

DECISION-MAKER LICENSING (LICENSING & GAMBLING) SUB COMMITTEE

SUBJECT HEARING TO CONSIDER AN APPLICATION FOR GRANT OF A PREMISES LICENCE – **Chapel Riverside Stores Unit 1 Trinity Court Old Mill Lane SO14 5BW**

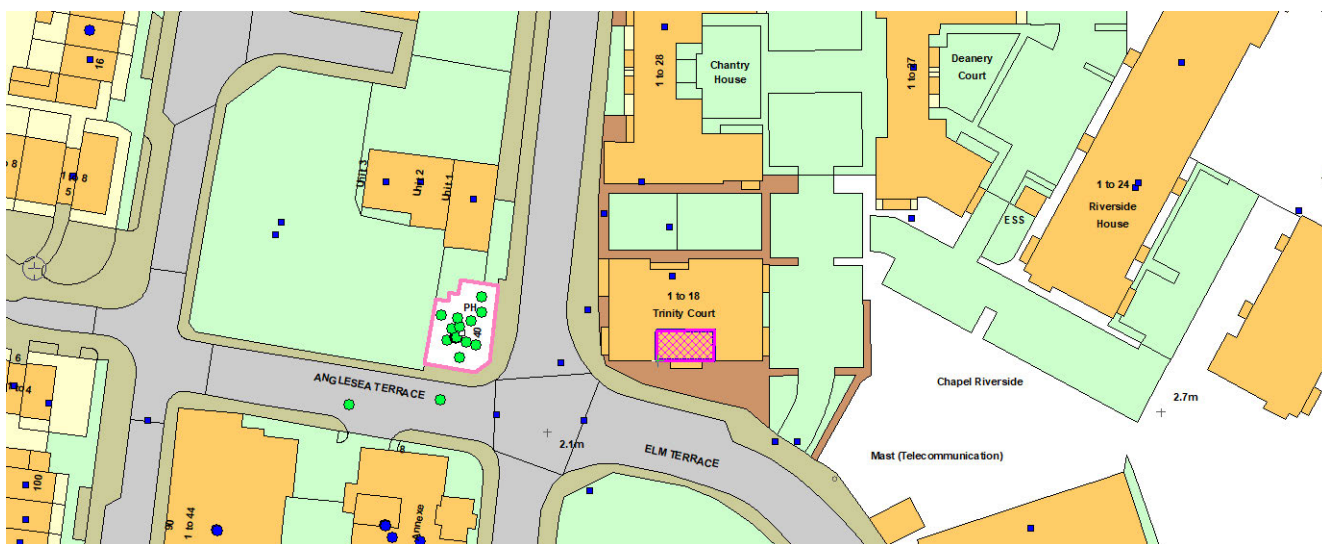
DATE OF HEARING 30th November 2022 16.00

REPORT OF SERVICE DIRECTOR – COMMUNITIES,CULTURE AND HOMES

E-mail licensing@southampton.gov.uk

Application Date : 5th October 2022 Application Received 5th October 2022

Application Valid : 5th October 2022 Reference : **2022/03432/01SPRN**



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Representations from Responsible Authorities

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

Public Health Manager	No Response	
Planning & Sustainability - Development Control - Licensing	No Response	
Police - Licensing	Satisfactory	
Trading Standards	No Response	
Other Representations		
Name	Address	Contributor Type
Mr. Edward Hook	24 Elm Quay Thomas Blake Avenue Southampton SO14 5DL	Resident
Ms. Tallulah England	16 Elm Quay Thomas Blake Ave SO14 5DL	Resident
Ms. Julie McBride	43 Elm Quay Southampton SO14 5DL	Resident
Mr. Andy McBride	43 Elm Quay Southampton SO14 5DL	Resident
Dr. Afsana Bhuiyan	14 Elm Quay Thomas Blake Avenue SO14 5DL	Resident
Ms. Lauren Macpherson	7 Elm Quay Thomas Blake Avenue Southampton SO14 5DL	Resident
Mr. Tom Ward	17 Elm Quay Thomas Blake Avenue Southampton SO14 5DL	Resident

Legal Implications

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

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

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

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

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

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

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

The sub-committee must also have regard to:

- *The Crime and Disorder Act 1998*
Section 17 of the Crime and Disorder Act 1998 places the sub-committee under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.
- *The Human Rights Act 1998*
The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the sub-committee to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the sub-committee that could have an effect upon another person's Human Rights must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the sub-committee which affects another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.

