

DECISION-MAKER LICENSING (LICENSING & GAMBLING) SUB COMMITTEE

SUBJECT HEARING TO CONSIDER AN APPLICATION FOR GRANT OF A PREMISES LICENCE – Avenue Road Local 92 Avenue Road Southampton SO14 6TX

DATE OF HEARING Wednesday 03 February 2021 16.00

REPORT OF SERVICE DIRECTOR – COMMUNITIES,CULTURE AND HOMES

E-mail licensing@southampton.gov.uk

Application Date : 11th December 2020 Application Received 11th December 2020

Application Valid : 11th December 2020 Reference : **2020/04133/01SPRN**



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Representations from Responsible Authorities

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

| | | |
|------------------------------|---|-------------------------|
| Building Control | No Response | |
| Public Health Manager | No Response | |
| Police - Licensing | Agreed Conditions | |
| Trading Standards | No Response | |
| | | |
| Other Representations | | |
| Name | Address | Contributor Type |
| Mr. Alejandra Recio | 148 Earls Road Southampton SO14 6TX | Resident |
| Mr Philip Steart | 76 Gordon Avenue Southampton SO14 6WD | Resident |
| | | |
| Ms. Susan Swallow | 78 Gordon Avenue Southampton SO14 6WD | Resident |
| Mr. Chris Jackson | 100 Alma Road Southampton SO14 6UW | Resident |
| Mrs Julia Webb | 101 Alma Road Southampton SO14 6UY | Resident |
| Ms. Anita Hockey | 35 Cambridge Road Portswood Southampton SO14 6TA | Resident |

| | | |
|----------------------------------|---|-----------------|
| Mr. S Afzal | 82 Gordon Avenue Southampton SO14 6TA | Resident |
| Dr Sarah Hall | 2 Wykeham Close Southampton SO16 7LZ | Resident |
| Ms. Hilary Jackson | 39 Gordon Avenue Southampton SO14 6WH | Resident |
| Ms. Linda Pritchard | 54 Gordon Avenue Portswood Southampton SO14 6WD | Resident |
| Mr Michael Ryan | 82 Cambridge Road Southampton SO14 6WA | Resident |
| Mrs Barbro Fitzjohn | 104 Alma Road Southampton SO14 6UW | Resident |
| Maggie O'Connor and Mike Bell | 60 Gordon Ave Southampton SO14 6WD | Resident |
| Ms Josephine Dahle | 88 Gordon Avenue Portswood Southampton SO14 6WD | Resident |
| Ms. Cath Wigham | 146 Earls Road Southampton SO14 6TL | Resident |
| Mrs Barbara Matcham | First Floor Flat 69 Alma Road Southampton SO14 6UQ | Resident |
| | | |

| | | |
|------------------------|--|--|
| Mr. John Hayward | OARA Chair 43 Avenue Road Southampton SO14 6TW | Local Neighbourhood Group |
| Ms. Ann Woolnough | 9 Avenue Road Southampton SO14 6TR | Resident |
| Miss Suzanne Wright | 132 Earls Road Southampton SO14 6TL | Resident |
| Mr. Nigel Barnes-Evans | 75 Avenue Road Southampton SO14 6TW | Resident |
| Mr John Eastmond | 8 Livingstone Road Southampton SO14 6WN | Resident |
| Cllr Jacqui Rayment | Councillor For Bevois Ward Southampton City Council Civic Centre SO14 7LY | Ward Councillor |
| | | |

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 affects another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.

Copies of the application for 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

| | |
|---------------------------------------|-------------------------|
| Applicant | <i>Agni Retails Ltd</i> |
| Designated Premises Supervisor | Mothilal Kailasanathan |

Licensable Activities.

Supply by retail of alcohol

| | |
|-----------|---------------|
| Monday | 06:00 - 23:00 |
| Tuesday | 06:00 - 23:00 |
| Wednesday | 06:00 - 23:00 |
| Thursday | 06:00 - 23:00 |
| Friday | 06:00 - 23:00 |
| Saturday | 06:00 - 23:00 |
| Sunday | 06:00 - 23:00 |

Conditions consistent with the operating Schedule

1 SINGLE CANS & ABV

No single cans of beers ciders or lager shall be sold to customers.

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.

2 CCTV

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

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

The recording equipment shall be stored and operated in a secure environment with limited access, to avoid damage, theft, unauthorised viewing and maintain the integrity of the system.

The system shall be serviced at twelve monthly intervals and maintained to a standard that is acceptable to the police licensing department responsible for the area.

The system clock shall be checked regularly for accuracy taking account of GMT and BST.

Digital systems shall have sufficient storage capacity for 28 days evidential quality recordings (minimum 4 frames per second).

The images produced shall be date and time stamped.

A notice shall be displayed at the entrance to the premises advising that CCTV is in operation.

An additional recording CCTV camera shall be installed and fully operational whilst the venue is open to the public to cover the area immediately outside the front of the premises.

It is important that the Police are able to access data from the systems quickly and easily and therefore provision shall be made that at all times a person is in attendance who is nominated by the data controller who has access to the secure area who is able to operate the equipment

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

Have a simple operator's manual available to assist in replaying and exporting data (particularly important with digital systems) and to produce images to the police

responsible authority for the purpose of the prevention and detection of crime as long as

the request is lawful and complies with the data protection Act.

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

3 REFUSALS & INCIDENT BOOK

A written log shall be kept of all incidents & refusals including refusals to sell alcohol.

The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the venue manager/manageress.

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

The record of incidents & refusals will be retained for 12 months.

4 CHALLENGE 25

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

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

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

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

5 STAFF TRAINING

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

The applicant has agreed conditions required by the police for their application and these are shown above. Additional conditions on the operating schedule include:

- Spirits will be displayed behind the counter and will not be self service.
- Prominent, clear notices shall be displayed at all exit points to advise customers to respect the needs of the local community and of acceptable behaviour in public spaces when leaving the premises
- The premises staff shall ensure the pavement outside the premises will be swept daily.

Included In Report

Application

Plan

Police Agreed Conditions

21 Public Representations

1 Ward Councillor Representation
Licensing Statement Police
Hearing Procedures

Licensing Team, Southampton City Council, Civic Centre,
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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 AGNI RETAILS LIMITED

(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 | | | |
| AVENUE ROAD LOCAL 92 AVENUE ROAD PORTSWOOD | | | |
| Post town | SOUTHAMPTON | Postcode | SO14 6TX |

| | |
|---|-------|
| Telephone number at premises (if any) | |
| Non-domestic rateable value of premises | £6100 |

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) |

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

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

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SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | | |
|---|------------------------------|-------------------------------|--|--------------------------------|--|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| Date of birth | | | I am 18 years old or over <input type="checkbox"/> Please tick yes | | |
| Nationality | | | | | |
| Current postal 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 AGNI RETAILS LIMITED |
| Address 205 TWYFORD AVENUE PORTSMOUTH PO2 8JA |
| Registered number (where applicable) 09921193 |
| Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY |
| Telephone number (if any) |
| E-mail address (optional) |

Part 3 Operating Schedule

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When do you want the premises licence to start?

| DD | MM | YYYY |
|----|----|-------------|
| 0 | 9 | 0 1 2 0 2 1 |

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

| DD | MM | YYYY |
|----|----|------|
| | | |

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

THESE ARE VACANT DERELICT RETAIL PREMISES WHICH ARE CURRENTLY UNDERGOING SUBSTANTIAL REFURBISHMENT TO CONVERT THIS OLD ELECTRICAL REPAIR SHOP INTO A MODERN STATE OF THE ART CONVENIENCE STORE DESIGNED TO SERVE THE LOCAL COMMUNITY AND THOSE FROM FURTHER AFIELD. THE RETAIL AREA IS TO BE IN EXCESS OF 730 SQ FT.

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

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A

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

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B

| | | | | | |
|---|-------|--------|--|----------|--------------------------|
| Films Standard days and timings (please read guidance note 7) | | | Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <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 | | | | | |

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C

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

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D

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

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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 | | | | | | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) | | |
| Thur | | | | | | | | |
| Fri | | | | | | <u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| Sat | | | | | | | | |
| Sun | | | | | | | | |

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F

| | | | | | |
|--|-------|--------|--|----------|--------------------------|
| Recorded music Standard days and timings (please read guidance note 7) | | | Will the playing of recorded music 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 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 | | | | | |

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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 | | | | | |

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H

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

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I


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

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J

| | | | | | | | | |
|---|-------|--------|--|------------------|-------------------------------------|---|--|--|
| Supply of alcohol Standard days and timings (please read guidance note 7) | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 8) | On the premises | <input type="checkbox"/> | | | |
| | | | | Off the premises | <input checked="" type="checkbox"/> | | | |
| | | | | Both | <input type="checkbox"/> | | | |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 5) | | | | | |
| Mon | 06.00 | 23.00 | | | | | | |
| | | | | | | | | |
| Tue | 06.00 | 23.00 | | | | | | |
| | | | | | | | | |
| Wed | 06.00 | 23.00 | | | | | | |
| | | | | | | | | |
| Thur | 06.00 | 23.00 | | | | Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| | | | | | | | | |
| Fri | 06.00 | 23.00 | | | | | | |
| | | | | | | | | |
| Sat | 06.00 | 23.00 | | | | | | |
| | | | | | | | | |
| Sun | 06.00 | 23.00 | | | | | | |
| | | | | | | | | |

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

| |
|---|
| Name MOTHILAL KAILASANATHAN |
|  |
| Personal licence number (if known) 09/00266/LAPER |
| Issuing licensing authority (if known) RUSHMOOR BOROUGH COUNCIL |

Licensing Team, Southampton City Council, Civic Centre,
Southampton, SO14 7LY.

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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 | 06.00 | 23.00 | Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) |
| | | | |
| Tue | 06.00 | 23.00 | |
| | | | |
| Wed | 06.00 | 23.00 | |
| | | | |
| Thur | 06.00 | 23.00 | |
| | | | |
| Fri | 06.00 | 23.00 | |
| | | | |
| Sat | 06.00 | 23.00 | |
| | | | |
| Sun | 06.00 | 23.00 | |
| | | | |

Licensing Team, Southampton City Council, Civic Centre,
Southampton, SO14 7LY.

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. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of internal training prior to them being authorised to sell or supply alcohol.
2. The premises licence guidance manual will be the basis of alcohol sales training.
3. Records of the training programme shall be maintained and made available to Authorised Officers upon request.
4. The Premises Licence holder shall provide a “refresher” training session to all relevant staff members as and when deemed necessary on a case by case evaluation, but as a minimum requirement the refresher training session shall be provided to all staff on at least one occasion every twelve months.
5. The CCTV policy shall incorporate the following basic requirements:
 - Be switched on and fully operational when the licensable activities are being carried out.
 - Record for a minimum rolling period of 31 days
 - Have a camera covering any entrance which will provide a facial shot of identification quality.
 - Have a means of copying any footage to another medium as evidence if requested by the Police
6. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person whose age is unknown to the person serving who and appears to be under the age of 25 years and is seeking to purchase alcohol for consumption on/off the premises. Such credible evidence, which shall include a photograph of the customer, will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.
7. A refusal log will be kept and maintained to record the refusal of alcohol beverages to underage or intoxicated persons. The details collated will include a description of the individual refused, the date and time, the details of the product refused, the reason for refusal and the name of the staff member
8. Prominent, clear notices shall be displayed at all exit points to advise customers to respect the needs of the local community and of acceptable behaviour in public spaces when leaving the premises.
9. Spirits will be displayed behind the counter and will not be self service.
10. The premises staff shall ensure the pavement outside the premises will be swept daily.

