

# Licensing (Licensing and Gambling) Sub-Committee

Wednesday, 30th August, 2017  
at 6.00 pm

**PLEASE NOTE TIME OF MEETING**

Conference Room 3 - Civic  
Centre

This meeting is open to the public

## **Members**

Three Members drawn from the Licensing  
Committee

## **Contacts**

Democratic Support Officer  
Pat Wood

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## **PUBLIC INFORMATION**

The Members of the Licensing Committee are Councillors J Baillie, Blatchford, Bogle, Furnell, B Harris, McEwing, Letts, Lewzey, Painton, and Parnell.

### **Terms of Reference**

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

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

### **Relevant Representations**

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

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

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

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

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way, and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

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

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

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

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

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

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

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

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

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

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

### **Dates of Potential Meetings Municipal Year 2017/18**

Meetings are scheduled on a weekly basis usually at 6pm on a Wednesday evening.

## CONDUCT OF MEETING

### **Terms of Reference**

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

### **Business to be discussed**

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

### **Rules of Procedure**

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

### **Quorum 3**

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

## **DISCLOSURE OF INTERESTS**

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

### **DISCLOSABLE PECUNIARY INTERESTS**

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

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

(ii) Sponsorship:

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

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

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

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

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

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

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

## **Other Interests**

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

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

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

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

## **Principles of Decision Making**

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

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

In exercising discretion, the decision maker must:

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

## AGENDA

### 1 **ELECTION OF CHAIR**

To appoint a Chair for the purposes of this meeting.

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

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

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

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

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

### 5 **MINUTES OF THE PREVIOUS MEETINGS (INCLUDING MATTERS ARISING)** (Pages 1 - 10)

To approve and sign as a correct record the Minutes of the meetings held on 5 July 2017 and 12 July 2017 and to deal with any matters arising.

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

At a predetermined point during the consideration of all items the Sub-Committee may move into private session in order to receive legal advice when determining issues. The parties to the hearing, press and the public, unless otherwise excluded by the Licensing Act 2003 (Hearings) Regulations 2005, will be invited to return immediately following that private session at which time the matter will be determined and the decision of the Sub-Committee will be announced.

### 7 **APPLICATION FOR A PREMISES LICENCE - THREE SISTERS, 1 PORTSMOUTH ROAD, SOUTHAMPTON, SO19 9BA** (Pages 11 - 48)

Application for a premises licence in respect of Three Sisters, 1 Portsmouth Road, Southampton, SO19 9BA

Monday, 21 August 2017

SERVICE DIRECTOR, LEGAL AND GOVERNANCE

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# Agenda Item 5

Minutes of Licensing (Licensing and Gambling) Sub-Committee meetings:

- 5 July 2017
- 12 July 2017

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SOUTHAMPTON CITY COUNCIL  
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 5 JULY 2017

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Present: Councillors McEwing, Painton and Parnell

1. **ELECTION OF CHAIR**

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

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

**RESOLVED** that the minutes of the meeting held on 11 May 2017 be approved and signed as a correct record.

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

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

4. **APPLICATION FOR NEW PREMISES LICENCE - SOUTHAMPTON HARBOUR HOTEL, 5 MARITIME WALK, SOUTHAMPTON SO14 3QT**

The Sub-Committee considered the application for grant of premises licence in respect of Southampton Harbour Hotel, 5 Maritime Walk, Southampton SO14 3QT.

There was a short adjournment to ascertain if Environmental Health would be attending the meeting, and it was accepted that they would not be in attendance.

Mr Maguire (Applicant), Councillor Paffey (Ward Councillor), Mr Smart (Chair of Ocean Village Marina Residents Association), Mr Place, Mr Robb, Mr Griffith and Mr White (Local Residents) were present and with the consent of the Chair, addressed the meeting.

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

**RESOLVED** that the premises licence be granted to include conditions proposed by the Environmental Health Officer and in accordance with conditions already agreed with the police.

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

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

The Sub-Committee has considered very carefully the application for a premises licence for Southampton Harbour Hotel, 5 Maritime Walk, Southampton SO14 3QT.

It has given due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted statement of Licensing Policy.

The Sub-Committee considered the representations, both written and given orally today, by all parties. Human rights legislation has been borne in mind whilst making the decision.

It was noted that representations had been received from a significant number of residents, police and environmental health. The applicant had agreed conditions with the police prior to the hearing as set out within the report (and relating to CCTV, staff training, proof of age and refusals). The applicant also confirmed that a condition had been agreed with environmental health restricting the use of external areas after 2200 hours on any day.

Having considered all the above evidence and after having heard from those present, the Sub-Committee has determined to grant the Premises Licence.

### Reasons

The Sub-Committee heard evidence from residents raising concern including (but not limited to) the following points:

- That the premises should be in line with surrounding premises in terms of operation;
- That sound, particularly bass, travels more easily over water increasing the risk for noise nuisance;
- That the provision of off licence sales at the premises presents a risk to the licensing objective of Crime and Disorder;
- The closing of a footpath in the area indicates existing levels of nuisance;
- That the extensive hours put forward by the application could lead to excessive interference/nuisance;
- That boats visiting the harbour might be encouraged to create nuisance as a result of licensable activities at the premises.

The Sub-Committee considered all of these points particularly carefully but accepted legal advice given during the hearing that the Sub-Committee is bound to consider the application on its merits, that no precedent applies with regards to other premises and the application can only be reasonably restricted where evidence shows there is a risk presented to one or more of the licensing objectives.

The Sub-Committee heard evidence from the applicant confirming that detailed conditions had been agreed with the police and that all licensable activities would cease outside at the premises at midnight on any day. Further, that any live or recorded music or anything similar shall be restricted in any outside area to being of a background level (no louder than normal conversation), after 2200 hours on any day. The applicant also confirmed that sales of alcohol for consumption off the premises shall cease at midnight on any day.