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

Equality Act 2010

Section 149 of the Equality Act 2010 requires the Council to have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or

under this Act. It also requires the Council to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. This means having due regard to the need to removing or minimising disadvantages suffered, taking steps to meet the needs of persons, encouraging persons to participate in public life, tackling prejudice and promoting understanding. The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

SUMMARY

This application is for a Spar store which will include online orders and deliveries.

Applicant	KNA Retail Ltd.
Designated Premises Supervisor	Christopher John Mitchener

Licensable Activities.

Recorded music	
Monday	06:00 - 08:00
Tuesday	06:00 - 08:00
Wednesday	06:00 - 08:00
Thursday	06:00 - 08:00
Friday	06:00 - 08:00
Saturday	06:00 - 08:00
Sunday	06:00 - 08:00
Supply by retail of alcohol	
Monday	06:00 - 23:00
Tuesday	06:00 - 23:00
Wednesday	06:00 - 23:00
Thursday	06:00 - 23:00
Friday	06:00 - 23:00
Saturday	06:00 - 23:00
Sunday	06:00 - 23:00

The above application has received no objections from Responsible Authorities but has received 7 Public Representations.

Included in Report

- Application
- Plan
- 7 Public Representations
- Hearing procedures

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We KNA RETAIL LIMITED

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
CHAPEL RIVERSIDE STORES BLOCK C ELM TERRACE			
Post town	SOUTHAMPTON	Postcode	5FZ

Telephone number at premises (if any)	TBA
Non-domestic rateable value of premises	£ NOT SET AT THIS TIME

Part 2 - Applicant details

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

- a) an individual or individuals * please complete section (A)
- 365 a person other than an individual *
00
 - i as a limited company/limited liability X please complete section (B)
partnership
 - ii as a partnership (other than limited please complete section (B)
liability)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

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

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

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or X

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	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		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 over		I am 18 years old or		<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	KNA RETAIL LIMITED
Address	C/O RAMAR ACCOUNTING SERVICES LTD CHURCH HOUSE 94 FELPHAM ROAD FELPHAM WEST SUSSEX PO22 7PG
Registered number (where applicable)	14008629
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0 3	1 1	2 0 2 2

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)
 THIS IS A NEW GROUND FLOOR FOOD BASED SPAR STORE SERVING LOCAL RESIDENTS AND WORKERS AND THOSE FROM FURTHER AFIELD INCLUDING ONLINE / TELEPHONE ORDERS TO BE DELIVERED AND COLLECTED.
 THE STORE WILL BE OPERATED BY EXPERIENCED RETAILERS WHO ALREADY OWN AND OPERATE SEVERAL SIMILAR STORES AND THE OFF LICENCE FACILITY IS AN IMPORTANT PART OF THE SERVICE THAT SUCH A STORE IS EXPECTED TO PROVIDE.
 THE DPS WILL BE RESPONSIBLE FOR TRAINING AND AUTHORISING STAFF IN THE SALE OF ALCOHOL WITH A FULL TRAINING REGIME IN PLACE AND WILL BE VARIED TO SOMEBODY WHO IS IN DAY TO DAY TO CONTROL OF ALCOHOL SALES BEFORE ANY ALCOHOL SALES COMMENCE
 BACKGROUND MUSIC APPLICATION IS TO FACILITATE LOW VOLUME AMBIANT MUSIC WHERE PREMISES LICENCE PROVISION IS REQUIRED

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) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | X |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

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

X

In all cases complete boxes K, L and M

A

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

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

E

Live music Standard days and timings (please read guidance note 7)			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)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	06:00	08:00	<u>Please give further details here</u> (please read guidance note 4) BACKGROUND/AMBIANT RECORDED MUSIC LOW VOLUME		
Tue	06:00	08:00			
Wed	06:00	08:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	06:00	08:00			
Fri	06:00	08:00	<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	06:00	08:00			
Sun	06:00	08:00			

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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

H

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

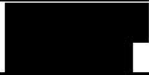



I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
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 type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	06.00	23.00			
Tue	06.00	23.00			
Wed	06.00	23.00			
Thur	06.00	23.00			
Fri	06.00	23.00			
Sat	06.00	23.00			
Sun	06.00	23.00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

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 CHRISTOPHER JOHN MITCHENER	
	
	
	
Personal licence number (if known) 2005/00407/06EPEC	
Issuing licensing authority (if known) EASTLIGH BOROUGH COUNCIL	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	06.00	23.00	<p><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)</p>
Tue	06.00	23.00	
Wed	06.00	23.00	
Thur	06.00	23.00	
Fri	06.00	23.00	
Sat	06.00	23.00	
Sun	06.00	23.00	