Licensing Team, Southampton City Council, Civic Centre,
Southampton, SO14 7LY.

b) The prevention of crime and disorder

1. The Premises Licence holder shall provide a "refresher" training session to all relevant staff members as and when deemed necessary on a case by case evaluation, but as a minimum requirement the refresher training session shall be provided to all staff on at least one occasion every twelve months.
2. The CCTV policy shall incorporate the following basic requirements:
 - Be switched on and fully operational when the licensable activities are being carried out.
 - Record for a minimum rolling period of 31 days
 - Have a camera covering any entrance which will provide a facial shot of identification quality.
 - Have a means of copying any footage to another medium as evidence if requested by the Police
3. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person whose age is unknown to the person serving and who appears to be under the age of 25 years and is seeking to purchase alcohol for consumption on/off the premises. Such credible evidence, which shall include a photograph of the customer, will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.
4. Spirits will be displayed behind the counter and will not be self service.

c) Public safety

1. The CCTV policy shall incorporate the following basic requirements:
 - Be switched on and fully operational when the licensable activities are being carried out.
 - Record for a minimum rolling period of 31 days
 - Have a camera covering any entrance which will provide a facial shot of identification quality.
 - Have a means of copying any footage to another medium as evidence if requested by the Police
2. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person whose age is unknown to the person serving and who appears to be under the age of 25 years and is seeking to purchase alcohol for consumption on/off the premises. Such credible evidence, which shall include a photograph of the customer, will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.

d) The prevention of public nuisance

1. Prominent, clear notices shall be displayed at all exit points to advise customers to respect the needs of the local community and of acceptable behaviour in public spaces when leaving the premises.
2. The premises staff shall ensure the pavement outside the premises will be swept daily.

Licensing Team, Southampton City Council, Civic Centre,
Southampton, SO14 7LY.

e) The protection of children from harm

1. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of internal training prior to them being authorised to sell or supply alcohol.
2. The premises licence guidance manual will be the basis of alcohol sales training.
3. Records of the training programme shall be maintained and made available to Authorised Officers upon request.
4. The Premises Licence holder shall provide a "refresher" training session to all relevant staff members as and when deemed necessary on a case by case evaluation, but as a minimum requirement the refresher training session shall be provided to all staff on at least one occasion every twelve months.
5. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person whose age is unknown to the person serving and who appears to be under the age of 25 years and is seeking to purchase alcohol for consumption on/off the premises. Such credible evidence, which shall include a photograph of the customer, will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.
6. A refusal log will be kept and maintained to record the refusal of alcohol beverages to underage or intoxicated persons. The details collated will include a description of the individual refused, the date and time, the details of the product refused, the reason for refusal and the name of the staff member

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X
- [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). X


Licensing Team, Southampton City Council, Civic Centre,
Southampton, SO14 7LY.

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.**

| | |
|---------------------------|--|
| <p>Declaration</p> | <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 any conditions preventing him or her from doing work relating to the carrying on of a licensable activity) and I have seen a copy of his or her proof of entitlement to work in the UK (if appropriate (please see note 15)) |
| <p>Signature</p> |  |
| <p>Date</p> | <p>11th DECEMBER 2020</p> |
| <p>Capacity</p> | <p>AGENT</p> |

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.**

Licensing Team, Southampton City Council, Civic Centre,
Southampton, SO14 7LY.

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

| | | | |
|--|------------|----------|----------|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) RICHARD BAKER RB RETAIL & LICENSING SERVICES LIMITED 23 MAGISTER DRIVE LEE ON THE SOLENT | | | |
| Post town | PORTSMOUTH | Postcode | PO13 8GE |
| Telephone number (if any) | [REDACTED] | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED] | | | |

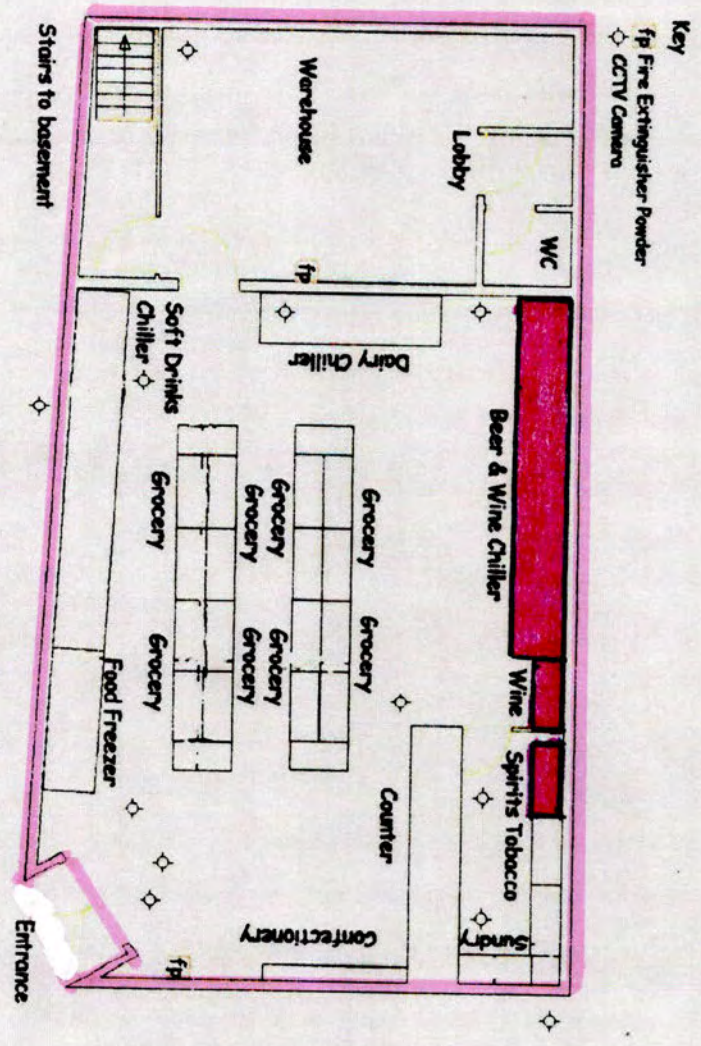
Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.



RB Retail & Licensing
Services Limited

Avenue Road Local
92 Avenue Road
Portswood
Southampton
SO14 6TX
Scale- 1:100
Drawing Reference: RB/1951
Drawn by: R Baker RB Retail & Licensing
10th December 2020



All retail selling areas to be licensed for alcohol display. Copyright – RB Retail & Licensing Services Limited, 23 Magister Drive, Lee on the Solent, Portsmouth PO123 8GF, Site dimensions to be used at all times

From: Hawley, Mark,25491
To: [REDACTED]
Subject: FW: New premises licence application documents, Avenue Road Local, 92 Avenue Road, Portswood, Southampton, SO14 6TX
Date: 16 December 2020 11:26:19
Attachments: [Premises licence application - Avenue Road Local.pdf](#)

Dear Licensing,

Please find agreed conditions below in my email dated 14th December at 14:03hrs in bold font to the application for the above premises. We make representation on the application but based on the amendments a hearing is not necessary.

Kind regards

Mark

From: Richard Baker [mailto:[REDACTED]]
Sent: 16 December 2020 10:16
To: Hawley, Mark,25491 [REDACTED]
Subject: RE: New premises licence application documents, Avenue Road Local, 92 Avenue Road, Portswood, Southampton, SO14 6TX

Morning Mark,

Hope you are well.

Just following from our telephone discussion yesterday afternoon re the above detailed new premises licence application and some conditions the Licensing Police offered for consideration.

The conditions listed below in your email of the 14th December at 14:03 hours (in blue) are all agreed with the applicant and therefore should the application be successful then the applicant accepts these will be legally enforceable conditions on his premises licence.

Please may I request I be copied in on any subsequent correspondence.

Re the Police concern for the number of premises where the applicant is currently specified as the DPS – the client intends on nominating an alternative DPS for the Andover store. I will update you further when I am in receipt of all the papers required for the variation application.

If I can assist further please call at any time.

Keep safe.

Kind regards

Richard

Richard Baker

Director

RB Retail & Licensing Services Limited

[REDACTED]
Richard W R Baker – RB Retail & Licensing Services Limited - Telephone: [REDACTED]
Facsimile: [REDACTED], All correspondence to: RB Retail & Licensing Services Limited - 23 Magister Drive, Lee on the Solent, Portsmouth, Hampshire, PO13 8GE. This email and any attachments or files transmitted with it are strictly confidential and intended solely for the named addressee. It may contain privileged and confidential information and if you are not the intended recipient you must not copy, distribute or use the communication in any other way. If you receive this email in error please contact the sender as soon as possible and delete the email and any attachments. We believe that this email is virus free but we cannot guarantee this. Recipients should therefore check for viruses and similar harmful devices and we cannot accept liability for any which may occur.

From: Richard Baker
Sent: 14 December 2020 21:33

To: [REDACTED]

Subject: RE: New premises licence application documents, Avenue Road Local, 92 Avenue Road, Portswood, Southampton, SO14 6TX

Hi Mark

Thanks for your email today.

Again my apologies for not contacting you pre application for the reason explained this afternoon.

I have forwarded the condition requested email across to the applicant for his information and will respond asap (hopefully at some point tomorrow).

I will call tomorrow re some thoughts on the DPS resolution as helpfully identified in your email below. I had already expressed similar thoughts to the applicant who was therefore already on the case to identify a suitable candidate to share the DPS responsibility.

Many thanks

Kind regards

Richard

Richard Baker

Director

RB Retail & Licensing Services Limited

Mobile: [REDACTED]

Richard W R Baker -- RB Retail & Licensing Services Limited - Telephone: [REDACTED],

Facsimile: [REDACTED], All correspondence to: RB Retail & Licensing Services Limited - 23

Magister Drive, Lee on the Solent, Portsmouth, ampshire, PO13 8GE. This email and any

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named addressee. It may contain privileged and confidential information and if you are not the

intended recipient you must not copy, distribute or use the communication in any other way. If

you receive this email in error please contact the sender as soon as possible and delete the email and any attachments. We believe that this email is virus free but we cannot guarantee this.

Recipients should therefore check for viruses and similar harmful devices and we cannot accept liability for any which may occur.

From: [REDACTED]

<[REDACTED]>

Sent: 14 December 2020 14:03

To: Richard Baker <[REDACTED]>

Subject: FW: New premises licence application documents, Avenue Road Local, 92 Avenue Road, Portswood, Southampton, SO14 6TX

Dear sir,

I am receipt of an application for a new premises licence for, Avenue Road Local, 92 Avenue Road, Southampton SO14 6TS.