The Sub-Committee was reassured to hear more detail in relation to the nature of the proposed premises and the fact that the applicant would be very much concerned to ensure that their own residents as well as nearby local residents are not disturbed by noise nuisance at sensitive times. Accordingly, the Sub-Committee assessed the risk in this particular instance as being relatively low. This assessment was aided by the conditions agreed and amendments made during the course of the hearing.

It is reassuring to hear that the applicant has engaged with residents and is willing to provide a contact number for residents to raise concerns when they arise. The Sub-Committee recommends that this co-operation continues going forward.

Whilst it is accepted that residents might wish to achieve a complete ban on any audible noise emanating from the premises, the Sub-Committee was not satisfied that such a ban would be practical nor appropriate at this time. The Sub-Committee is not convinced that the operation of the premises will materially affect the behaviour of those on boats and even if it did this would be too remote for the Sub-Committee to take into account.

Residents can be reassured that there is a power to instigate a review in the event that the licensable activities at the premises do lead to issues undermining the licensing objectives.

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

NOTE: At the commencement of the meeting, Councillor McEwing declared a minor interest and with the consent of all parties remained in the meeting and took part in the decision making.

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SOUTHAMPTON CITY COUNCIL  
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 12 JULY 2017

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Present: Councillors Mrs Blatchford, Painton and Parnell

5. **ELECTION OF CHAIR**

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

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

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

7. **APPLICATION FOR A NEW PREMISES LICENCE - BAFFI PIZZA, 267 - 271 PORTSWOOD ROAD, SOUTHAMPTON, SO17 2LA**

The Sub-Committee considered the application for the grant of a premises licence in respect of Baffi Pizza, 267-271 Portswood Road, Southampton SO17 2LA.

Mr T Ellis (Applicant), Mr N Ellis (Applicants Agent) and Dr R Buckle (Local Resident) and Mrs J Jameson (Local Resident) were present and with the consent of the Chair, addressed the meeting.

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

**RESOLVED** that the application for a premises licence be granted.

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

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

The Sub-Committee has considered very carefully the application for a premises licence for Baffi Pizza, 267-271 Portswood Road, Southampton SO17 2LA.

It has given due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted statement of Licensing Policy.

The Sub-Committee considered the representations, both written and given orally today, by all parties. Human rights legislation has been borne in mind whilst making the decision.

It was noted that representations had been received from a number of residents. The applicant had agreed conditions with the police prior to the hearing as set out within the report (and relating to CCTV, staff training, proof of age, refusals and age policy).

Having considered all the above evidence and after having heard from those present, the Sub-Committee has determined to grant the Premises Licence.

### Reasons

The Sub-Committee heard evidence from residents raising concern including (but not limited to) the following points:

- That a further premises licence would lead to concentration of premises
- That there is a danger of creating a “drinking corridor”
- That the parking of goods vehicles would cause nuisance
- That the hours sought are excessive
- That the impact would be unacceptable for an adjoining elderly home.

The Sub-Committee considered all of these points particularly carefully but accepted legal advice given during the hearing that the Sub-Committee is restricted to considering only those issues that relate to one or more of the licensing objectives. As a result the Sub-Committee could not consider matters relating to planning issues, parking, the commercial demand for licensed premises etc.

The Sub-Committee heard that detailed conditions had been agreed with the Police and that as a result the Police had indicated that a hearing was not necessary. In addition the Sub-Committee heard that the applicants are experienced operators in the catering field, fully aware of the licensing objectives. The proposed premises is a restaurant rather than a bar with service at seated tables. There is to be limited offer of alcohol and there shall be no drinks promotions, only promotions in relation to food. Staff are to be trained and the business provides a staff handbook. A general clientele is expected and the record of other venues shows that no calls have been made in relation to disorder and that there has been no complaint for breaches of licences in force. The applicant also confirmed that no off sales are to be made at the premises. It was also made clear by the applicant that the premises would be air conditioned with windows and doors being closed other than for access and egress. The application included no provision for recorded or live music and the intention is that recorded music shall be wholly incidental to the provision of food at the premises.

The Sub-Committee could not ignore the fact that without a premises licence for the sale of alcohol the general operation of the business in serving food (for the hours sought) is not licensable. Accordingly the Sub-Committee had to focus its mind upon the impact caused by the sale of alcohol at the premises. In light of the nature of the business described it was determined that the risk to the licensing objectives was low and that as a result it would not be appropriate to restrict the licensable activity sought at this time.

Residents can be reassured that there is a power to instigate a review in the event that the licensable activities at the premises do lead to issues undermining the licensing objectives.

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

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# Agenda Item 7

## DECISION-MAKER LICENSING (LICENSING & GAMBLING) SUB COMMITTEE

**SUBJECT** HEARING TO CONSIDER AN APPLICATION FOR GRANT OF A PREMISES LICENCE -  
Three Sisters 1 Portsmouth Road Southampton SO19 9BA