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)

FULL ALARM SYSTEM, EXTENSIVE CCTV SYSTEM WITH 28 DAY RECORDING FACILITIES WITH ACCESS BY THE POLICE AND RESPONSIBLE AUTHORITIES UPON REQUEST TO THE DPS OR HIS DELEGATE, TRAINED STAFF WITH RECORDED INITIAL ALCOHOL TRAINING REGIME AND ONGOING 6 MONTHLY RECORDED REFRESHER TRAINING COPIES OF WHICH TO BE MADE AVAILABLE TO THE RESPONSIBLE AUTHORITIES OR THE POLICE UPON REQUEST TO THE DPS OR HIS DELEGATE, CHALLENGE 25 AND PROOF OF AGE INITIATIVE TO BE APPLIED TO ANY CUSTOMERS WHO APPEAR TO BE UNDER THE AGE OF 25, SUPPORTED BY FULL RECORDED STAFF TRAINING AND INSTORE CHALLENGE SIGNAGE, REFUSALS SYSTEM WITH REFUSALS BOOK OR COMPUTERISED TILL SYSTEM TO BE UTILISED TO RECORD ALL ALCOHOL REFUSALS TO BE MADE AVAILABLE TO THE RESPONSIBLE AUTHORITIES AND THE POLICE UPON REQUEST AND COPY KEPT FOR 12 MONTHS, AND A SEPERATE INCIDENT LOG TO BE MAINTAINED AND MADE AVAILABLE TO THE RESPONSIBLE AUTHORITIES OR THE POLICE UPON REQUEST TO THE DPS OR HIS DELEGATE, NO BEERS LAGERS OR CIDERS ABOVE 5.5% ABV TO BE SOLD OR SUPPLIED FROM THE PREMISES IN CANS OR PET/PLASTIC BOTTLES, TILL PROMPTS FOR ALCOHOL PRODUCTS TO BE UTILISED TO AVOID UNDER AGE SALES, ALL ONLINE/TELEPHONE DELIVERED AND COLLECTED SALES TO FOLLOW A SET PROCEDURE TO ENSURE THAT ANY ORDER PLACED IS MADE BY AND RECEIVED BY CUSTOMERS AGED OVER 18 AND ONLY DELIVERED TO PROPER ADDRESSES OR ORDERS AND OR DELIVERIES TO BE REFUSED.

b) The prevention of crime and disorder

ALARM SYSTEM, CCTV SYSTEM WITH RECORDING FACILITY, TRAINED STAFF, CHALLENGE 25 , REFUSALS SYSTEM AND INCIDENT LOG, SIGNAGE REQUESTING CUSTOMERS TO RESPECT OUR NEIGHBOURS

c) Public safety

STAFF TRAINED IN FIRE SAFETY PROCEDURES AND THE USE OF FIRE SAFETY EQUIPMENT, FIRE FIGHTING EQUIPMENT AVAILABLE

d) The prevention of public nuisance

STAFF TRAINED TO DEAL WITH SITUATIONS , CCTV, NOTICES

e) The protection of children from harm

FULL ALCOHOL TRAINING REGIME IN USE WITH RECORDED ALCOHOL TRAINING AND ONGOING RECORDED REFRESHER TRAINING TO BE CARRIED OUT EVERY SIX MONTHS, CHALLENGE 25 TRADING INITIATIVE EMBRACED, CHALLENGE SIGNAGE, REFUSALS SYSTEM AND REFUSALS BOOK

Checklist:

Please tick to indicate agreement

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

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
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	<p>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).</p> <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	[REDACTED]
Date	05/10/2022
Capacity	LICENSING SOLUTIONS - DULY AUTHORISED AGENT

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

Signature	[REDACTED]
Date	[REDACTED]
Capacity	[REDACTED]

<p>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) ALL QUERIES TO THESE CONTACT DETAILS PLEASE - CHRIS MITCHENER LICENSING SOLUTIONS 23 SOLENT ROAD HILL HEAD</p>			
Post town	FAREHAM	Postcode	PO14 3LB
Telephone number (if any)	[REDACTED]		
[REDACTED]			

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.

