

DECISION-MAKER LICENSING (LICENSING & GAMBLING) SUB COMMITTEE

SUBJECT

HEARING TO CONSIDER AN APPLICATION FOR GRANT OF A PREMISES LICENCE -

Baffi Pizza, 267 - 271 Portswood Road, Southampton
SO17 2LA

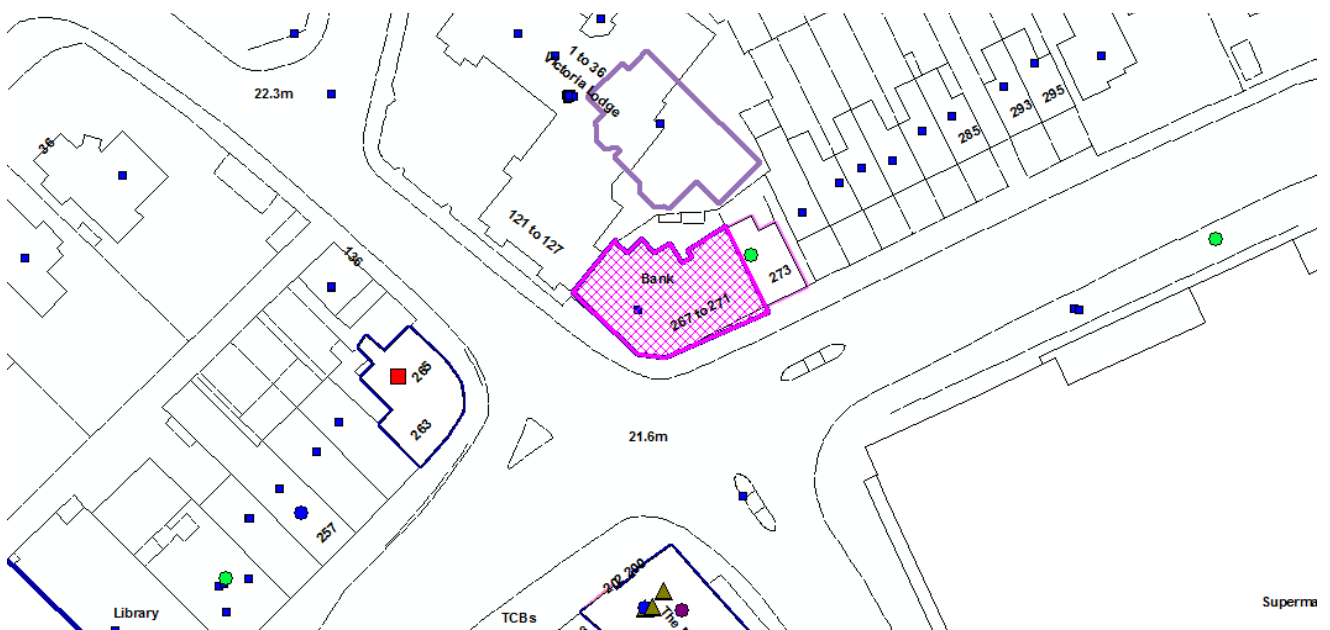
DATE OF HEARING Wednesday 12th July 2017 at 18:30 hrs.

REPORT OF SERVICE DIRECTOR – TRANSACTIONS & UNIVERSAL SERVICES

E-mail licensing@southampton.gov.uk

Application Date : 24th May 2017 Application Received 24th May 2017

Application Valid : 25th May 2017 Reference : **2017/01775/01SPRN**



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Representations from Responsible Authorities

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

Public Health Manager	No Response Received	
Police - Licensing	Yes Agreed Conditions	
Trading Standards	No Response Received	
<i>Other Representations</i>		
Name	Address	Contributor Type
Mr. Alastair Duke	18 Abbots Way Southampton SO17 1NS	Resident
Mrs Jane Jameson	5 Russell Place Southampton So17 1NU	Resident
Ian and Sue Edwards	34 Abbots Way Southampton So17 1NS	Resident
Mr and Mrs A Rose	124 Highfield Lane Southampton SO17 1NP	Resident
Dr. Richard Buckle	Brook Lodge 29 Abbots Way Southampton SO17 1NW	Resident
Mrs. J Barnes	128 Highfield Lane Southampton SO17 1NR	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 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.