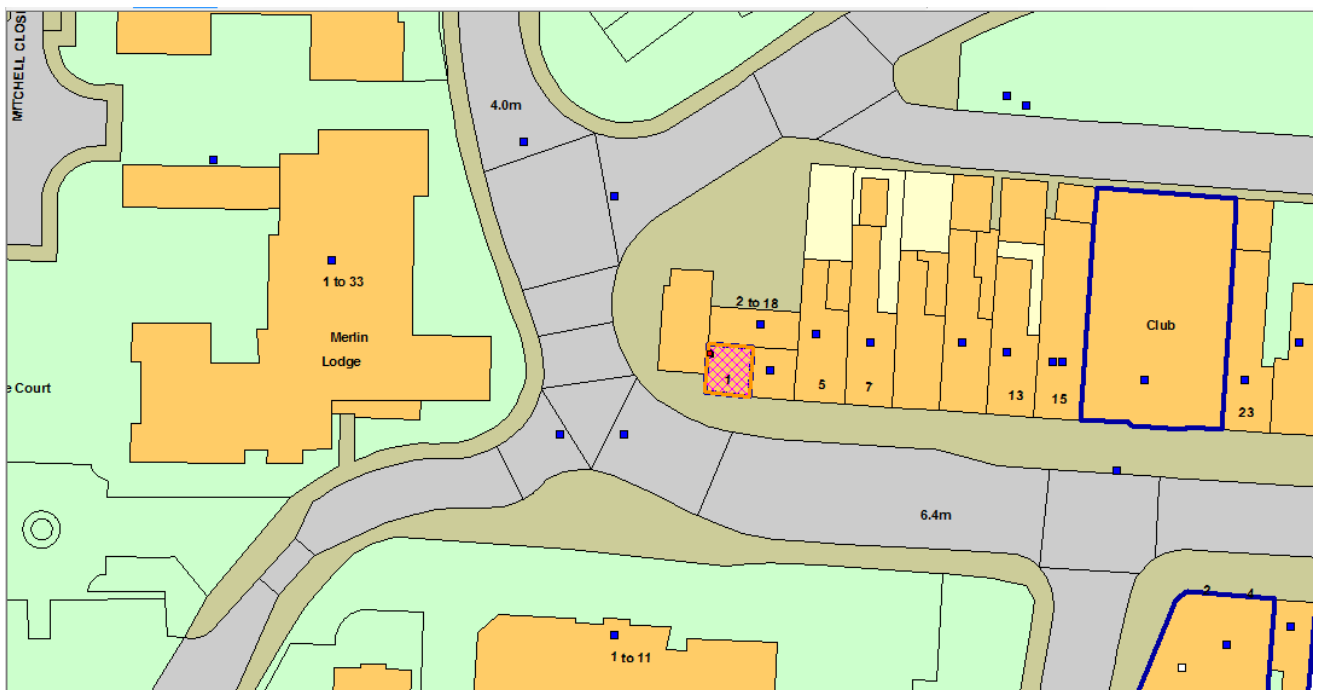
**DATE OF HEARING** **Wednesday 30<sup>th</sup> August 2017 at 18:00 hrs**

**REPORT OF** SERVICE DIRECTOR – TRANSACTIONS & UNIVERSAL SERVICES

**E-mail** **licensing@southampton.gov.uk**

Application Date : 10th July 2017                      Application Received 10th July 2017

Application Valid : 10th July 2017                      Reference : **2017/02286/01SPRN**



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

<b>Responsible Authority</b>	<b>Satisfactory?</b>
Safeguarding Children	Yes
Fire Service	No Response Received
Environmental Health - Licensing	No Response Received
Home Office	No Response Received
Building Control	No Response Received
Public Health Manager	No Response Received

Police - Licensing	Yes [Agreed Conditions]	
Trading Standards	Yes	
<b><i>Other Representations</i></b>		
<b>Name</b>	<b>Address</b>	<b>Contributor Type</b>
Ms Natalie Bevan	Flat 4 Cliff Hotel Portsmouth Road Southampton SO19 9TN	Resident
Mr Michael Tootill	Flat 16, Spitfire Court, Mitchell Close, Southampton, SO19 7TN	Resident
Mr Martin Peter Stocks	Flat 1, Spitfire Court, Mitchell Close, Southampton, SO19 7TN	Resident
<b><i>Other Representations - Supporting Application</i></b>		
Mr Lee Waterman	103 Gainsford Road, Southampton, SO19 7AW	Resident
Miss T Cosens	25 Laurel Close Southampton SO19 7DE	Resident

## Legal Implications

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

5. The sub-committee must also have regard to:

- *The Crime and Disorder Act 1998*

Section 17 of the Crime and Disorder Act 1998 places the sub-committee under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

- *The Human Rights Act 1998*

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

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

## Summary of application

<b>Applicant</b>	<b>Mr Karl Joyce</b>
<b>Agent for licence Holder:</b>	<b>N/A</b>
<b>Proposed DPS</b>	<b>Mr Karl Joyce</b>

The premises is a small bar.

Activities and times applied for:

Supply by retail of alcohol (on and off the premises)	Hours premises open to public
Monday 11:00 - 23.00	Monday 11:00 - 23.00
Tuesday 11:00 - 23.00	Tuesday 11:00 - 23.00
Wednesday 11:00 - 23.00	Wednesday 11:00 - 23.00
Thursday 11:00 - 23.00	Thursday 11:00 - 23.00
Friday 11:00 - 23.00	Friday 11:00 - 23.00
Saturday 11:00 - 23.00	Saturday 11:00 - 23.00
Sunday 11:00 - 22.00	Sunday 11:00 - 22.00

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

### CCTV

*A recording CCTV system that captures images from the main public areas (excluding the toilets) 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 for someone to have access to the secure area and also be able to operate the equipment at all times.*

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

### WRITTEN POLICIES

*Written policies on the ejection of customers and the refusal of entry of customers shall be implemented following agreement with the Police licensing department responsible for the area.*

*A bar staff refusals register shall be implemented and maintained at the premises and made available on request to police officers or authorised Officers of Southampton City Council.*

*A written policy on how the venue will tackle and deal with drugs and drug prevention shall be implemented following agreement with the Police licensing department responsible for the area.*

### Refusals book

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

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

*The record of refusals will be retained for 12 months.*

### 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.*

### CHILDREN

*No children shall be allowed upon the premises unless accompanied by an adult.*

### OFF SALES

*All off sales of alcohol shall be done so in non-glass products. If the item to be supplied is manufactured in a glass bottle, then the contents shall be decanted.*