Firstly can you kindly confirm how Mr Kailasanathan will be in day to day control of the premises? We have him listed as DPS at 3 other venues across the county and believe that a fourth will be a stretch too far for him to have day to day control over given time and distance.

The area of Portswood in Southampton does suffer from alcohol related crime and disorder and anti-social behaviour, the area itself is highly populated by students, close by are two supported housing locations serving both alcohol dependants and vulnerable persons with differing needs. As such, I would propose that formal conditions are added to the premises licence (should the licensing authority be minded to grant it).

Please reply on this string of mails for continuity

Kind regards

Mark

PC 25491 Mark HAWLEY

Licensing Officer

Licensing & Alcohol Harm Reduction Team

Southampton Central Neighbourhood Police Office

Southampton City Council

Civic Centre

Southampton

SO14 7LY

Office - [REDACTED]

VICTIM ADVICE

[Victim of Crime Leaflet](#) - Understanding the support you can expect.

[Victim Personal statement Leaflet](#) - A guide explaining the purpose of a personal statement.

[Victim Support Link](#) - This charity is a free and confidential provider of support to help victims move beyond the impact of crime.

[Restorative Justice Link](#) - This is an opportunity to speak face to face with the offender to ask questions or explain how it has affected you.

The conditions I propose are:

CCTV

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

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

The recording equipment shall be stored and operated in a secure environment with limited access, to avoid damage, theft, unauthorised viewing and maintain the integrity of the system.

The system shall be serviced at twelve monthly intervals and maintained to a standard that is acceptable to the police licensing department responsible for the area.

The system clock shall be checked regularly for accuracy taking account of GMT and BST.

Digital systems shall have sufficient storage capacity for 28 days evidential quality recordings (minimum 4 frames per second).

The images produced shall be date and time stamped.

A notice shall be displayed at the entrance to the premises advising that CCTV is in operation.

An additional recording CCTV camera shall be installed and fully operational whilst the venue is open to the public to cover the area immediately outside the front of the premises.

It is important that the Police are able to access data from the systems quickly and easily and therefore provision shall be made that at all times a person is in attendance who is nominated by the data controller who has access to the secure area who is able to operate the equipment

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

Have a simple operator's manual available to assist in replaying and exporting data (particularly important with digital systems) and to produce images to the police responsible authority for the purpose of the prevention and detection of crime as long as the request is lawful and complies with the data protection Act.

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

REFUSALS & INCIDENT BOOK

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

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

The record of incidents & refusals will be retained for 12 months.

STAFF TRAINING

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

CHALLENGE 25

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

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

If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person. 'Challenge 25' posters shall be displayed in prominent positions at the premises.

SINGLE CANS & ABV

No single cans of beers ciders or lager shall be sold to customers.

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.

From: Licensing & Alcohol Harm Reduction Team Mailbox

Sent: 11 December 2020 15:07

To: Hawley, Mark,25491 [REDACTED] >

Subject: FW: New premises licence application documents, Avenue Road Local, 92 Avenue Road, Portswood, Southampton, SO14 6TX

Hi Mark,

Please can you deal with this app, thanks Bob

From: Richard Baker [REDACTED]

Sent: 11 December 2020 06:43

To: licensing@southampton.gov.uk

Cc: Licensing & Alcohol Harm Reduction Team Mailbox <[REDACTED]>
[REDACTED]
[REDACTED]
[REDACTED]

Subject: New premises licence application documents, Avenue Road Local, 92 Avenue Road, Portswood, Southampton, SO14 6TX

Dear Licensing Officer,

I am a licensing and planning consultant acting on behalf of the applicants for the above attached application.

I would be grateful if a call can be made to me on the number below asap to collect the licence fee as the notices and newspaper dates are linked to the application commencing its consultation as from tomorrow.

Many thanks for your kind assistance.

Keep safe

Kind regards

Richard

Richard Baker

Director

RB Retail & Licensing Services Limited

Mobile: [REDACTED]

Richard W R Baker -- RB Retail & Licensing Services Limited - Telephone: [REDACTED], Facsimile: [REDACTED], All correspondence to: RB Retail & Licensing Services Limited - 23 Magister Drive, Lee on the Solent, Portsmouth, Hampshire, PO13 8GE. This email and any attachments or files transmitted with it are strictly confidential and intended solely for the named addressee. It may contain privileged and confidential information and if you are not the intended recipient you must not copy, distribute or use the communication in any other way. If you receive this email in error please contact the sender as soon as possible and delete the email and any attachments. We believe that this email is virus free but we cannot guarantee this. Recipients should therefore check for viruses and similar harmful devices and we cannot accept liability for any which may occur.

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Young, Tricia

From: Nigel [REDACTED]
Sent: 16 December 2020 10:01
To: Licensing
Subject: FW: Application objection

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

From: Nigel [REDACTED]
Sent: 16 December 2020 10:00
To: 'licensing@southampton.go.uk' <licensing@southampton.go.uk>
Subject: Application objection

Dear Sir/Madam,

Application 2020 04133/01SPRN

92, Avenue Road, Portswood (former Squirrels electrical shop)

I would like to object to the proposed off licence at 92, Avenue Road, Portswood.

The premises are in very poor condition and should be demolished as previously intended. They cause damp to the neighbours house at number 90, and lower the image of the area being very run down. I suggest you come and view them if you have not already. The premises do not enhance the area and are dangerous. Some of the frontage has fallen onto the pavement in the past.

There are numerous other sources of alcohol available in the local area. There are at least seven outlets within a small radius.

The location is at a busy crossroads junction, which has double-yellow lines and no parking spaces. It is a walking route to and from the local primary school. A commercial premises here would simply add to traffic congestion, cause litter, noise and possibly attract anti-social behaviour. The shop front is currently a meeting place for drinkers and as litter pickers in the area, we regularly clear the rubbish they leave in the entrance.

The proposed opening hours seem excessive...06.00 to 23.00. This will create noise and additional traffic throughout the day, especially in the evenings. It is a residential area. Most other commercial premises have been closed over the years, including two corner pubs, and the area is much better for it. To reverse this trend seems regrettable.

This premises has recently changed hands as the previous owner was not granted planning permission for residential development.

The local resident's association...OARA... also object to this application.

Please lodge this objection and send an acknowledge to me.

Very many thanks,

Nigel Barnes-Evans

75, Avenue Road.
SO14 6TW.



From:
To: [Licensing](#)
Subject: Objection to proposed Off Licence and Convenience store 92 Avenue Road
Date: 04 January 2021 17:35:45

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

Objection to planning proposal for 92, Avenue Road, Portswood (formerly Squirrels)

As residents of 26 years living nearby, we object to the planned new use for the redundant derelict building.

Other corner sites previously pubs or commercial premises in the neighbourhood have now been made into residential properties. Indeed, the previous owner intended to do the same with this plot. Has council policy changed in this respect?

We presume that the staff/owner will not live in the premises(!) or locally, so they will need to park a vehicle nearby no doubt. Parking is at premium already. Also, if security alarms go off out of hours, this will annoy residents and probably take a while to cancel if the owner lives miles away.

There are several other convenience stores and alcohol sellers in the nearby area and this one seems to offer nothing in terms of quality or variety.

Where will trade waste bins be located? Litter associated with drinking is already a problem in our area which we litter pick on a regular basis...we don't need any more !

How and when will deliveries be made?

There is no space for customer parking without using double yellow lines and causing a hazard at this junction.

The shop will be on a walking route to local schools.

There only appears to be one entrance /exit making this a security risk and dangerous for the assistant or customers if a dangerous situation develops.

They want the license to start on 9 January. I can't see the premises being significantly improved by then. Has it has a structural survey and electrical safety certificate for example? The neighbour suffers damp ingress from the leaking roof I believe. Parts of the frontage have fallen onto the pavement in recent months posing a risk to the public.

I could go on.

Nigel Barnes-Evans
75 Avenue Road
SO14 6TW

From: publicaccess@southampton.gov.uk
To: [Licensing](#)
Subject: Comments for Licensing Application 2020/04133/01SPRN
Date: 29 December 2020 12:56:37

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

Comments were submitted at 12:56 PM on 29 Dec 2020 from Miss Suzanne Wright.

Application Summary

Address: 92 Avenue Road Southampton SO14 6TX

Proposal: Premises Licence

Case Officer: Tricia Young

[Click for further information](#)

Customer Details

Name: Miss Suzanne Wright

Email: [REDACTED]

Address: 132 Earls Road, Southampton SO14 6TL

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 12:56 PM on 29 Dec 2020 Dear Reader,
I strongly object to the application on the grounds below, and my opinions are stated in good faith, having lived in the area for decades:

- Earls Road / Avenue Road is primarily a residential area, which also includes children, and which the OARA Residents Association continues to strive to nurture as a community space so far, for over a decade. Supplying alcohol plus associated goods like tobacco, does not support this ethos.
- Continuous disruption to traffic in an already constricted road / pavement space due to business activity of deliveries, and footfall.
- Constant increased noise due to very long opening times, seven days a week.
- Anti-social behaviour: as currently demonstrated by groups of people using the corner of 92 Avenue Road as a meeting place for drinking & smoking in the street, which also makes the area feel unsafe.
- Unnecessary business: the area is already over-subscribed with several shops already serving alcohol in walking distance of the premise. These are also quite rightly situated away from the residential area, as a main row of shops along main roads, notably Lodge Road, Bevois Valley Road, Portswood Road, Bannister Road. The area also does not

need any more 'healthy competition'.
- Increased litter from customers, plus placing public bins nearby on the pavement also look unsightly.

Yours faithfully,
Miss S. Wright

From: publicaccess@southampton.gov.uk
To: [Licensing](#)
Subject: Comments for Licensing Application 2020/04133/01SPRN
Date: 30 December 2020 15:08:22

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

Comments were submitted at 3:08 PM on 30 Dec 2020 from Mr John Eastmond.

Application Summary

Address: 92 Avenue Road Southampton SO14 6TX

Proposal: Premises Licence

Case Officer: Tricia Young

[Click for further information](#)

Customer Details

Name: Mr John Eastmond

Email: [REDACTED]

Address: 8 Livingstone Road, Southampton SO14 6WN

Comments Details

Commenter Type: Other

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 3:08 PM on 30 Dec 2020 I object to this application as there are several places nearby to buy alcohol already.

I also object because I believe the customers and their cars will cause a public nuisance in such a crowded residential area with narrow roads.

The deliveries to such an establishment will be very difficult because of the narrow Earls road with cars on either side of the road.

Also a group of people already congregate around that area drinking in the street and the presence of an off-licence will only encourage them.

From: publicaccess@southampton.gov.uk
To: [Licensing](#)
Subject: Comments for Licensing Application 2020/04133/01SPRN
Date: 31 December 2020 11:37:10

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

Comments were submitted at 11:37 AM on 31 Dec 2020 from Mrs Barbara Matcham.