Summary of application

Applicant	Polpette (Southbourne) Ltd.
Agent for licence Holder:	Mr Tom Ellis
Proposed DPS	Mr. David Robert James Dixon

The application form states that the premises will be restaurant, with a unique offer of sour dough pizza baked in a purpose build wood fire oven. The Kitchen will be open to the restaurant giving a sense of theatre to the dining experience.

Activities and times applied for:

Supply by retail of alcohol (consumption on 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 - 23.00	Sunday 11:00 - 23.00

It is the policy of the applicant that no unaccompanied minors will be permitted in the premises.

Hampshire Constabulary have made a 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 public areas of the venue 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 main public entrance 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.

Staff Training

Before commencing their duties, all new staff shall 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 which shall be at least annually.

Proof of Age

There shall 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 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 shall 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.

Refusals

A record in either written or electronic format shall be kept of all refusals to sell alcohol. The Premises Licence Holder shall ensure that the record is checked, signed and dated (if in written format) on a weekly basis by the duty manager/manageress.

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

The record of refusals shall be retained for 12 months

Age Policy

Persons under 18 will not be permitted entry to the venue unless accompanied by an adult and then only for the purpose of taking a substantial table meal.

Application form and plan– Pages 7 -25

Representation -Objecting – Pages 26 - 35

Agreed conditions with Hampshire Constabulary – Pages 36 - 38

SOUTHAMPTON AND EASTLEIGH LICENSING PARTNERSHIP

**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 POLPETTE (SOUTHBOURNE) LTD T/A BAFBI
(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

Bakery Pizza

Postal address of premises or, if none, ordnance survey map reference or description <u>267-271 PORTSWOOD ROAD</u>			
Post town	<u>SOUTHAMPTON</u>	Postcode	<u>SO17 2LA</u>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<u>£20,750</u>

Part 2 - Applicant details

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

Please tick as

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

- e) the proprietor of an educational establishment 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)					

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	POLPETTE (SOUTHBORNE) LTD
Address	RCR OFFICE 41 THE SIDINGS VICTORIA AVENUE SWANAGE DORSET BH 19 1AU
Registered number (where applicable)	09244090
Description of applicant (for example, partnership, company, unincorporated association etc.)	COMPANY
Telephone number (if any)	[REDACTED]
E-mail address (optional)	[REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	06	2017

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)

GROUND FLOOR FORMER BANK PREMISES
TO BE USED AS RESTAURANT, MAIN ROAD
LOCATION WITHIN POTTSWOOD SHOPPING
CENTRE. THE UNIT IS SELF CONTAINED
WITH NO OTHER OCCUPIERS OVER

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 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	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
			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 (please read guidance note 6)		
Fri					
Sat					
Sun					

B

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

C

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

D

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

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live 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			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

F

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

G

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

H

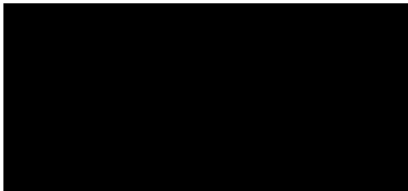
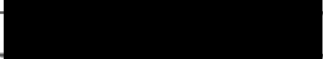
Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick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

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption - please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11.00	23.00			
Tue	11.00	23.00			
Wed	11.00	23.00			
Thur	11.00	23.00			
Fri	11.00	23.00			
Sat	11.00	23.00			
Sun	11.00	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)		

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

Name	DAVID ROBERT JAMES DIXON
Date of birth	
Address	
Postcode	
Personal licence number (if known)	BOP M008733
Issuing licensing authority (if known)	Borough of Poole

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	11.00	23.00	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p>
Tue	11.00	23.00	
Wed	11.00	23.00	
Thur	11.00	23.00	
Fri	11.00	23.00	
Sat	11.00	23.00	
Sun	11.00	23.00	