Application form and plan – Pages 7 - 26

Representation - Objecting – Pages 27 - 30

Representation – Supporting - Pages 31 - 32

Agreed conditions with Hampshire Constabulary – Pages 33 - 38

**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 Karl Joyce

*(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 The Three Sisters 1 Portsmouth Road			
Post town	Southampton	Postcode	SO19 9BA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£4896

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

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

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

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Joyce			First names Karl		
Date of birth		I am 18 years old or over		<input checked="" type="checkbox"/> Please tick yes	
Nationality <b>British</b>					
Current residential address if different from premises address		50 Porchester Road Woolston			
Post town	Southampton			Postcode	SO19 2JD
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)	thethreesistersbar@gmail.com				

**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 over		I am 18 years old or	<input type="checkbox"/> Please tick yes
Nationality			
Current residential address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

**(B) OTHER APPLICANTS**

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

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

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
1	0	0 8 2 0 1 7

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)**  
The premises is at the end of a parade of high street shops. Currently with A1 retail.  
The front is predominately glass with one point of access.  
At its widest point it measures 7 metres x 7 metres.  
There is 1 disabled sized WC measuring 1.6 metres x 1.85 metres towards the rear left corner of the premises. This has a 30inch doorway.  
There is boxed seating on entering the premises which is 2.2 metres by 2.6 metres, which provides seating whilst not obstructing the doorway and maintaining a clear exit in case of emergency.  
There is a bar which has been positioned within the premises with storage to the rear for supplies and stock.  
There is a boxed window seat that covers 4.4 metres of the main window. To allow comfortable seating while providing customers with views of the river Itchen.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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



In all cases complete boxes K, L and M

**A**

Plays Standard days and timings (please read guidance note 7)			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"/>
				Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

**B**

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

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)		
Day	Start	Finish			
Mon					
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)		
Wed					
Thur			<b><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></b> (please read guidance note 6)		

Fri		
Sat		
Sun		

**D**

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

**E**

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

**F**

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

**G**

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



# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 4)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
Fri					
Sat			<b>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</b> (please read guidance note 6)		
Sun					

I

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

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)					
Mon	1100	2300						
Tue	1100	2300						
Wed	1100	2300						
Thur	1100	2300						
Fri	1100	2300						
Sat	1100	2300						
Sun	1100	2200						
						<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		

**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 Karl Joyce	
Date of birth	██████████
Address ██████████	
Postcode	██████████
Personal licence number (if known) 2017/02971/02SPEN	
Issuing licensing authority (if known) Southampton City Council	

□□□□

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).**  
 We are not planning any entertainment activities that may give rise to concern in respect of children.

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
	1100	2300	
Tue			
	1100	2300	
Wed			
	1100	2300	
Thur			
	1100	2300	
Fri			
	1100	2300	
Sat			
	1100	2300	
Sun			
	1100	2200	

**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)**

we are a mature married couple therefore we will be small family owned business that intend to liaise with local authorities and other local establishments to promote responsible and safe consumption of alcohol both on and off our premises and within our community. We will close at 23.00 to coincide with other food and drinking establishment closing times within the area so as not to cause any nuisance or disruption, I myself was in the armed forces for 9 years therefore discipline and core values are of the upmost importance to our business so the 4 licensing objectives shall be fully carried by our small family business with a professional and friendly approach.

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

we will have challenge 25 in place, hold weekly staff training in ID checking and how to carry out said checks to avoid conflict etc, with efficient and responsible management being our key objective we intend on joining pubwatch and seek to work within our community to provide a safe drinking environment, we will provide paper cups with plastic lids for customers choosing to take any carry out beverages. CCTV will be installed throughout the premises and an external camera shall be fitted. SIA licensed door staff will be hired when applicable, we will also provide plastic carry out containers and ask our customers to consume in a responsible manor.

**c) Public safety**

we are aware of our small cozy space therefore we intend not to get over crowded or to a point where the designated exit becomes blocked, we will have SIA licensed staff where needed, we will adopt a strict no smoking policy, we have a smoking area outside and will provide an external sand lined metal container for said customers, if we identify a customer that has had too much to drink we will gently refuse any further sale of alcohol and make sure they leave in a safe and orderly manor as we will with all our customers upon leaving and ask they respect our neighbours and to leave quietly (we shall display signs also) CCTV will also provide us with a view of all areas, we are a small family run business therefore we will provide a fun, relaxed atmosphere and will oppose any antisocial activities.

**d) The prevention of public nuisance**

we require a licence to close at 23.00, within the Woolston community we are aware of our surroundings and there are several establishments open until this time and I feel getting a license up to this time will help generate more much needed revenue to business's in the area (food shops, bars and taxi) and cause no public nuisance or any sort, we will ask our customers to leave quietly, supervise them ourselves and display signs stating the same requests, we will have SIA licensed door supervisors if needed and we will give out lollipops to leaving customers also on exit. We have a very large/wide pavement outside providing safe exit of our premises for customers while causing no obstruction to public.

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

We will be strict on the challenge 25 policy, CCTV will be installed to help us remain vigilant both inside and out of the premises, if we see that any adults are buying alcohol to give to under age persons we will confiscate it immediately and notify the authorities. We will display signs on our policies within the premises so anyone being found in breach of this will be asked to leave and not return, any child under 16 must be accompanied by an adult on our premises. There are no school routes that pass near our premises as we are at the end of a small high street of shops nor are there children that pass by.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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

**Part 4 – Signatures (please read guidance note 11)**

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

<b>Declaration</b>	<ul style="list-style-type: none"><li>• [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).</li><li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or</li></ul>
--------------------	---

	her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	09/07/2017
Capacity	

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			


### Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between

08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.

