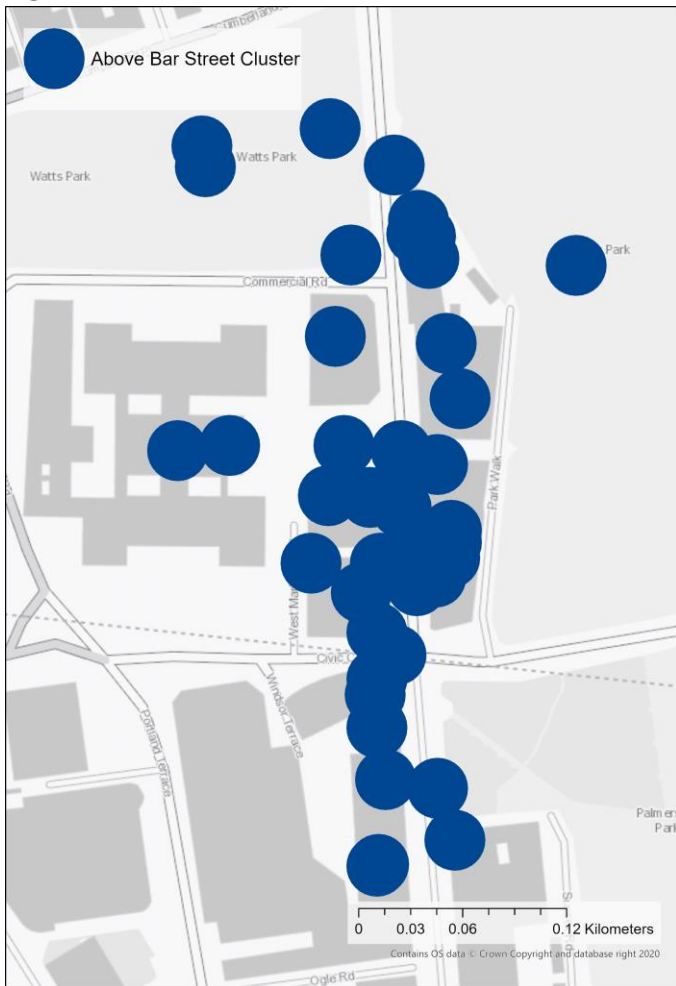


Table 1: Temporal Analysis of NTE Offences in Zone 2 in 2022

| Day/Time | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 00 | 01 | 02 | 03 | 04 | 05 | Total |
|--------------------|----------|----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------|
| Monday-Tuesday | 0 | 2 | 0 | 0 | 1 | 2 | 1 | 0 | 1 | 0 | 3 | 5 | 0 | 15 |
| Tuesday-Wednesday | 0 | 0 | 1 | 1 | 0 | 1 | 2 | 1 | 0 | 0 | 3 | 0 | 1 | 10 |
| Wednesday-Thursday | 2 | 0 | 0 | 0 | 0 | 3 | 1 | 1 | 8 | 1 | 0 | 0 | 0 | 16 |
| Thursday-Friday | 0 | 0 | 2 | 1 | 2 | 1 | 1 | 2 | 1 | 3 | 1 | 1 | 0 | 15 |
| Friday-Saturday | 0 | 2 | 6 | 4 | 1 | 5 | 11 | 10 | 15 | 17 | 7 | 4 | 0 | 82 |
| Saturday-Sunday | 2 | 3 | 5 | 4 | 5 | 10 | 17 | 5 | 21 | 31 | 18 | 10 | 9 | 140 |
| Sunday-Monday | 0 | 0 | 0 | 0 | 2 | 2 | 2 | 2 | 3 | 1 | 3 | 0 | 0 | 15 |
| Total | 4 | 7 | 14 | 10 | 11 | 24 | 35 | 21 | 49 | 53 | 35 | 20 | 10 | 293 |

Figure 2: Identified Cluster of 2022 NTE Offences



Density Based Clustering

An alternative mapping method was used to identify clusters of offences based on density rather than mapping them to areas already identified.

This method created clusters using 2022 NTE offence data by highlighting areas with 36 or more offences where the offences are no more than 100m apart. This highlights an area on Above Bar Street.