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

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

STAFF WILL BE TRAINED IN THE OBJECTIVES.
NO PERSONS TO BE ADMITTED/SERVED IF GIVING THE APPEARANCE OF BEING UNDER THE INFLUENCE
NO ALCOHOL TO BE SERVED TO UNDER 18 S
TRAP WATER AVAILABLE FREE OF CHARGE AT ALL TIMES

b) The prevention of crime and disorder

CHANGERS 25 WILL BE OPERATED
THE PREMISES WILL BE EQUIPPED WITH RECORDABLE CCTV WHICH WILL BE MADE AVAILABLE ON DEMAND TO POLICE OR OTHER COMPETENT AUTHORITIES
ALARM (INTRUDER) FITTED
NO CASH TO BE KEPT OVERNIGHT

c) Public safety

ALL STAFF TO BE TRAINED IN SAFETY & FIRE PROCEDURES
FIRE & HEALTH & SAFETY RISK ASSESSMENTS TO BE OBTAINED AND IMPLEMENTED BEFORE THE PREMISES OPEN FOR BUSINESS AND TO BE REVIEWED ON A REGULAR BASIS

d) The prevention of public nuisance

SIGNAGE TO BE PROVIDED TO REMIND PATRONS TO KEEP NOISE LEVELS TO A MINIMUM ON LEAVING.
TAXI CONTACT DETAILS TO BE PROVIDED
NO CLEARENCE OF BOTTLES/GLASS BEFORE 8.00 AM OR AFTER 8.00 P.M
NO MUSIC TO BE AUDIBLE OUTSIDE

e) The protection of children from harm

NO PERSONS UNDER 18 WILL BE EMPLOYED AT THE PREMISES
PERSONS UNDER 18 WILL BE ADMITTED ONLY IF ACCOMPANIED BY A PARENT OR RESPONSIBLE ADULT AND FOR THE PURPOSE OF TAKING TABLE MEALS ONLY

Checklist:

Please tick to indicate agreement


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

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	23.05.2017
Capacity	AGENT FOR APPLICANT

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

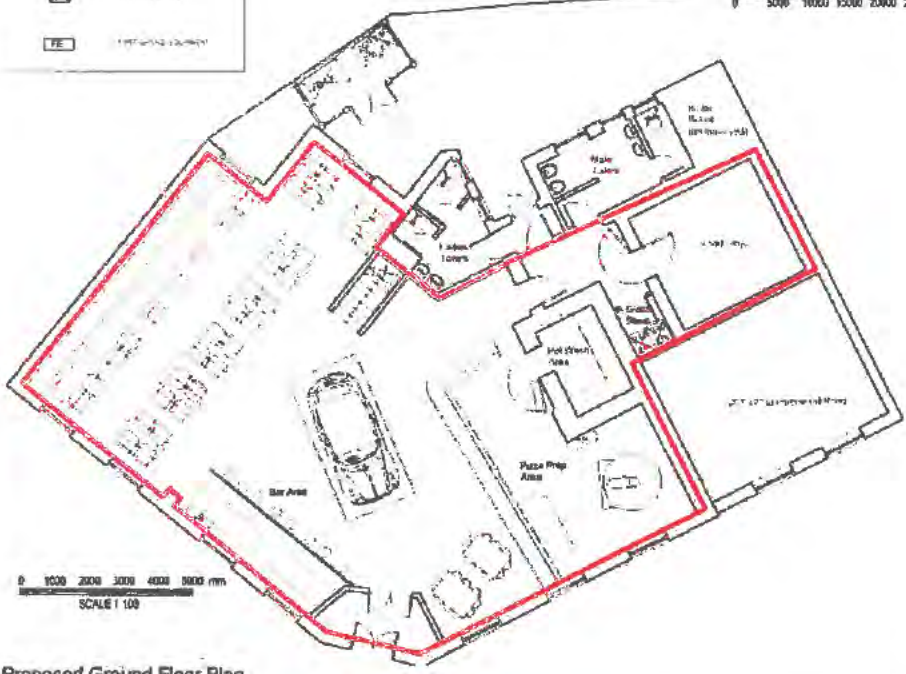
Signature	[Redacted]
Date	23.05.2017
Capacity	Director Agent for Applicant

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

T. ELLIS
5 NEW ST
POOLE

Post town	POOLE	Postcode	BU15 1JF
Telephone number (if any)	[Redacted]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[Redacted] @ BUFF PIZZA UK .COM			

	1st FLOOR AREA
	2nd FLOOR AREA
	3rd FLOOR AREA
	4th FLOOR AREA
	5th FLOOR AREA



No.	Description	Date
ELLIS AND PARTNERS		
<ul style="list-style-type: none"> ARCHITECTS INTERIORS DESIGNERS PLANNERS ENVIRONMENTAL DESIGNERS LANDSCAPE ARCHITECTS PROJECT MANAGERS 		
<p>Address: 18-21 Long Road, 4th Floor, Cowes, Isle of Wight, PO11 1JY</p> <p>Telephone: 01253 581521 Fax: 01253 581522 Website: www.ellispartners.co.uk</p> <p>Mobile: 07792 889912 Web: www.ellispartners.co.uk</p>		
<p>Project:</p> <p>267-271 Portswood Road, Southampton, SO17 2LA. Licensing Application.</p> <p>Drawing Title:</p> <p>Proposed Floor Plan</p>		
Drawing No.:		Rev:
PP - 001		
Scale: As Shown	Date: 28/04/11	Drawn: JG