Application Summary

Address: 92 Avenue Road Southampton SO14 6TX

Proposal: Premises Licence

Case Officer: Tricia Young

[Click for further information](#)

Customer Details

Name: Mrs Barbara Matcham

Email: [REDACTED]

Address: First Floor Flat, 69 Alma Road, Southampton SO14 6UQ

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 11:37 AM on 31 Dec 2020 I wish to strongly object to this application, I have lived in this area for over 30 years and have seen an enormous increase in the amount of street drinking, which this type of business encourages. This property is on the corner of Avenue and Earls Road, both very narrow with severe parking issues day and night, and parking restrictions directly outside the premises. Deliveries will be a problem, possibly blocking the road. There is an abundance of places to buy alcohol and groceries in the near vicinity i.e. Lodge Road and Portwood Road. There will be an enormous increase in refuse, where will the bins be kept, even if there is space within the boundaries of the property, it will have to be put on the pavement to be collected, the pavements are not wide enough to accommodate commercial bins.

From: publicaccess@southampton.gov.uk
To: [Licensing](#)
Subject: Comments for Licensing Application 2020/04133/01SPRN
Date: 03 January 2021 19:48:33

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

Comments were submitted at 7:48 PM on 03 Jan 2021 from Mrs Barbro Fitzjohn.

Application Summary

Address: 92 Avenue Road Southampton SO14 6TX

Proposal: Premises Licence

Case Officer: Tricia Young

[Click for further information](#)

Customer Details

Name: Mrs Barbro Fitzjohn

Email: [REDACTED]

Address: 104 Alma Road, Southampton SO14 6UW

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 7:48 PM on 03 Jan 2021 Within some 100 meters of 92 Avenue Road there are already at least 6 establishments with them right to sell alcohol. Although this is a residential area there are also many multiple occupancy houses and hostels for vulnerable people. Rising problems with drink and drugs is ever present. Car parking is also a near impossible by the corner of 92 Avenue road- Earls road. To seek licence from early morning to late in the evening to sell alcohol will cause havoc to this fragile area of the city.

From: [REDACTED]
To: [Licensing](#)
Subject: Application for Avenue Road Local, 92 Avenue Road, Southampton SO14 6TX - expires 08 January 2021
Date: 03 January 2021 18:05:34

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

Dear Licensing Team

Happy New Year.

My name is Alejandra Recio and my address is 148 Earls Road, SO14 6TL. I am writing about the application on Avenue Road Local, 92 Avenue Road, SO14, 6TX.

Living a few houses from the address above, I would like to write about the problems with the nature of the business described in the application.

On Earls Road, across 92 Avenue Road, there are four garages. One of them is my property. It is common, especially in good weather for groups of people to gather in front of these garages to drink and smoke. This is possible because since the garages are not directly attached to the houses, the driveways are quiet and allow people to sit and spend some time there. The problem with that is not only noise or disturbance, but also the amount of rubbish that you find periodically in front of these garages, especially broken glass bottles that are quite dangerous to leave on the pavement. I take care of the area of my driveway, and have now become used to sweeping cigarette butts, take-away containers, occasional vomit, and all the glass that's left there. To me, it is more important to avoid an accident than the nuisance of cleaning after someone else's parties. However, if this kind of problem happens without an off-license that is literally in front of these garages, it is very easy to think that the whole area will turn into a street party much more often if alcohol can be bought so close.

On normal non-covid times, Earls Road is a street used by a lot of school-aged children and many mornings I have thought about the messages that we give children with pavements that look like that. With the high street and Lodge Road so nearby, I question the need to set up this business in a place that will likely increase the number of reports to fix my street from residents in the area.

It would be fantastic to see a business in that corner, a place for residents to meet and have some food and spend time. With so many students in the area, a nice place with wi-fi will surely attract customers. I am sure there is potential for a cafe with a bookshop for instance. The space in 92 Avenue Road will offer more opportunity to the community if used for a different business than the one in the application, and more importantly, a different business will not contribute to the problems that already happen in the area.

Thank you for your attention.

Best regards

From: [REDACTED]
To: [Licensing](mailto:Licensing@southampton.gov.uk)
Subject: Re: Public Representation - Avenue Road Local - 2020/04133/01SPRN
Date: 04 January 2021 09:47:51

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

My home address
88 Gordon av
Portswood
Southampton
SO146WD
Regards
Josephine Dahle

Sent from my iPhone
Phine Dahle Psychotherapist
MA Ed., UKCP regd.& Accredited.

On 4 Jan 2021, at 09:04, Licensing <Licensing@southampton.gov.uk> wrote:

Ms Winther-Dahle

Thank you for your representation but in its current form it is deemed invalid. I will need your home address before I can make this valid. If you e-mail this back to me before the 08 January 2021 I will then be able to process your representation.

Tricia Young
Licensing Officer

Please note I am only in the office on Monday, Tuesday and Thursday at the present time

Southampton and Eastleigh Licensing Partnership
Southampton City Council

[REDACTED]

E-mail: licensing@southampton.gov.uk

Web: www.southampton.gov.uk/licensing or www.eastleigh.gov.uk/licensing

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

From: Josephine Winther Dahle [REDACTED] >
Sent: 03 January 2021 17:07
To: Licensing <Licensing@southampton.gov.uk>
Subject: Licensing website enquiry

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click links or open attachments unless you recognise the sender and know the content is safe.

Privacy statement:

| |
|---|
| Privacy check box |
| I have read the above and understand how the council will use my data |

Name: Josephine Winther Dahle

Email address: [REDACTED]

Phone number: [REDACTED]

Premises name/vehicle plate number: 92 Avenue road

Licence reference number: 2020/04133/01SPRN Avenue road

Message: Please support us in improving this area, Bevis, and making it more attractive to families with children, which it historically has not been.

I am objecting to the change of use of 92 avenue road.

We are trying to build a safe, family friendly community.

We are inundated with alcohol selling shops pubs stores in this area already..

It is COMPLETELY inappropriate for protecting children from harm, public nuisance and safety, to have another one.

We in our residents association OARA have worked very hard over the past ten years to improve this area and could do with some support in this.

This email is confidential but may have to be disclosed under the Freedom of Information Act 2000, Environmental Information Regulations 2004 or data protection legislation. If you are not the person or organisation it was meant for, apologies, please ignore it, delete it, and notify us. SCC does not make legally binding agreements or accept formal notices/proceedings by email. E-mails may be monitored. This email (and its attachments) is intended only for the use of the person(s) to whom it is addressed, and may contain information that is privileged and/or confidential. If it has come to you in error, you must take no action based on it, nor must you copy or show it to anyone.

Young, Tricia

From: John Hayward [REDACTED]
Sent: 04 January 2021 13:11
To: Licensing; [REDACTED]
Subject: 92 Avenue Road 20/04133/01/SPRN
Attachments: Sq 4.JPG; Sq 1.JPG; Sq 5.JPG; Sq 3.JPG; Sq 2.JPG; Sq 6.JPG; Sq 7.JPG

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To Whom it May Concern,

Ref: 20/04133/01SPRN 92 Avenue Road

As OARA (Outer Avenue Residents' Association) Chair I, and a number of local residents, are extremely concerned about a recent licensing application for an off-licence operating from 6am to 11pm in the old Squirrel's motor spares shop which is on the corner of Avenue Road and Earl's Road and has been derelict for some time.

My objections to the granting of this application are as follows:

Unsuitable Location

The proposed off-licence would be situated right in a residential area on a corner, with double yellow lines. Other off-licences nearby are on the edge of the area on main roads. Local parking is very restricted, with cars parked opposite one another and wheels up on the pavement, particularly in Avenue Road either side of the junction.

Risk to children

Mums and young children pass by this location during the week, going to and from school. Opening at 6am, drinking will be well under-way by the time they pass in the morning, and similarly on the return journey, possibly encountering street drinking both times. The doorway to the old shop has already become a regular spot for drinkers.

Local disruption

The application is for trading from 6am to 11pm seven days a week, with potential all-day disruption to residential life in the area, particularly to houses nearby, including a row of terraces that directly adjoin the proposed shop, and surrounding properties. Street drinkers can be noisy and a nuisance. Regular deliveries have the potential to entirely block the street at a busy junction.

Litter

We work hard with the council to keep our area relatively clean. Street drinking is a large contributory factor to litter in our streets. Discarded cans and bottles are commonplace. Another off-licence in the heart of the area can only add to the problem.

Over-supply

Within a 5-minute walk of the proposed shop are 5 other off-licences. A little bit further afield also within easy walking distance, you have two supermarkets. There is no shortage of access to drink locally. Another outlet is unnecessary.

Context

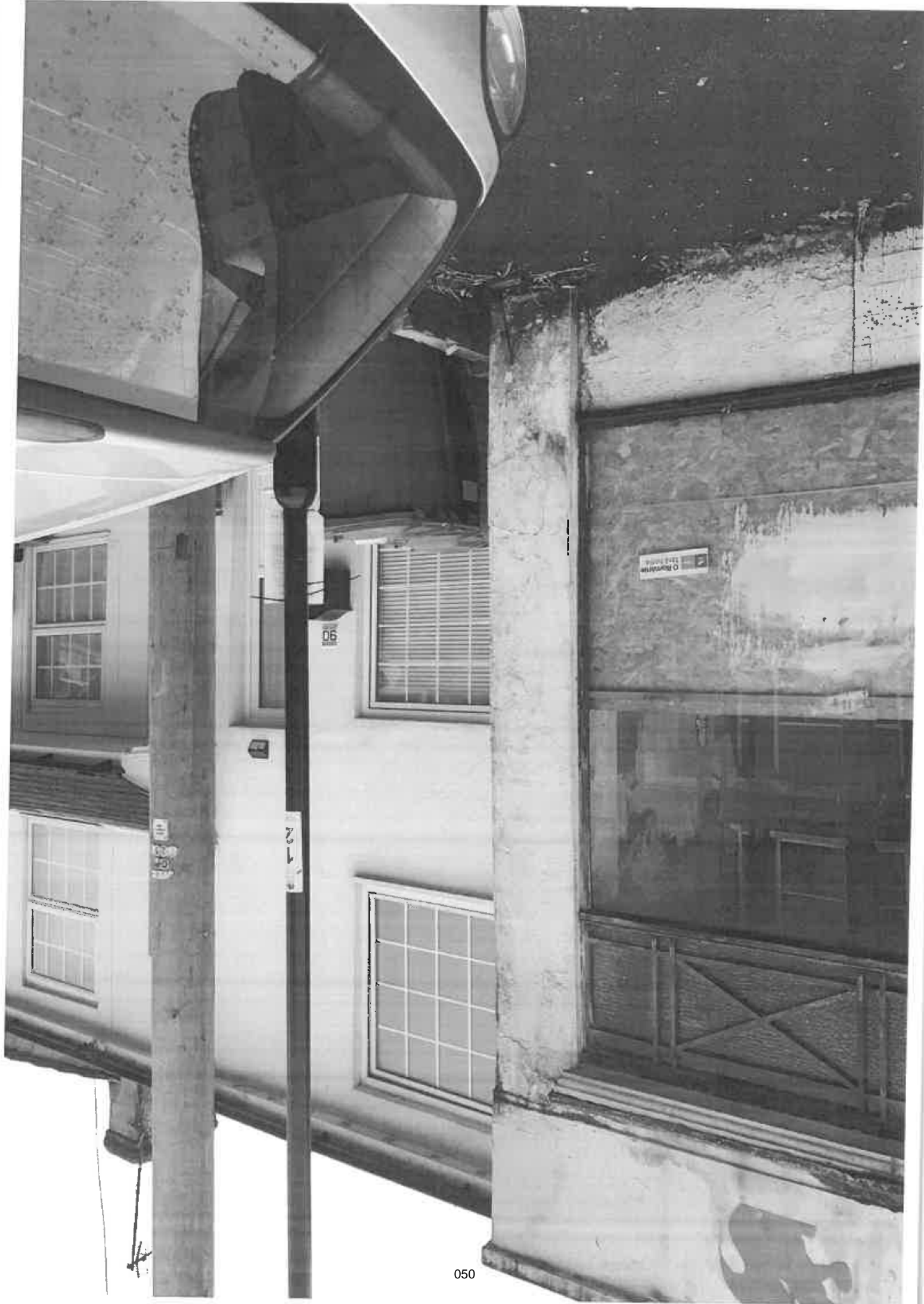
I have included some pictures of the site to give some context. These illustrate the parking difficulties around that junction with cars parked with wheels on the kerb in Avenue Road, and this is parking before the students return when it gets considerably worse. Also shown is the shop sited on double yellow lines on a corner, and the houses adjoining the property, plus surrounding residences.