- Live music: no licence permission is required for:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it



	her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	09/07/2017
Capacity	

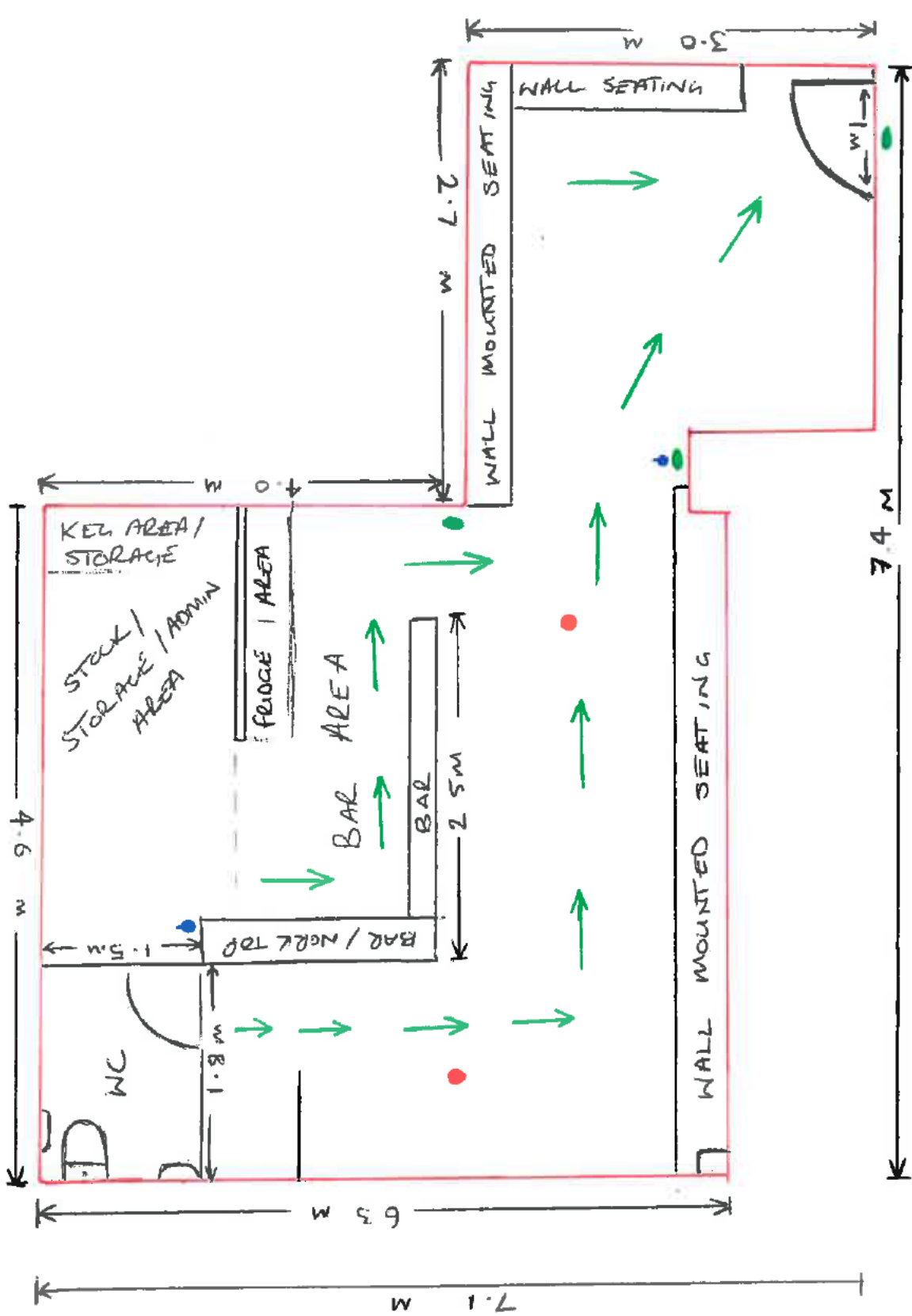
**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

#### 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



- ➔ FIRE ESCAPE ROUTE
- PREMISES PERIMETER
- FIRE ESCAPE SIGNAGE
- FIRE EXTINGUISHERS (CO2 IN BAR / WATER IN PUBLIC AREA)
- CEILING MOUNTED SMOKE DETECTORS

**From:** [natalie bevan](#)  
**To:** [Licensing](#)  
**Cc:** [Payne, Warwick \(Clr\)](#)  
**Subject:** 2017/02286/01SPRN - 1 Portsmouth Road SO19 9BA  
**Date:** 10 July 2017 21:18:42

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**CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.**

Dear Sirs

I would like to lodge my concerns regarding the application of the above license. I live in Flat 4 The Cliff Portsmouth Rd (SO19 9TN) which is on the opposite side of the road from the proposed premises. All of the windows of my flat face onto this property and the approximate distance between window and property is less than 15 meters. I am concerned about the potential disruption to my private life via noise disturbance. In the residential block that I live in there are at least 8 of 11 flats that have families with small children. All of whom would have a bedtime prior to the proposed close time of the premises. In addition to general needs property, the proposed premises also has a block of elderly sheltered accommodation, again this is less than 15 meters away from the premises. I believe that as with any licensed premises, noise will occur, particularly as I note that from the license, that music is also permitted to be played upto 11pm.