From: [A DUKE](#)
To: [Licensing](#); [Claisse, Matthew \(Cllr\)](#); [O'Neill, Paul \(Cllr\)](#); [Savage, John \(Cllr\)](#)
Subject: Licensing Application 2017/01775/01SPRON
Date: 20 June 2017 10:37:04

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TO WHOM IT MAY CONCERN

I wish to object to the license being sought by Baffi Pizza for 267-71 Portswood Road for the sale of alcohol from 11 am to 11 pm (7/7). The Portswood Broadway is becoming a hotspot for the sale of Alcohol with no fewer than 20 licensed premises. Recently the area has seen a sharp increase in the number of students and as a result of further student accommodation being built on the site adjoining Sainsbury's this is set to rise still further. Drunkenness is a phenomenon our society should be seeking to curb rather than encourage. Not only does it result in rowdiness but it has an adverse effect on the health of those who indulge and leads to litter on the street. I would therefore urge those concerned to REDUCE the length of time when drinking of alcohol is permitted.

Alastair Duke

18 Abbots Way
Highfield
Southampton SO17 1NS

5 Russell Place
Southampton
SO17 1NU

20th June 2016

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

Dear Sirs

Licence Application No 17/01775/01SPRN at 267-271 Portswood Road Southampton SO17 2LA, for the sale of alcohol by retail, on the premises between 11am to 11pm Monday to Sunday

I write to express my concerns about this application. These are as follows :

- 1. The premises are situated in Portswood District Centre is a small shopping centre, only 200 metres long. There are **already more than 20 licensed premises in the DC.** The propose licence would lead to a **further increase in the large number of licensed premises in the District Centre (DC)**, which is there to serve the shopping needs of the local community, and **would be excessive.****
- 2. The premises are a substantial and prominent site on the corner of Highfield Lane with Portswood Road. If granted, it would result in a particular concentration of licensed premises in this part of the DC, with one on each of the four corners (with 'Hot to U' opposite and the Mitre pub and Sainsburys on the other side). In addition, the Thai Eatery restaurant is next door and Trago Lounge and the Tramstop Bar nearby. It would be the 7th licensed premises within 30-50 metres, at the northern end of the DC- plus Ceno's a few doors away in Highfield Lane.**
- 3. The hours sought for the sale of alcohol are from 11am to 11 pm every day of the week. This would be 12 hours a day and would be excessive, especially on a Sunday.**
- 4. The addition of yet another licensed premise selling alcohol in the DC, especially one so large and in such a prominent position, would attract people from outside the area, increasing the risk of drunkenness and rowdiness in the DC, leading to noise and disturbance and anti- social behaviour , both in the DC, with people congregating outside the premises, by this busy crossroads, after closing, and on their way home, on foot or by car, (with engines revving, car doors slamming etc) through the nearby residential roads, late at night **when the only police cover is centrally monitored**(local police now cover for the whole City, rather than the local area, so there is no specific police cover in the area).**
- 5. The DC is situated in the middle of a densely populated residential area. Local residents, particularly those in Victoria Lodge, the retirement home, next door in Highfield Lane, and in nearby residential roads would be adversely affected by all of 4) above. In addition, Portswood Residents Gardens Conservation Area**

(comprising Highfield Lane, Abbotts Way, Russell Place and Brookvale Road) whose key feature is that of a 'quiet residential area' is within 50 metres of the DC – and whose roads lie on the way back to the University.

6. I live in Russell Place and my back garden faces the DC. We are increasingly disturbed by late night noise and disturbance, especially in the summer months, when the windows are open. This would add to this.

7. Finally, it should be noted that the opening hours were restricted to 11am to 11pm, (7days a week) when planning permission for a change of use from a Bank to a cafe/restaurant(A2 and A3 use) was granted in December 2016,(Application No.2016/0201/FUL) in order to 'to protect nearby residential amenity.'
I notice that the applicant states that food will not be served after 10.30pm. However, if any premises licence for alcohol were to be granted, it should finish at least ½ an hour earlier than closing time, in order to allow for 'drinking up' time, so that the closing hour could be complied with.