John Hayward (OARA Chair)

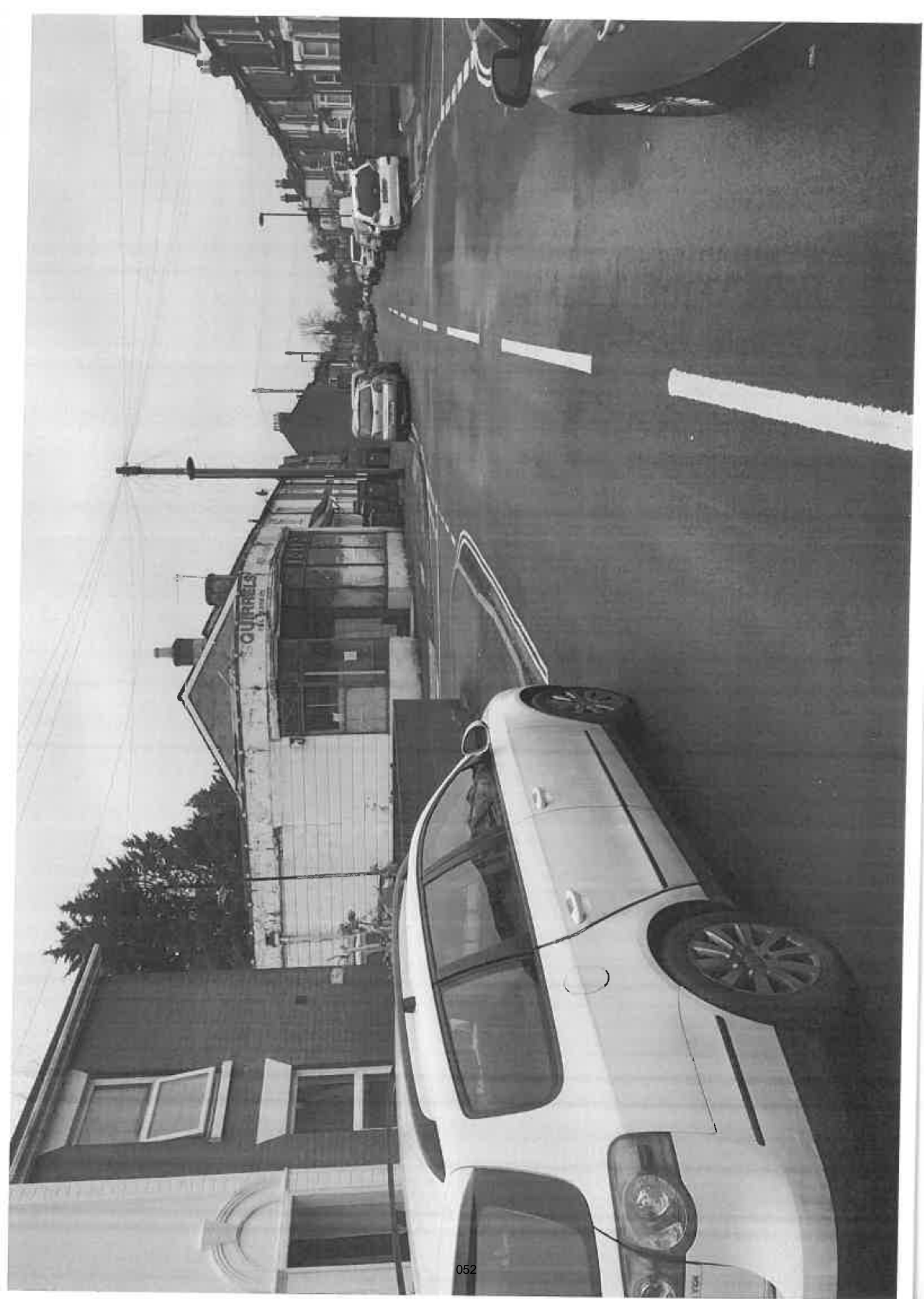


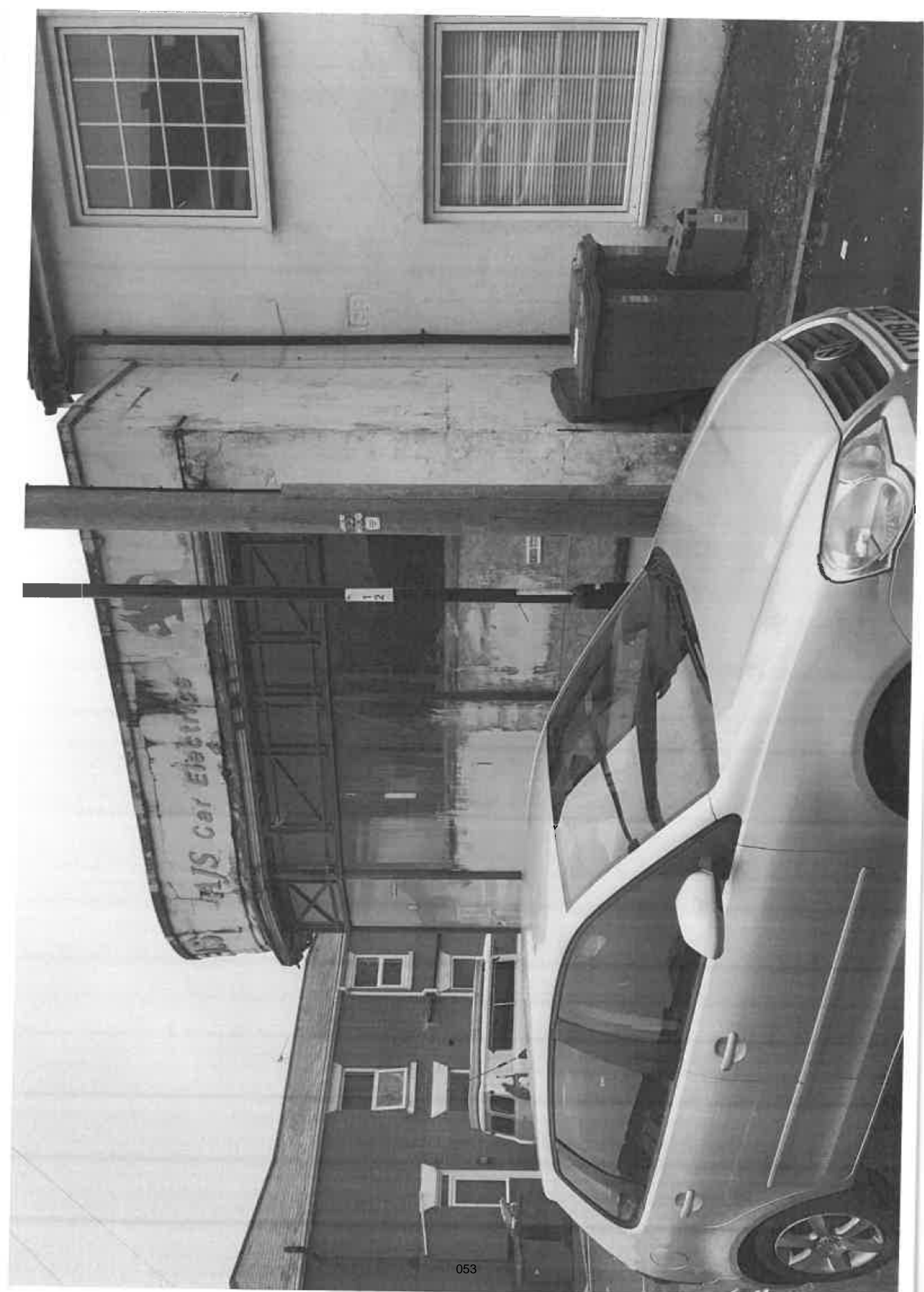












From: publicaccess@southampton.gov.uk
To: [Licensing](#)
Subject: Comments for Licensing Application 2020/04133/01SPRN
Date: 04 January 2021 17:42:04

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

Comments were submitted at 5:42 PM on 04 Jan 2021 from Mr Philip Steart.

Application Summary

Address: 92 Avenue Road Southampton SO14 6TX

Proposal: Premises Licence

Case Officer: Tricia Young

[Click for further information](#)

Customer Details

Name: Mr Philip Steart

Email: [REDACTED]

Address: 76 Gordon Avenue, Southampton SO14 6WD

Comments Details

Commenter Type: Other

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 5:42 PM on 04 Jan 2021 There are a significant number of such similar licensed premises in the area but all are on the main roads - Lodge Rd, Portswood Rd, Bevois Valley. None are in the middle of narrow residential streets.

The existing off-licences attract a significant number of serious drinkers, who sit and gather outside. There is a serious drink issue in this area which has been the cause of violent incidents and intimidating behaviour. There are a number of hostels for people with drink/drug issues in neighbouring streets and the easy access to more alcohol will not help meet their needs or tackle resulting social issues on the streets.

The application is for trading from 6am to 11pm seven days a week, with potential all-day disruption to residential life in the area, particularly to houses nearby, including a row of terraces that directly adjoin the proposed shop, and surrounding properties. The noise and disruption from extra cars, parking, street drinking, and shop front lighting would cause serious and constant public nuisance from early morning to late at night seven days a week. Sleep would be affected. In term times this would also attract late night student activity and drink-related noise and anti-social behaviour- already a huge issue in this part of town.

We work hard with the council to keep our area relatively

clean. Street drinking is a large contributory factor to litter in our streets. Discarded cans and broken bottles are commonplace and are already a health and safety issue. Another off-licence in the heart of the area can only add to the problem.