The tables below show Zone 2 (Above Bar Street) in comparison to other CIP zones.

- Zone 1 – Bedford Place
- Zone 2 – Above Bar
- Zone 3 – High St, Oxford St and Town Quay
- Zone 4 – Bevois Valley
- Zone 5 – West Quay / Leisure World

Table 2: NTE Offences by Zone and Crime Type in 2021

| Crime Type | No Zone | Zone 1 | Zone 2 | Zone 3 - High St | Zone 3 - Oxford St | Zone 3 - Town Quay | Zone 4 | Zone 5 | Total |
|-------------------------|------------------|-----------------|-----------------|------------------|--------------------|--------------------|----------------|----------------|--------------|
| Violence with Injury | 113 (48%) | 34 (15%) | 43 (18%) | 7 (3%) | 4 (2%) | 3 (1%) | 18 (8%) | 11 (5%) | 447 |
| Violence without Injury | 76 (48%) | 28 (18%) | 28 (18%) | 13 (8%) | 3 (2%) | 1 (1%) | 5 (3%) | 6 (4%) | 315 |
| Rape | 8 (80%) | 0 (0%) | 0 (0%) | 1 (10%) | 0 (0%) | 0 (0%) | 0 (0%) | 1 (10%) | 24 |
| Other Sexual Offences | 8 (28%) | 4 (14%) | 4 (14%) | 4 (14%) | 0 (0%) | 1 (3%) | 2 (7%) | 6 (21%) | 69 |
| Possession of Drugs | 9 (64%) | 1 (7%) | 1 (7%) | 0 (0%) | 0 (0%) | 0 (0%) | 0 (0%) | 3 (21%) | 17 |
| Weapons Offences | 4 (36%) | 3 (27%) | 0 (0%) | 1 (9%) | 0 (0%) | 0 (0%) | 1 (9%) | 2 (18%) | 17 |
| Public Order | 32 (48%) | 7 (11%) | 15 (23%) | 5 (8%) | 2 (3%) | 1 (2%) | 3 (5%) | 1 (2%) | 170 |
| Total | 250 (48%) | 77 (15%) | 91 (17%) | 31 (6%) | 9 (2%) | 6 (1%) | 29 (6%) | 30 (6%) | 1,059 |

Table 3: NTE Offences by Zone and Crime Type in 2022

| Crime Type | No Zone | Zone 1 | Zone 2 | Zone 3 - High St | Zone 3 - Oxford St | Zone 3 - Town Quay | Zone 4 | Zone 5 | Total |
|-------------------------|------------------|------------------|------------------|------------------|--------------------|--------------------|----------------|----------------|--------------|
| Violence with Injury | 192 (35%) | 143 (26%) | 119 (21%) | 12 (2%) | 34 (6%) | 0 (0%) | 37 (7%) | 18 (3%) | 555 |
| Violence without Injury | 151 (33%) | 110 (24%) | 111 (24%) | 13 (3%) | 34 (7%) | 1 (0%) | 27 (6%) | 14 (3%) | 461 |
| Rape | 11 (52%) | 1 (5%) | 3 (14%) | 2 (10%) | 0 (0%) | 0 (0%) | 3 (14%) | 1 (5%) | 21 |
| Other Sexual Offences | 27 (27%) | 30 (30%) | 26 (26%) | 1 (1%) | 3 (3%) | 0 (0%) | 11 (11%) | 3 (3%) | 101 |
| Possession of Drugs | 9 (22%) | 15 (37%) | 11 (27%) | 0 (0%) | 1 (2%) | 0 (0%) | 4 (10%) | 1 (2%) | 41 |
| Weapons Offences | 13 (42%) | 10 (32%) | 6 (19%) | 0 (0%) | 0 (0%) | 0 (0%) | 2 (6%) | 0 (0%) | 31 |
| Public Order | 117 (53%) | 44 (20%) | 22 (10%) | 6 (3%) | 11 (5%) | 4 (2%) | 8 (4%) | 9 (4%) | 221 |
| Total | 520 (36%) | 353 (25%) | 298 (21%) | 34 (2%) | 83 (6%) | 5 (0%) | 92 (6%) | 46 (3%) | 1,431 |