For these reasons, I ask that this application is refused. I would be obliged if you would take these comments into account, when considering this matter.

Yours faithfully

Mrs J W Jameson

Cc : Cllrs M. Claisse, P.O'Neill and J. Savage

From: [Jan Edwards](#)
To: [Licensing](#)
Cc: [Savage, John \(Cllr\)](#); [Claisse, Matthew \(Cllr\)](#); [O'Neill, Paul \(Cllr\)](#); [JAMESON Jane](#)
Subject: Re: Premises Licence 267 - 271 Portswood Road Application no. 2017/01775/01SPRN
Date: 20 June 2017 16:32:25

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Dear Ms Gurung,
Thank you for your e-mail.

We consider that all the matters we have mentioned have a direct relevance to the four objectives you mention.

In a comparatively small shopping centre the number of outlets offering the sale of alcohol must have some relevance to the objective of crime and disorder, particularly when already a number of people already sit in the shopping centre all day drinking alcohol which is freely available in the adjacent shops.

Similar considerations apply to public safety, prevention of a public nuisance and protection of children from harm. You only have to walk through Portswood High Street to see this.

Although you say that the representation is “deemed” invalid, we assume that it is the Licensing Committee which has the decision as to whether these representations are valid or not.

We would be grateful if you would confirm that they are duly put before the Committee for its decision as to their relevance.

We are copying this to our local Councillors.

Yours faithfully,

> [Redacted signature block]

> web: www.southampton.gov.uk/licensing and licensing.eastleigh.gov.uk
> post: Licensing - Southampton City Council, PO Box 1767, Southampton SO18 9LA

>
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>
> -----Original Message-----
> From: Ian Edwards [<mailto:ian.edwards@btinternet.com>]
> Sent: 20 June 2017 15:48
> To: Licensing <Licensing@southampton.gov.uk>
> Cc: Claisse, Matthew (Cllr) <matthew.claisse@southampton.gov.uk>; O'Neill, Paul (Cllr) <paul.o'neill@southampton.gov.uk>; JAMESON Jane <jameson.jane@btinternet.com>
> Subject: Premises Licence 267 - 271 Portswood Road Application no. 2017/01775/01SPRN

>
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>
>
>
>
> 34 Abbotts Way
>
> Portswood
>
> Southampton SO17 1NS

>
>
> 20 June 2017 Dear Sirs, As local residents very close to the premises, we wish to object to the application for a licence to sell alcohol for seven days a week, from 11.0am to 11pm.

>
> There are already a number of licensed premises almost adjacent to these premises. Also, in the Portswood Shopping Centre, which is comparatively small, there are already more than 20 licensed premises. This should be more than sufficient for a Centre of this size.

>
> Also the number of hours sought, 11.0am to 11pm, is in itself excessive.

>
> Thee Committee should take into account that the Planning Permission itself took into account the needs of local residential properties, (particularly Victoria Lodge which is adjacent to the premises and is for Retirement flats) when it specified limited opening hours in a change of use from a Bank to a cafe in order to protect nearby residential amenities.

>
> Yours faithfully,
>
> Ian and Sue Edwards
>

From: [Rose family](#)
To: [Licensing](#)
Cc: [Claisse, Matthew \(Cllr\)](#); [O'Neill, Paul \(Cllr\)](#); [Savage, John \(Cllr\)](#)
Subject: Licensing application: 2017/01775/O1SPRN
Date: 21 June 2017 09:35:30

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Licensing application: 2017/01775/O1SPRN

Dear Sir/Madam, we are writing to express objection to the above licensing application for 267-271 Portswood Road, and make suggestions for a more respectful compromise.

This application of 12 hour, seven day licensing for this property is wholly inappropriate considering its vicinity to the retirement home next door, the very reason we urged the council to reject the original planning application for the restaurant in the first place and the same grounds still stand with regard to this licensing application. However in the situation we now have where the application was approved we are below making a suggestion as to a reasonable compromise on licensing hours to respect the community and facilitate a good restaurant in this location.