From: [REDACTED]
To: [Licensing](#)
Subject: License Application for 92, Avenue Road, Southampton SO14 6TX
Date: 05 January 2021 10:42:04

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

I understand there is an application for this site, formerly trading as 'SQUIRRELS' Electrical Auto Repairs.
I Have seen a reference no. 2020/04133/01SPRN, but have not been able to access the planning document to comment.

I wish to advise against allowing this type of use to go ahead.

1. There are already numerous similar outlets in the area, particularly Lodge Road.
2. Alcohol sales outlets of this type may attract some degree of loitering and litter. This will devalue the living environment for residents.
3. Vehicles parking around site will increase. The nuisance and hazards in a narrow road will impact on residents, Parking needs are already high..
4. There should be a vision and priority to convert this site to good housing.

Mr Chris Jackson
100, Alma Road
SO14 6UW

From: publicaccess@southampton.gov.uk
To: [Licensing](#)
Subject: Comments for Licensing Application 2020/04133/01SPRN
Date: 05 January 2021 16:38:43

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

Comments were submitted at 4:38 PM on 05 Jan 2021 from Mr michael ryan.

Application Summary

Address: 92 Avenue Road Southampton SO14 6TX

Proposal: Premises Licence

Case Officer: Tricia Young

[Click for further information](#)

Customer Details

Name: Mr michael ryan

Email: [REDACTED]

Address: 82 Cambridge Road, Southampton SO14 6WA

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 4:38 PM on 05 Jan 2021 The proposed off-licence is in a residential area with narrow streets. Double parking could block access to emergency vehicles. These streets are not suitable for large delivery vehicles. There are already a number of existing off-licenses in the area. There are a number of hostels in neighbouring streets for people with drink or drug issues. These act as a focus for street drinking, intimidating and rowdy behaviour, and the associated litter. The fact that they plan to open from 6 a.m. would indicate that they are deliberately targeting problem drinkers. These people will not be helped by an off-licence selling them strong lager and cheap spirits, as supply and demand would dictate that these items would be sold. If people need to drink alcohol for breakfast, then there needs to be an off-licence on an industrial estate; not in a residential area with narrow streets.

From: publicaccess@southampton.gov.uk
To: [Licensing](#)
Subject: Comments for Licensing Application 2020/04133/01SPRN
Date: 06 January 2021 10:10:31

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

Comments were submitted at 10:10 AM on 06 Jan 2021 from Dr Sarah Hall.

Application Summary

Address: 92 Avenue Road Southampton SO14 6TX

Proposal: Premises Licence

Case Officer: Tricia Young

[Click for further information](#)

Customer Details

Name: Dr Sarah Hall

Email: [REDACTED]

Address: 2 Wykeham Close, Southampton SO16 7LZ

Comments Details

Commenter Type: Other

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 10:10 AM on 06 Jan 2021 Unsuitable Location
The proposed off-licence would be situated right in a residential area on a corner with double yellow lines. Other off-licences nearby are on the edge of the area on main roads.
Local parking is very restricted, with cars parked opposite one another and wheels up on the pavement, particularly in Avenue Road either side of the junction.

Risk to children
Mums and young children pass by this location during the week, going to and from school. Opening at 6am, drinking will be well under-way by the time they pass in the morning, and similarly on the return journey, possibly encountering street drinking both times.

Local disruption
The application is for trading from 6am to 11pm seven days a week, with potential all-day disruption to residential life in the area, particularly to houses nearby, including a row of terraces that directly adjoin the proposed shop, and surrounding properties.

Litter

We work hard with the council to keep our area relatively clean. Street drinking is a large contributory factor to litter in our streets. Discarded cans and bottles are commonplace. Another off-licence in the heart of the area can only add to the problem.

Over-supply

Within a 5-minute walk of the proposed shop are 5 other off-licences. A little bit further afield also within easy walking distance, you have two supermarkets. There is no shortage of access to drink locally. Another outlet is unnecessary. As a local congregation (Avenue St Andrew's URC on the Avenue) in normal times we support an alcohol recovery group on church premises and our family centre is also impacted by problem drinking within the family. This is not a development we think is wise or necessary.

From: publicaccess@southampton.gov.uk
To: [Licensing](#)
Subject: Comments for Licensing Application 2020/04133/01SPRN
Date: 06 January 2021 11:13:50

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

Comments were submitted at 11:13 AM on 06 Jan 2021 from Mrs Julia Webb.

Application Summary

Address: 92 Avenue Road Southampton SO14 6TX

Proposal: Premises Licence

Case Officer: Tricia Young

[Click for further information](#)

Customer Details

Name: Mrs Julia Webb

Email: [REDACTED]

Address: 101 Alma Road, Southampton SO14 6UY

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 11:13 AM on 06 Jan 2021 There are already a number of stores/off licences within a short distance and to add another in a residential area with narrow roads and parking problems is totally unnecessary.

From: [REDACTED]
To: [Licensing](#)
Subject: 2020/04133/01SPRN | Premises Licence | Open for Consultation | 92 Avenue Road Southampton SO14 6TX
Date: 05 January 2021 18:11:07

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

We are objecting to this planning application on the grounds below
CHILDREN

This proposal is in the middle of a relatively quiet residential area . they say they are turning the premises into “**modern state of the art convenience store designed to serve the local community and those from further afield**” any extra traffic attracted by this new proposal will create more dangers for children getting to school and more air pollution with all its associated health problems

CONGESTION

The road is already congested with parked cars and room for traffic only one way up or down Earls Rd. Any extra cars will create a public nuisance.

ALCOHOL RELATED PROBLEMS

There are several residences in the are for people with drunk and drugs problems. Having easy access to alcohol from 6am to 11pm could exacerbate a problem already in the area for these people, as well as causing a nuisance to residents who have to live with the on street drinking and the discarded bottles on pavements and roads ,quite often smashed .

We already have 5 offlicences in the vicinity (5 minutes walk.)

Yours faithfully

Maggie O’Connor and Mike Bell 60 Gordon Ave

Sent from [Mail](#) for Windows 10

From: [REDACTED]
To: [Licensing](#)
Subject: Premises Licence 92 Avenue Road Southampton SO14 6TX
Date: 04 January 2021 12:51:53

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Re [Premises Licence](#)

Avenue Road Local 92 Avenue Road Southampton SO14 6TX

Ref. No: 2020/04133/01SPRN|Status: Open for Consultation|Applicant Name: Agni Retails Ltd

My Name : Catherine Louise Wigham

My address: 146 Earls Road Southampton SO14 6TL

I would like to make a representation about the above application. My concerns/objections are in relation to

- **The prevention of public nuisance**

and

- **Public safety**

It is important to note that while the property's address is 92 Avenue Road - the building is actually on the corner of Earls Road and Avenue Road with window frontage on both roads, and the front door access at an angle on both roads.

1. Trucks/delivery Vans

Avenue Road is very narrow where cars have to park on the kerb of pavements for cars to pass, it is very difficult for larger vehicles to pass by. Earls Road is very congested - being one of a few roads in the immediate vicinity without resident parking it is nearly always full of parked cars, and even residents find finding parking spaces difficult. There is only room for one car at a time to drive down the road, and with no spaces vehicles frequently have to wait at either Avenue Road end/Lodge Road end to allow cars to pass.

It is likely therefore that trucks/delivery vans may have to block the roads whilst making their deliveries.

All this compromises public safety and public nuisance factors

Deliveries will also increase the number of trucks driving down already very congested residential streets and on roads already affected by potholes/dips. (One was repaired last year , but the concern is that the number of trucks could make this worse again)

2.The proposed opening hours of 6am - 11pm


This premises is in middle of residential area with residents next door and opposite. The long trading hours are likely to increase both pedestrians, and car traffic at unsocial hours. It is hard to see what steps the owners could have to stop this becoming a public nuisance to local residents disturbed by additional noise at these times - especially early mornings and late nights

3. Street Drinking

There is already an issue with street drinking, which I have relayed to the police on several previous occasions, The current vacant premises is actually a place where this happens, (people gather in the porchway) as well as an empty garage directly opposite the premises.

The concern is that with alcohol available literally 'on the door step' this will increase, causing a public nuisance and compromising public safety.

Thank you for taking the time to note our representations.

From: 
To: [Licensing](#)
Subject: Objection to application 2020/04133/01SPRN
Date: 07 January 2021 17:15:22

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

The word NEED comes to mind with this application!

There are enough off licences in the area, there really is no NEED for another one.

This is a convenience store by any other name with opening hours 6am to 11pm.?

Also there are enough convenience stores and supermarkets conveniently situated within a mile radius, again there is ABSOLUTELY NO NEED!

Parking must also be taken into consideration, it is impossible to park in Avenue Road anyway! Napoleon once said that "The English are a nation of shopkeepers"! It's pretty certain he didn't have Portswood in mind but it looks as if it could become a reality!!!!!!!!!!!!

On safety grounds emergency vehicles have great difficulty in these small roads as of this moment, it would be made even worse!

The delivery and collection vehicles would also be a problem and the noise associated with their activities. The local residents would waken to the sounds of bottles and sundry items being delivered and empties collected, a noisy practice at any time of the day!.

Rubbish would also be a problem. Lodge Road and Portswood Road are festooned with discarded items at the best of times, on windy days even more so.

Anita Mary Hockey
35 Cambridge Road
Portswood
Southampton
so146ta

Reference 2020/04133/01SPRN
Type New
Category Premises Licence
Status Open for Consultation
Applicant Agni Retails Ltd
Trading Name Avenue Road Local
Address 92 Avenue Road Southampton SO14 6TX

To Licensing Committee Members & Officers

In regards to the above referenced application I want to air my objections in the most stringent manner and I shall outline my reasons below in sections.

Current Situation Of Area:

In the 32 years that I have resided in the area and have been a frequent user of Earls Road and Avenue Road as a pedestrian and motorist I have found this junction and area has evolved into a hub of much anti social behaviour where there is already a regular occurrence of street congregation and drinking at various times of the day by people on the corners of this junction, in the doorway of the very premises that is in question as due to the fact this premises ceased trading as an auto electrical garage its doorway became a "bench" to congregate and consume alcohol.

On the opposing corner is an HMO that has had squatters and drug related activity over the past year and its boundary wall used as another "bench" which for one to walk past is not very comfortable or reassuring and when I say walking past it is at any hour of day be the morning, afternoon or evening when people are going about their normal daytime activities.

This proposed premises will further fuel this street drinking culture that was rife during the previous lockdown in spring 2020.

As there is no CCTV in the outer avenue area to the best of my knowledge Earls Road and Avenue Road have become regular areas of drug dealing where meets are arranged again not in the blanket of darkness as one would assume but throughout the day at various times.

Another issue is there are HMOs that have been let to people with little care or pride of the area whom also partake in the street drinking culture where they would congregate outside their residence which again creates an intimidating and uncomfortable atmosphere.

This proposed premises seeking an alcohol licence will further fuel this anti social behaviour and uncultured habit.