In addition to that I feel that given the proximity to residential properties, with a high volume of families/children, this is failing to protect children from harm, by highlighting the sale and consumption of alcohol. Given that the latest Southampton city council and CCG JSNA document outlines the need to

- We need to tackle alcohol harm and prevent damage to health and wellbeing at individual, family, community and city levels. (section 4 taking responsibility for health

Within the Safe City Strategic Assessment 2015/16 section 5.6 clearly defines a link between crimes and alcohol by showing the rate of crime being highest in Boevis and Bargate wards. Currently Woolston ward is around half of this level, however since this document was compiled, there have been at least 4 new licensed premises in the woolston area. I see that this is likely to show an increase in alcohol related crime, which will have an impact on peace of mind and personal security to local residents. As already mentioned in the immediate vicinity there are a number of families and elderly persons flats.

the same document also highlights an increase in alcohol related crimes year on year in Southampton, in the region of 12 %. Further in the same section it clearly states there is a correlation between the density of licenced premises and the occurrences of alcohol related crime and public disorder. Surely by granting this licence, you will be compounding the problem, particularly since the co-op has recently extended its opening hours to 23.00 and within the past 12 months an additional 'real ale bar' has opened that is within 100 m of the proposed premises.

On page 15 section D the applicant has stated that this will generate much needed revenue to local businesses. The local take aways remain open and have remained open until reasonably late for many years now, so I don't believe that an additional premises licence will provide a growth in revenue for other businesses. I do not see how an additional bar will provide growth of business to other bars in the local area. Surely this is reason not to grant the licence?

On page 15 section b, the applicant states that they will provide paper cups and lids to enable customers to take away their drinks. I propose that this enables an encourages further drinking whilst in public and therefore cause more anti social behaviour in the local area. In addition to this it is likely that the cups will be dropped in the street.

Woolston already has a number of bars in the area, however these are further removed from residential properties in their current positions. This particular location has flats above it and also surrounding it. All of these are close enough to suffer significant disturbance to their peace during evening hours. By granting the licence to these particular premises, you will be giving no positive returns to the local area or residents. It is highly likely that this will cause an increase in ASB complaints and littering, which will outweigh the few benefits that the applicant has highlighted.

I would appreciate being kept informed of the progress of my representation in respect of this licence.

Kind regards

Natalie Bevan  
F 4 The Cliff  
Portsmouth Rd  
Southampton  
SO19 9TN



**From:** [Michael Tootill](#)  
**To:** [Licensing](#)  
**Cc:** [REDACTED]@hotmail.com; [Lewzey, Paul \(Cllr\)](#); [Keogh, Eamonn \(Cllr\)](#)  
**Subject:** RE: Comments for Licensing Application 2017/02286/01SPRN  
**Date:** 17 July 2017 21:48:02

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Many thanks for your response,

My objection relates to the prevention of public nuisance objective and the stated intention of the applicant to offer carry out sales. The premises faces onto the old chain ferry slip way which then has an open area along the sea wall surrounding Spitfire Court, a residential building. This area around Spitfire Court, whilst private property, is open to the public. The location of the proposed premises will allow easy access for people to purchase carry out sales and then take them directly to this open area for consumption, resulting in a potential noise and litter problem. The application states that they intend to offer carry-out sales in plastic containers, which I read to mean that they will be serving draft beer and cider in containers such as four pint milk bottles, as is common practice at music festivals and public events with draft beer stalls. If the product is not sold in sealed containers, such as those purchased from shops in the area, this will potentially encourage nuisance drinking in the area.

My reference to the protection of children from harm objective is that in the application, the applicant states that the premises is not on a school route. There are quite a few children, including my own, who pass by this premises on the way to and from school, so for the applicant to state that the premises is not on a school route is incorrect. If the premises is open from 11am to 11pm then it will be open during the afternoon school run and the early evening when children will be out playing in the area. The area around Spitfire Court and the Cliff Hotel is popular with local children, and any increase in drinking in this area would have an impact on the children who live and socialise in the surrounding area. The application makes no mention of refusals and incident logging, which has been detailed in applications for similar premises in the area. The application also only briefly details staff training with regard to prevention of underage sales and refusals due to intoxication. In a small premises such as this it would be assumed that there would not be a large number of staff working at any time, which would limit their ability to monitor what is happening outside the premises, and if off sales are being passed on to children in the local area. The application states children under 16 must be accompanied by an adult so conversely, they will allow unaccompanied 16 and 17 years old on the premises, which does not seem to promote the protection of children from harm when it relates to a premises which is largely focused on the sale of alcohol.

I have copied in the director of the management company for Spitfire Court, as the private property surrounding Spitfire Court is under their control and any potential for an increase in problem drinking would affect them.

I hope this clarifies my objection. Please let me know if I have put this in the incorrect format and should resubmit it via the website.

Kind regards

Michael Tootill

Sent from [Mail](#) for Windows 10

Flat 16  
Spitfire Court  
Mitchell Close  
Southampton  
SO19 7TN

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**From:** [Gurung, Leena](#)

**Sent:** 17 July 2017 11:24

**To:** [REDACTED]@live.com

**From:** [spitfire court property](#)  
**To:** [Licensing](#)  
**Cc:** [flat\\_16\\_tenant](#)  
**Subject:** Re: Comments for Licensing Application 2017/02286/01SPRN  
**Date:** 18 July 2017 13:00:43

**CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.**

Dear Leena,

How is this?

**The Three Sisters, 1 Portsmouth Road, Southampton, SO19 9BA**  
**Objection to licensing**

#### Application Summary

Address: 1 Portsmouth Road Southampton SO19 9BA  
Proposal: Premises Licence  
Case Officer: Leena Gurung

#### Customer Details

Name: Mr Martin Peter Stocks  
Email: [REDACTED]@hotmail.com  
Address: Flat 1, Spitfire Court, Mitchell Close, Southampton  
SO19 7TN

#### Comments Details

Commenter Type: Freeholder of neighbouring property.  
Stance: We object to the Licensing Application  
Reasons for comment: Potential for increase in antisocial behaviour.  
Comments: Our objection relates to the prevention of public nuisance objective.