Summary:

In summary we urge the licensing committee to ensure that the licensing hours are considerably shorter than the 11pm curfew on the premises (i.e. 10 or 10:30) to ensure that it is closed and people dispersed well before 11pm. We Also urge you to consider setting a lower hour limit during the working week to show recognition of the disturbance to residents (i.e. 10pm on Sun-Thu and 10:30 on Fri/Sat). By doing this the committee will demonstrate respect to the local residents, particularly in the retirement home, and also encourage the facility to provide a quality eating establishment in the area rather than migrating towards a student drinking hole (as has already been demonstrated locally by other 'restaurants').

Grounds:

This building is immediately adjacent to the retirement home and to license these hours would be a total insult to the residents here and also in the wider area. Is the council just interested in facilitating student drinking haunts in this area without showing concern to the local full-time and long-time residents? To approve this would show that to be the case. If the argument is that this will be a quality restaurant then licensing till 11pm seven days a week will not be required. A visit to the Wild Lime at the other end of the shops on a weekend night will demonstrate what happens with late night licensing in this area; there is noise and drinking out on the street and come the following morning there is regularly broken glass spread around the area and vomit literally anywhere. For the licensing committee to facilitate such activity in this location in Portswood is totally wrong. The residents of Highfield Lane are already plagued by late night disturbance and their gardens being used as toilets, a late night license here will only add to that.

To show that the licensing committee and the council as a whole does have some respect for the amenity of the resident population here, and particularly our older residents living in the adjacent building, it would be a good statement to make in allowing this premises to be licensed until only 10:30pm on Fridays and Saturdays but for the rest of the week till only 10pm. This would ensure that the premises were closed at 11pm, as per the planning constraints that they are already under, and ensure that the premises does not have people spilling out late into the night. To allow the license to go until 11pm will be a complete contradiction to the planning order as the worst disturbance will then be after 11pm.

We request that the Licensing committee take this into consideration.

Regards

Mr and Mrs A Rose

124 Highfield Lane

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From: [Richard Buckle](#)
To: [Licensing](#)
Cc: [Claisse, Matthew \(Cllr\): \[REDACTED\]@southampton.gov.uk](#)
Subject: Lisencing application 2017/01775/01SPRN by Baffi Pizza at 267-271 Portswood Road for premises licence for the sale of alcohol on the premises from 11 am to 11 pm Monday to Sunday
Date: 21 June 2017 11:57:20

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I write to object to this application for the following reasons :-

1. this would add a further increase to the already excessive number of alcohol outlets in the restricted 100 metre length of Portswood Road that constitutes the Portswood District Centre (DC). There are already over 20 outlets in number.

2. Its site on the corner of the busy cross roads would make the number of outlets 5 in all within 20 metres. Moreover deliveries etc would cause serious traffic congestion.

3. The DC is situated in the centre of a densely populated residential area. Customers are likely to cause noise and disturbance to the immediately adjacent Victoria Residential Home and to houses in lower Highfield Lane.

4. There is no parking space so cars would be opportunistically parked in nearby streets. Going home the slamming of car doors and the revving of engines would cause significant disturbance to local residents especially at night.

5. The proposed licensing hours are too long, especially so on Sundays. If granted, the serving of alcohol should be 30 minutes before closing time to ensure alcohol is drunk up.

We should be grateful if these causes for concern could be considered by the Committee. Thank you.

Yours sincerely Dr . Richard Buckle, Planning Group, Portswood Residents Gardens Consevation Area.

Dr. Richard Buckle, Brook Lodge, 29. Abbots Way, Southampton, SO17 1NW

From: [Richard Buckle](#)
To: [Licensing](#)
Cc: [REDACTED]@souhampton.gov.uk; O'Neill, Paul (Cllr)
Subject: licensing application 2017/01775/01SPRN by BaffaPizza for premise licence for sale on the premises between 11 am and 11 pm monday to sunday (7 days a week)
Date: 21 June 2017 12:01:56

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Dear Sirs, I write to object to this application for the following reasons
this will add further to increase the already large number of licensed premises within the 100 metre length of the Portswood Road District Centre. There are already more than 20 such outlets. Its particular site on the cross roads will mean there are 5 outlets within 30 metres.

situated on the corner of this busy cross roads will cause serious disruption to traffic at delivery times etc.

The District Centre is situated within a densely populated area . it will be immediately adjacent to the Victoria Residential Home and lower Highfield Lane houses. There is likely to be excessive noise and disturbance for these immediate neighbours.