This is very much the current picture of the area but to mention the rubbish that is strewn around and flying tipping which leaves nothing regal to 'Earls' Road nor Avenue Road.

Current Traffic Situation

With narrow roads and footpaths and many vehicles especially when students are present makes this cross junction hazardous for both pedestrian and motorist alike not to forget cyclists as vehicles would park right on the corners and block the view of road users, we personally have had two incidents where due to dangerous parking hindering view resulting in two collisions over the years; how many others have there been that we do not know of??

To give an indication to how tight this junction is a 6/6.5 metre mercedes sprinter van would have difficulty to take any left or right turn from any direction this is not to take into account the amount of smaller vehicles that can arrive at this junction at any given time that makes a challenging situation for all.

The proposed premises would add to this danger as potential customers will not find a parking space hence will park on one of the 4 corners adding to what is already an awfully difficult junction to tackle. Also in direct relation to the proposed use of premises will be that it is most likely that the deliveries would come by a commercial vehicle of minimum gross tonnage of 7.5 ton going up to a possible 20 ton vehicle, with the current level of street parking there would NEVER be kerbside parking available to it which means it will be constantly parked in the middle of the road creating a complete block of one of the roads to flowing traffic which would be most frustrating if morning/evening rush hours or school run time for the local school nearby. Take note of my above example regards the van.

This blocking of the road by the delivery vehicles would create conflict between road users, we have this situation at the bottom of Gordon Avenue where there is a public house and off licence on each corner.

Also the bottom of Earls Road with its junction with Lodge Road gives a great indication as to what could occur at this end of the road. SCC parking have failed to stop take away delivery vehicles parking at the bottom of the road where they block the passing area for vehicles I think they will fail to prevent such a situation at this crossroads in question.

Residents Comfort, Tranquility & Safety:

Currently already due to the various above scenarios residents in the immediate and nearby proximity to this premises have to put up with all types of crime anti social behaviour and disturbances along with regular occurrences of fly tipping on the footpaths which OARA can confirm. This "local" shop could become a hub for such activities hence rendering the shop everything but convenient to the locals especially

with those long opening hours and in turn will be an addition to what residents have to live with and tolerate.

I personally have been told by a student who resided in the area a few years ago how she felt she could not go out after dark alone due to the people standing either on the street or outside the HMOs drinking late into the night especially at one particular house, it was reported to the local pcso; this was very by on Alma Road Earls Road vicinity where for nearly every evening and night there was a regular group who would drink at their front door and urinate in the hedge of the house opposite, I have personally seen this all myself and only came to end when the people moved out only recently. If this shop was open they would have then been spreading their intimidating presence between the house and the proposed shop to buy more alcohol.

What is most remarkable is that the applicant has a number of various cost centres and personally resides 25 miles away in Portsmouth (I know this by the information at Companies House that is in the public domain and available to anyone) which means that though it would be their name on the licence they would most likely have minimal presence at the proposed business to make certain that licensing conditions are being adhered to and to make certain that his business does not affect the locale, also with his most likely minimal presence there would be little reassurance that his staff would adhere and comply with the licensing conditions, they would not want confrontation and challenge which can result in the wrong people making alcohol purchases. So with this not being the only business and living so far away from the proposed use of the premises does not install confidence in the residents and I am certain officers would also feel the same.

I think I have covered all areas that apply to a firm and legitimate reason or argument to support an objection that members of the licensing committee would be using in their final decision. I therefore feel that I have covered those areas with evidence and true accounts of what I have seen myself over time, I feel that I have put a strong case and vivid picture of what is and what could be if this historic premises becomes a "modern local shop" which these days is far far from what a local shop used to be in days gone by hence plead that a licence is not granted.

***S Afzal Esq
82 Gordon Avenue
Southampton***

From: [REDACTED]
To: [Licensing](#)
Subject: Premises License application ref 2020/04133/01SPRN 92 Avenue Road SO14
Date: 07 January 2021 13:21:45

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

Dear Karen Head,

I am writing to object to this application for a License to sell alcoholic drinks running from 6am to 11pm on a daily basis.

1. the site and nuisance

The position of this site at a junction of Avenue rd and Earls road is a totally unsuitable place for such premises. Both roads are narrow residential roads with pavements blocked by parked cars and double yellow lines around the junctions. Experience of an existing store down the road at Lodge Road leads to people congregating at the corner, smoking and drinking and littering both road and pavement and blocking both pavement and road, plus parking on the double yellow lines.

This application is bound to cause similar problems becoming a public nuisance.

2. Crime and disorder.

We already have to be aware of providing opportunities for local drinking /smoking and drugs higher up the road with specialist housing for homeless people and our general mix of residents.

We would not wish to encourage conditions conducive to opportunist crime which already happens, thefts and drunken damage.

3. Access and safety

These roads are in very regular use by motor traffic. Avenue road pavements are so blocked by cars that as a pedestrian (speaking personally) the only option is to walk along the middle of the road, a safety hazard. The actual junction is on a regular access route for residents to reach their homes from Lodge road up as far as Gordon Avenue. Increasing traffic and people hanging around on the street corner becomes a public safety issue.

4. Children

Bevois Town primary school has entry from Earls road (below Lodge rd) as well as Cedar road the next road along towards The Avenue, this corner is on the route to school and the bus stop in Lodge rd.

5. Planning status.

We have been unable to ascertain the present status of this long closed shop. Personally I have not seen customers for over a decade at least. The last planning applications date back to 1951 and 1968 for long defunct functions.

I do not know how relevant this is. There is NO premise under the title Avenue Road Local as quoted in the application.

Yours sincerely

SESwallow (outer Avenue Residents' Association)
78 Gordon Avenue

From: [REDACTED]
To: [Licensing](#)
Subject: No 92 Avenue Road (ex Squirrel Auto)
Date: 07 January 2021 15:36:25

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

To The Licensing Officer.

I refer to the application for Sale of Alcohol at the above address from 6am to 11pm for Consumption off the Premises. This application is to be decided tomorrow, 8.1. 21, and I apologise for the late entry of my objection.

I object strongly to this application for the following reasons:

The site is in the middle of a mostly quiet residential area. There are many other outlets for the sale of alcohol in close proximity on the surrounding main roads. There is no need for another off licence. .

There is very restricted parking on this corner of Avenue and Earls Road. , and there are already frequent unpleasant 'face-off' incidents in the single file route along Earls Road. These would assuredly increase, especially as the application refers to attracting clientele from 'further afield'.

An increase in litter and nuisance would be an almost certain result if this application went forward, particularly regarding the hours of opening.

6am is far too early for the sale of alcohol for off premises consumption in this densely populated residential area.

As well as many family homes, there are several hostels, halfway houses, nursing homes, children's homes, HMO's and of course, much student accommodation.. All classes and types would be badly affected if this application was approved.

A well run convenience store might be a welcome amenity in place of the present derelict building, but one which adds to the existing problems of alcoholism, nuisance, litter and bad behaviour is certainly not advisable.

Please refuse this application for the sale of alcohol for off premises consumption from 6am to 11pm daily.

Linda Pritchard
54, Gordon Avenue,
Portswood,
Southampton.
Sent from my iPad

From: [REDACTED]
To: [Licensing](#)
Cc: [REDACTED]
Subject: Objection to licensing application at 92 Avenue Road ref 2020/04133/01SPRN
Date: 08 January 2021 12:17:43

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

From: Hilary Jackson of 39 Gordon Avenue, Portswood, Southampton SO14 6WH
[REDACTED]

To: Licensing Department, Southampton City Council

Concerning: ref 2020/04133/01SPRN - application for "Sale of Alcohol for Consumption Off the Premises" at 92 Avenue Rd in Portswood

I wish to object to the application for a licence for "Sale of Alcohol for Consumption Off the Premises" at 92 Avenue Rd in Portswood. I understand from the information provided on the licensing site that any objection must engage with at least one of the headings below:

- a. The prevention of crime and disorder
- b. Public safety
- c. The prevention of public nuisance
- d. The protection of children from harm

The grounds for my objections are set out below and I have indicated which of the objectives above I think are relevant:

1. Traffic related matters (b & c & d)

A busy business on this corner would generate additional traffic and parking which would increase the risk to public safety (b) and create a public nuisance (c). The application states it would be a **"modern state of the art convenience store designed to serve the local community and those from further afield"**. It is fair to assume that a number of those from "further afield" are likely to travel to the premises in a car and need somewhere to park.

The premises for which the licence is being applied for sit at a busy crossroads of Earls Rd and Avenue Rd in the middle of a grid of residential streets. All the neighbouring premises, for at least a 100m yards in each direction, are residential properties. Both streets are very narrow streets. The junction has double yellow lines on all four corners. Cars park on both sides of both roads and many of them in Avenue Rd park across the pavement to avoid blocking the road. As a result they block the pavement, meaning pedestrians have to move into the road to get by. This is even more difficult for parents with buggies or the disabled. In both roads there is only room for one line of traffic, meaning that vehicles frequently have to back up to allow another to pass, causing congestion along the road and at this cross roads. The parking in the area is at saturation point because of the number of high density HMO's, including student dwellings and all surrounding areas having parking zones, displacing other parking into this grid of streets. Avenue Rd is also a road which has controlled traffic, with a street block planters half way along between this corner and the Avenue. These were installed to reduce the flow of traffic in these residential streets, increase safety and prevent it being used as a rat run. It is also an area which is being considered for development as an active travel zone in line with SCC and government policies - discouraging traffic and encouraging cyclists and pedestrians.

It would seem relevant that previous businesses since 1968 have been very low key in terms of footfall - a stationery/printing premises and Squirrels which had specialist car hire and associated matters. There was little evidence of any actual custom in the shop front section. And no excess additional traffic or parking.

It is also likely that an alcohol sales licence would attract additional custom and traffic on top of any other intended convenience store use (in itself inappropriate in this location for many of the reasons above). There is also no space for larger delivery vehicles which such a business would require - which would cause additional hazards were a licensed premises to be allowed.

There are three licensed stores on nearby corners with double yellow lines: at the junction of Earls & Lodge Rds, Spear & Lodge Rds and Gordon Avenue & Portswood Rd. At all three stores customers arriving in cars routinely park on the double yellow lines to "pop" into the shop. This compounds the congestion, blocks important sight lines for cars entering or leaving the roads and makes it more dangerous for pedestrians trying to cross. It is impossible for wheelchair users to access the dropped kerb. It seems fair to assume that human nature would not be any different at this proposed licensed store. All of these stores are also actually situated on main roads not in the middle of a grid of narrow residential streets.

2. Alcohol Consumption and Public Drinking (a,b &c)

The existing off-licences and licensed stores attract a significant number of serious drinkers, who sit and gather outside, sometimes in a state of drink. This causes anxiety for ordinary passers by. This corner is already the site of gathering for drinking (and sometimes drug related activities). There is a serious drink issue in this area which has been the cause of violent incidents and intimidating behaviour. This has included public urination in the streets and in front gardens. There are a number of hostels for people with drink/drug issues in neighbouring streets and the easy access to more alcohol will not help meet their needs or tackle resulting social issues on the streets. In term times this would also attract late night student activity and drink-related noise and anti-social behaviour- already a huge issue in this part of town.