We understand that plastic carry out containers will be available from the proposed premises. What measures do the applicants intend to take to ensure this does not result in an increase of nuisance drinking and littering on the Itchen shore line surrounding Mitchell Close and under the Itchen Bridge, as these locations are readily accessible from the proposed premises and are heavily residential. While there are several other premises in the area which offer sale of alcohol for consumption off the premises, these are all further away and shops selling in sealed containers to our knowledge.

The premises faces onto the old chain ferry slip way and chain wheel monument adjacent to Jackmans Close which then has a riverside walk along the sea wall surrounding Spitfire Court - a residential building of 43 flats. The area around Spitfire Court is private property with no public right of way, although honouring an agreement from 2008, Public access is permitted. The location of the proposed premises will allow easy access for people to purchase carry out sales and then take them directly to this open area for consumption by the river, resulting in a potential noise and litter problem. If the product is not sold in sealed containers, such as those purchased from shops in the area, this will potentially encourage nuisance drinking in the area.

The monument and slipway is already a drain on our community finances and a magnet for antisocial behaviour and we have had numerous complaints about this from residents and neighbours. In anticipation of reduced use after the Surgery closes on 30th September we decided to install a gate and fence to enable cars and motorcycles to be excluded from the area.

There was a major incident on the 23/24th August 2016 with Police and an Ambulance attending so we decided to lock the gate when the car park was not needed for the Surgery. Weekend incidents have now dramatically diminished but occasional midweek activities are a cause for concern. We will monitor this to decide what further action may be necessary.

Since the installation of a locked gate on Council land at the south western access to the waterside steps in front of Northern Anchorage, public access and antisocial behaviour has been restricted to our property and we fear granting this license so close to our property will only make things worse.

We do not want to restrict access to our property but if problems increase we will have no option but to take action to protect our residents even at the loss of a much loved waterside walk for members of the public and fishermen who we currently allow access to probably the only waterfront near the mouth of the River Itchen from where fishing is not banned.

Martin (Nick) Stocks.  
Director,  
Spitfire Court Properties Ltd.  
Company Number 04990531.

**From:** [publicaccess@southampton.gov.uk](mailto:publicaccess@southampton.gov.uk)  
**To:** [Licensing](#)  
**Subject:** Comments for Licensing Application 2017/02286/01SPRN  
**Date:** 19 July 2017 05:37:39

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

Comments were submitted at 5:37 AM on 19 Jul 2017 from Mr Lee Waterman.

### **Application Summary**

**Address:** 1 Portsmouth Road Southampton SO19 9BA

**Proposal:** Premises Licence

**Case Officer:** Leena Gurung

[Click for further information](#)

### **Customer Details**

**Name:** Mr Lee Waterman

**Email:** [REDACTED]@ntlworld.com

**Address:** 103 Gainsford Road, Southampton SO19 7AW

### **Comments Details**

**Commenter Type:** Other

**Stance:** Customer made comments in support of the Licensing Application

**Reasons for comment:**

**Comments:** 5:37 AM on 19 Jul 2017 What a fantastic idea , Woolston is an up and coming little community now , it's nice to see people investing in Woolston and there family's , all the luck for there new business adventure .

**From:** [publicaccess@southampton.gov.uk](mailto:publicaccess@southampton.gov.uk)  
**To:** [Licensing](#)  
**Subject:** Comments for Licensing Application 2017/02286/01SPRN  
**Date:** 22 July 2017 10:38:03

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

Comments were submitted at 10:37 AM on 22 Jul 2017 from Miss Tammy Cosens.

### **Application Summary**

**Address:** 1 Portsmouth Road Southampton SO19 9BA

**Proposal:** Premises Licence

**Case Officer:** Leena Gurung

[Click for further information](#)

### **Customer Details**

**Name:** Miss Tammy Cosens

**Email:** [REDACTED]@yahoo.co.uk

**Address:** 25 Laurel Close, Southampton SO19 7DE

### **Comments Details**

**Commenter Type:** Neighbour

**Stance:** Customer made comments in support of the Licensing Application

**Reasons for comment:**

**Comments:** 10:37 AM on 22 Jul 2017 Would love this too go ahead somewhere close



**From:** [Swallow, Brian](#)  
**To:** [Licensing](#)  
**Cc:** "Helena Joyce"  
**Subject:** FW: Premises Licence Application - Three Sisters , 1 Portsmouth Road,. Southampton , SO19 9BA  
**Date:** 14 July 2017 21:21:55

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Dear licensing,

Please find agreed amendments to the application for the above premises.

We make representation on the application but based on the amendments a hearing is not necessary

Regards

PC [REDACTED] Brian Swallow

*Licensing Officer*

*Licensing and Alcohol Harm Reduction Team*

*Southampton Central neighbourhood Police Office*

*Southampton City Council*

*Civic Centre*

*Southampton*

*SO14 7LY*

[REDACTED] [@hampshire.pnn.police.uk](mailto:[REDACTED]@hampshire.pnn.police.uk)

*Int:* [REDACTED]

*Ext:* [REDACTED]

*Mob:* [REDACTED]

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**From:** Helena Joyce [mailto:[REDACTED]@gmail.com]

**Sent:** 14 July 2017 19:51

**To:** Swallow, Brian

**Cc:** Licensing & Alcohol Harm Reduction Team Mailbox

**Subject:** Re: Premises Licence Application - Three Sisters , 1 Portsmouth Road,. Southampton , SO19 9BA

Dear Brian,

Yes I can confirm we agree to your proposals

With regards to implementing written policies on ejection and refusal of customers do you have any literature or up to date examples of these so I am able to stay up to date and in line with said policies please?