There is no parking, so vehicles will be opportunistically parked in nearby streets. On going home the starting of vehicle engines, the slamming of car doors will cause disturbance to residents. Moreover university students are likely to cause noise and disturbance on their way back through our streets to university hostels etc.

The increasing density of eating and drinking venues will attract increasing number of customers to the area, so leading to the accumulation of people socialising in the DC. and making the area a major drinking venue in the City. Indeed there is the danger of it so becoming physically linked to Bevois Valley making one gigantic drinking area. The way Bevois Valley has developed has led to the limitation of further drinking outlets.

The proposed hours for the sale of alcohol are excessive and too long. This is particularly the case on Sundays. If the licence is granted then the serving of alcohol should be stopped at least half an hour before closing time to allow for "drinking up"

From: [Jacky Barnes](#)
To: [Licensing](#)
Cc: [Savage, John \(Cllr\); mn.claisse](#)
Subject: Ref: 2017/01775/01SPRN
Date: 21 June 2017 15:41:59

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Ref: 267 - 271 Portswood Road

Dear Sirs,

I wish to register an objection to the premises licences being applied for for the above address.

- 1) There are already over 20 licensed premises in this small district shopping centre. This is already too many.
- 2) if licensed, this premise would be one of six licensed premises practically next door to each other - an undesirable concentration.
- 3) This property is on the edge of a largely residential area, the hours requested, particularly on a Sunday would be disturbing and disruptive to the many neighbours, not least to the Retirement accommodation Victoria Lodge, which is next door to this former bank.

I live approximately 150 yards away, and feel there is enough noise and disruption on Highfield Lane already.

Has any consideration been given to the clients parking? Once again, this would necessarily be in the surrounding residential roads.

I hope you will register these concerns.

Yours faithfully

(Mrs) Jacqueline Barnes
128 Highfield Lane,
SO17 1NR

From: [Swallow, Brian](#)
To: [Licensing](#)
Cc: [REDACTED]@baffipizza.com"
Subject: FW: Premises Licence Application - 267 - 271 Portswood Road, Southampton, SO17 2LA
Date: 31 May 2017 09:30:53

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.

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]@hampshire.pnn.police.uk

Int: [REDACTED]

Ext: [REDACTED]

Mob: [REDACTED]

[Licensing Home Page](#)

<http://www.hampshire.police.uk/internet/advice-and-information/licensing/>

From: Tom Ellis [mailto:[REDACTED]@baffipizza.com]

Sent: 31 May 2017 09:12

To: Swallow, Brian

Subject: Re: Premises Licence Application - 267 - 271 Portswood Road, Southampton, SO17 2LA

Dear Brian,

Many thanks for your email. I have taken all of your points into account and would be more than happy to apply all of the conditions stated into our operational and licensable activities.

Kind Regards



Tom Ellis

Co-founder / Director BAFFI

p: [REDACTED] m: [REDACTED] a: [REDACTED]
w: www.baffipizza.com e: [REDACTED]@baffipizza.com



Please consider the environment before printing

On 25 May 2017, at 09:31, [REDACTED]@hampshire.pnn.police.uk wrote:

Dear Tom

I am in receipt of a premise licence application for a new establishment at an address of 267 – 271 Portswood road, Southampton, Hampshire, SO17 2LA.

With regards to the application, I note in part “M” the steps your intend to take to promote the licensing objectives. To ensure that diligence is upheld, can I recommend that these proposals are converted into enforceable conditions and if the licensing are minded to grant the licence would appear as such.

My proposals are:

CCTV

A recording CCTV system that captures images from the public areas of the venue 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 main public entrance 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.

Staff Training

Before commencing their duties, all new staff shall 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 which shall be at least annually.

Proof of Age

There shall 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 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 shall 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.

Refusals

A record in either written or electronic format shall be kept of all refusals to sell alcohol. The Premises Licence Holder shall ensure that the record is checked, signed and dated (if in written format) on a weekly basis by the duty manager/manageress.

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

The record of refusals shall be retained for 12 months

Age Policy

Persons under 18 will not be permitted entry to the venue unless accompanied by an adult and then only for the purpose of taking a substantial table meal.

Let me know your thoughts

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

Int: [REDACTED]

Ext: [REDACTED]

Mob: [REDACTED]

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<http://www.hampshire.police.uk/internet/advice-and-information/licensing/>

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