3. Protecting children from harm (d)

As a governor of the local primary school (with one of its main pupil entrances situated lower down Earl's Rd) I am keenly aware that this premises is very much on the route that parents and children take to school. It is not a good example to them to have to pass a premises where all day access to alcohol is available and where, given other local precedents, serious drinkers are likely to gather.

4. Opening hours and public nuisance (a,b&c& d)

I note that the application is for a license from 6 in the morning to 11 at night, seven days a week. As described above, this premises is in the midst of residential dwellings not on a main road. The noise and disruption from extra cars, parking, street drinking, and shop front lighting would cause serious and constant public nuisance from early morning to late at night seven days a week. Sleep would be affected. As also mentioned above, this area also houses a significant number of students in term time who would be attracted by late night sales. Whilst the students themselves are usually a decent lot, we are constantly plagued (in non-Covid times) by late night street and party noise, fuelled by drink. A license on this premises at these times would only exacerbate this issue – and cause genuine stress and mental health issues to nearby residents. The police and

environmental health teams are aware.

In addition the litter and mess caused by street drinking is another nuisance and poses another risk to public safety. Cans and broken bottles are a regular feature in the streets near existing outlets. There are at least 5 other licensed stores within a short distance, all on main roads, which benefit from regular SCC street sweeping in a way that side roads do not, often relying on residents , in normal times, to arrange community minded litter picks.

For all of these reasons above I urge you to reject this application for Sale of Alcohol for Consumption Off the Premises at this property.

Thank you for your consideration. I would be grateful if you would confirm receipt of this objection. Thank you.

Hilary Jackson, 8 January 2021

Sent from [Mail](#) for Windows 10



Virus-free. www.avg.com

9 Avenue Road
Southampton
SO14 6TR

8 January 2021

Licensing Team
Southampton City Council
Civic Centre
Southampton
SO14 7LY

To whom it may concern

Deadline for comments: Friday 8 January 2021
Off Licence Application 92 Avenue Road, Portswood, Southampton. SO14 6TX
Reference 20/04133/01SPRN
Objection.

The Outer Avenue Residents' Association works tirelessly to make this an attractive area for all to live in but particularly permanent established families and older residents who have a long term interest in the wellbeing of the area. The area does, however, have many houses in multiple occupation the majority occupied by students.

There are plenty of other off licence outlets in walking distance on the east, south and west sides of Outer Avenue, a resident's particular choice being driven by his or her starting point in Outer Avenue. The list includes a branch of Lidl opened only in November 2020 in Bannister Road on the old Jaguar dealer site, Charlie's Booze at the junction of Gordon Avenue and Portswood Road and Bitter Virtue in Cambridge Road (a specialist beer outlet). In Portswood Road there are branches of Waitrose and Sainsbury's and in Lodge Road a Tesco petrol station with various other convenience stores selling alcohol intermingled. These are characterised by being on main thoroughfares and clustered with other commercial operations with the exception of the specialist Bitter Virtue.

Number 92 Avenue Road is not the right place for an expansion of opportunities for buying alcohol. The proposal brings off sales into the heart of a dense residential area of narrow roads and pavements.

Public/Road Safety

There is great pressure on parking places with multi occupied closely grouped housing common place. Cars are routinely parked substantially on the pavements in the sections of Avenue Road either side of the application site and vehicles are unable to pass easily and not at all if there are no free sections of road adjacent to the pavement to slip into in Earls Road. Where Earl's Road joins Lodge Road there is a Premier Convenience Store and a takeaway.

Number 92 Avenue Road sits on the corner of the crossroads formed by Avenue Road and Earl's Road. There are double yellow lines on all four corners. Illegal parking outside number 92 Avenue Road will reduce sight lines and therefore road safety. Notably Avenue Road is indicated from The Avenue as a cycle route to Portswood. Presumably the Council in making this designation saw Avenue Road as a safer and more congenial route for cyclists than the parallel Lodge Road with its commercial functions including off licensed premises.

Such is the issue of lack of parking spaces and difficulty of traffic flow that there has been recent work with the Council to explore amongst other solutions the possibility of formal one way working but survey work involving households was inconclusive as to acceptability.

The above comments can be categorised as public nuisance issues and added below.

Prevention of Public Nuisance

We already experienced instances of public nuisance:

- **Litter**
Prior to the covid outbreak the residents' association had a schedule of litter picks on Sundays once a month. Litter is not just an issue immediately outside premises selling alcohol. Cans are left balancing on walls and street furniture, thrown into gardens and behind hedges and abandoned in planters. They rattle down the road blown by the wind until squashed. Casual drinkers just drop them wherever they happen to be when finished with, sometimes half empty. Why should public spirited residents be required to pick up more litter generated from within its boundaries by a new off licence? I have myself swept up on a Sunday morning dangerous shards of glass from a heavy duty broken bottle scattered across the carriageway and pavement.
- **Loitering of alcoholics**
We have had alcoholics sitting on the front steps of the house opposite us in the afternoon. It is disturbing to have our movements both in and outside being observed by these people as well as hearing their loud, unedifying conversations. The wall outside St Barnabas Church in Rose Road is also a favourite spot and there is accommodation for alcoholics at Holmhurst in Gordon Avenue who have not been seen currently tracking across Outer Avenue to get supplies. A new off licence at 92 Avenue Road will encourage loitering alcoholics into the physical centre of our community.
We have had men coming up our drive to urinate against the side of our house in daylight.
- **Misguided traffic**
There are waist high planters blocking Avenue Road to the east of the application site (and also at the junction of Alma Road and Gordon Avenue) designed to stop rat running. Any driver approaching from The Avenue

direction and unaware performs multipoint turns to find another route the road being narrow and residents' cars parked.

- Noise.

It is now customary for users of mobile phones to hold loud conversations in public places totally unaware of others in the vicinity. A new off licence at 92 Avenue Road will act as a hub for such public nuisance from 6am to 11pm. To this add sounds of car doors and vehicles being positioned for parking or retreating when not found.

In short it can be anticipated that the centring of a new off licence in Outer Avenue at 92 Avenue Road will exacerbate these problems.

Protection of Children from Harm

- Loitering drinkers. I myself feel edgy when these people are around. There seem to be more school children passing our property and with the climate warming agenda it is important that pupils feel safe walking to local primary and secondary schools and school runs are reduced as a result. A new off licence at number 92 Avenue Road runs contrary to this necessity.
- Mothers and children need to take to the road because of extensive car parking on pavements which are narrow. Those coming by car to purchase alcohol will make this necessity even more hazardous. From my observation the covid lockdowns have increased the number of families with young children adopting this as a pedestrian route to The Common.

The Prevention of Crime and Disorder

Outer Avenue Residents' Association has a greening gardening group designed to engendered community cohesion and has successfully raised money for and planted decorative trees and provides flowering plants and bulbs for and maintains a variety of planters and tubs and strips of ground. There have been instances of malicious damage and it would be unfortunate if the coming of another off licence were to increase wanton removal of plant material, cause plants to be squashed when retaining walls are used as seats whilst imbibing or used as depositories for empty containers. Clearly I want to protect the residents' efforts in this regard.

Conclusion

In conclusion the granting of this application will be a retrograde and damaging step for this locality in my opinion.

Yours faithfully

Ann Woolnough

From: [REDACTED]
To: [Licensing](#)
Cc: [REDACTED]
Subject: Lodge/Avenue Rd Licencing Application Objection 2020/04133/01SPRN 92 Avenue RD
Date: 08 January 2021 16:23:08

Lodge/Avenue Rd Licencing Application Objection 2020/04133/01SPRN 92 Avenue RD

Please find my Objection to the application for a new Off Licence in Lodge Rd. I feel the local residents have done a better job of putting forward local reasons for refusal so have used that as the basis.

Over a number of years we as ward Cllrs have engaged Community Safety and the Police on the AS issues that Lodge Rd has caused from the various takeaways and shops. We are working with the Locals and Council departments to improve the area including the street drinkers and rough sleepers problems we have on this road, this premises if granted will add to an already bad situation and I strongly feel we should be using all the tools in the box to improve an area and not add to the problems that approving this application will bring.

I strongly Object to this application on the following grounds;

Arguments for refusing licensing application

- The proposed licensed store would be situated on a narrow cross roads with double yellow lines on each corner. Other similar off licenses e.g on the corner of Earls and Lodge Rd, Spear and Lodge Rd and Gordon Ave and Portswood Rd, all have double yellow lines which are regularly parked on each day by customers of these stores. This affects public safety as this blocks and unsights traffic seeking to enter/exit these roads. It also creates danger for pedestrians seeking to cross between illegally parked cars. The previous business on these premises was a low key electrical business with few actual callers.
- Local parking is very restricted, with cars already parked on both sides of Lodge and Avenue Rd, opposite one another and wheels up on the pavement, the latter particularly in Avenue Road. This also means there is only room for one line of traffic, with cars frequently needing to back up to allow others through. Any increase in traffic/parking, including from large delivery vehicles which would not normally need to pass through these streets, would exacerbate this already unsafe situation. The owner indicates in the application that they are seeking to attract custom from further afield- presumably arriving in a vehicle.
- There are a significant number of such similar licensed premises in the area but all are on the main roads - Lodge Rd, Portswood Rd, Bevois Valley. None are in the middle of narrow residential streets.
- The existing off-licences attract a significant number or serious drinkers, who sit and gather outside. There is a serious drink issue in this area which has been the cause of violent incidents and intimidating behaviour. There are a number of hostels for people with drink/drug issues in neighbouring streets and the easy access to more alcohol will not help meet their needs or tackle resulting social issues on the streets.
- Parents and young children pass by this location during the week, going to and from school. Opening at 6am, drinking will be well under-way by the time they pass in the morning, and similarly on the return journey, possibly encountering street drinking both times.

- The application is for trading from 6am to 11pm seven days a week, with potential all-day disruption to residential life in the area, particularly to houses nearby, including a row of terraces that directly adjoin the proposed shop, and surrounding properties. The noise and disruption from extra cars, parking, street drinking, and shop front lighting would cause serious and constant public nuisance from early morning to late at night seven days a week. Sleep would be affected. In term times this would also attract late night student activity and drink-related noise and anti-social behaviour- already a huge issue in this part of town.
- We work hard with the council to keep our area relatively clean. Street drinking is a large contributory factor to litter in our streets. Discarded cans and broken bottles are commonplace and are already a health and safety issue. Another off-licence in the heart of the area can only add to the problem.

Within a 5-minute walk of the proposed shop are 5 other off-licences. A little bit further afield also within easy walking distance, you have three supermarkets. There is no shortage of access to drink locally. Another outlet is unnecessary

Councillor Jacqui Rayment
Deputy Leader
Councillor for Bevois Ward
Cabinet Member for Customer and Organisation

[REDACTED]
Cllr Jacqui Rayment,
Southampton City Council
Civic Centre
Southampton SO14 7LY

[REDACTED]

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.