Also do you have any challenge 25 posters and police aware signage I can place in the premises should it be granted at all please?

Kind regards

Karl Joyce

Sent from my iPhone

On 14 Jul 2017, at 17:55, [REDACTED] <[\[REDACTED\]@hampshire.pnn.police.uk](mailto:[REDACTED]@hampshire.pnn.police.uk)>  
[REDACTED] <[\[REDACTED\]@hampshire.pnn.police.uk](mailto:[REDACTED]@hampshire.pnn.police.uk)> wrote:

Dear Karl

Many thanks for your response.

Can I therefore confirm that you agree to all my proposals, that will then be included upon the premises licence as conditions and which the would in turn become enforceable if it is granted.

Kind regards

PC [REDACTED] Brian Swallow

*Licensing Officer*

*Licensing and Alcohol Harm Reduction Team*

*Southampton Central neighbourhood Police Office*

*Southampton City Council*

*Civic Centre*

*Southampton*

*SO14 7LY*

[REDACTED] <[\[REDACTED\]@hampshire.pnn.police.uk](mailto:[REDACTED]@hampshire.pnn.police.uk)>

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**From:** Helena Joyce [[mailto:\[REDACTED\]@gmail.com](mailto:[REDACTED]@gmail.com)]

**Sent:** 13 July 2017 10:22

**To:** Swallow, Brian <[\[REDACTED\]@hampshire.pnn.police.uk](mailto:[REDACTED]@hampshire.pnn.police.uk)>

**Cc:** Licensing & Alcohol Harm Reduction Team Mailbox  
<[\[REDACTED\]@hampshire.pnn.police.uk](mailto:[REDACTED]@hampshire.pnn.police.uk)>

**Subject:** Re: Premises Licence Application - Three Sisters , 1 Portsmouth Road, Southampton , SO19 9BA

Dear Mr Swallow,

Thank you for your email this morning,

I can confirm that we intend to be a purely wet led alcohol operation for the sale of alcohol for consumption both on and off our premises, as you have stated we will transfer any alcoholic beverages to be consumed off premises into plastic bottles with sealable lids or paper cups with a lid therefore it will be decanted,

The conditions you have set out shall be put in place and maintained, also the laws and implications you have brought to my attention have also been most helpful and therefore shall be upheld.

With regards to the public notice I have put on the outer of the premises, We have until the 7th of august for the public objections to be taken into consideration for our application,

With this in mind we have had a quote for 4 camera CCTV system from a local company that will be purchased and installed once we get the decision (and before we are allowed to open of course) as it is an expensive piece of equipment to purchase should the licence not be granted, given the size of our premises will cover all internal (not inside toilet) and external coverage.

Regards  
Karl Joyce

Sent from my iPhone

On 13 Jul 2017, at 08:42, [REDACTED] <[\[REDACTED\]@hampshire.pnn.police.uk](mailto:[REDACTED]@hampshire.pnn.police.uk)>  
<[\[REDACTED\]@hampshire.pnn.police.uk](mailto:[REDACTED]@hampshire.pnn.police.uk)> wrote:

Dear Mr Joyce,

I am in receipt of an application for a new premises licence for an address of Three Sisters , 1 Portsmouth Road, . Southampton , SO19 9BA.

I note that this venue is going to purely a wet led alcohol operation without any mention of food or entertainment within the application. As such, by operating a bar comes with it a great deal of responsibility. Having read your application , I am encouraged by the steps that you intend to undertake to promote the licensing objectives as detailed in section "M" of the application.

Regardless of any previous occupations , the premises licence , should the Local authority be minded to granted it, is issued for the "premises". And as such , if granted, can be transferred to anybody else, so any diligence applied by yourselves on the operation may not be maintained to your standards by future operators.

As such I propose that in order to promote the licensing objectives your diligence suggestions as to how you intend to promote the licensing objectives should be converted into enforceable licensing conditions and would appear upon the licence. Therefore any breach of these conditions would be a criminal offence under section 136 of the Licensing act 2003.

My proposals will follow below. If you can reply to my communication upon the same email thread to maintain the continuity and transparency of the conversation. I am also away from the office for 10 days from Saturday , so if you can kindly cc your reply to my main office email [REDACTED] <[\[REDACTED\]@hampshire.pnn.police.uk](mailto:[REDACTED]@hampshire.pnn.police.uk)> then one of my colleagues can answer any questions you may have.

Regards

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Conditions Start-----

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CCTV

*A recording CCTV system that captures images from the main public*

*areas (excluding the toilets) 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 for someone to have access to the secure area and also be able to operate the equipment at all times.*

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

### **WRITTEN POLICIES**

***Written policies on the ejection of customers and the refusal of entry of customers shall be implemented following agreement with the Police licensing department responsible for the area.***

***A bar staff refusals register shall be implemented and maintained at the premises and made available on request to police officers or authorised Officers of Southampton City Council.***

***A written policy on how the venue will tackle and deal with drugs and drug prevention shall be implemented following agreement with the Police licensing department responsible for the area.***

Refusals book

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

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

The record of refusals will be retained for 12 months.

**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.

**CHILDREN**

**No children shall be allowed upon the premises unless accompanied by an adult.**

**OFF SALES**

**All off sales of alcohol shall be done so in non-glass products. If the item to be supplied is manufactured in a glass bottle, then the contents shall be decanted.**

-----  
**Conditions End-----**

-----  
PC [redacted] Brian Swallow

Licensing Officer  
Licensing and Alcohol Harm Reduction Team  
Southampton Central neighbourhood Police Office  
Southampton City Council  
Civic Centre  
Southampton  
SO14 7LY

[REDACTED]@hampshire.pnn.police.uk

Int: [REDACTED]

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