Dave Kennington
Macro Space Manager
Applby Westward Group Limited

Client: MR RISHI PATEL

Address: SPAR - CHAPEL RIVERSIDE
ELM TERRACE
BLOCK C
SOUTHAMPTON
SO14 5FZ




Drawing Title: PATEL - CHAPEL RIVERSIDE

Store Size: 1,528 sq ft **Format:** CONVENIENCE

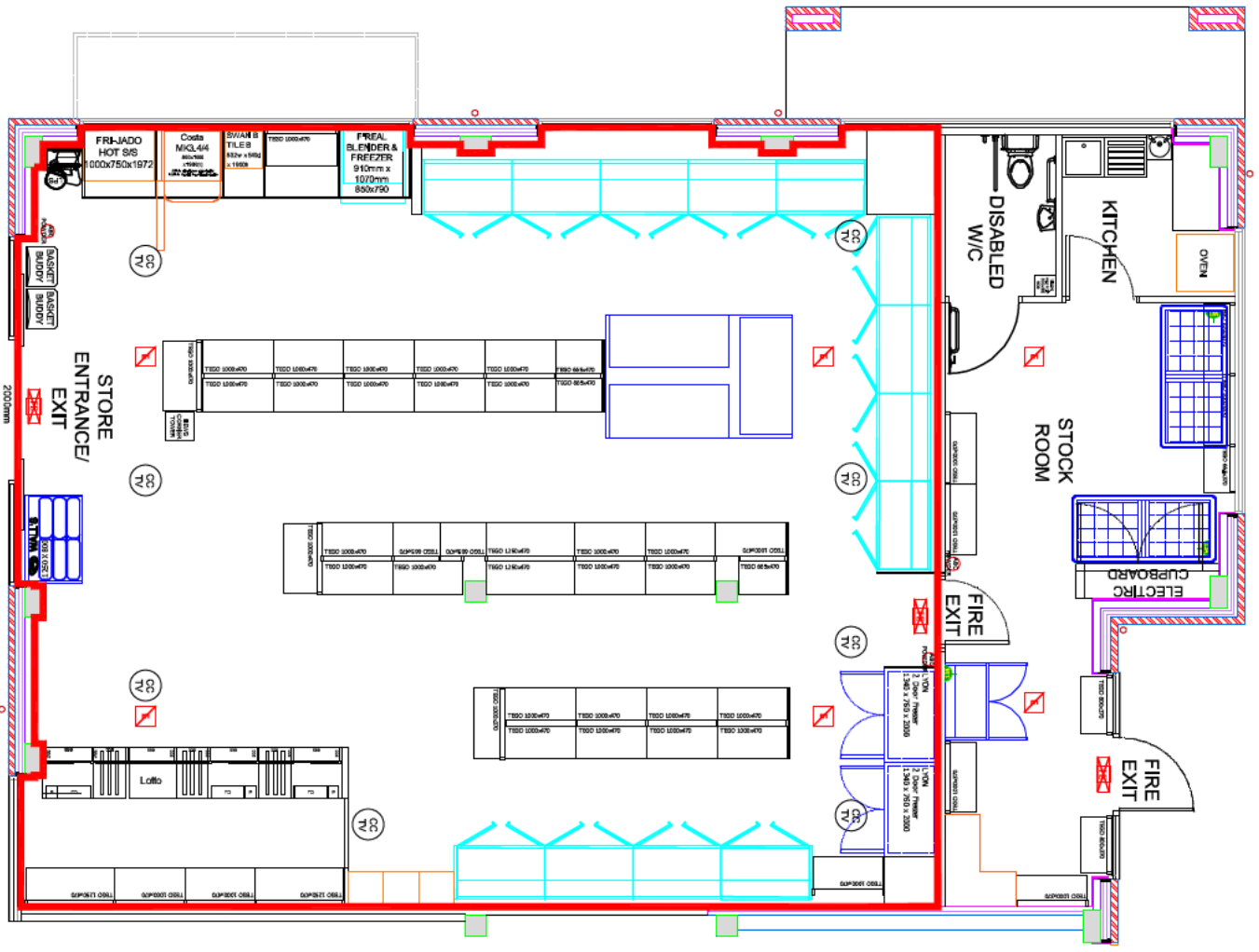
Scale: 1:100@A4 **Drawn by:** DK **Date:** 15.08.22 **Rev:** O/L

Drawing No.: PAT-CHA-2022-OFF-FAPP

Notes

- FIRE EXTINGUISHERS 
- FIRE EXIT 
- EMERGENCY LIGHTS 
- SECURITY CAMERAS 

ALCOHOL TO BE DISPLAYED THROUGHOUT THE STORE WITHIN THE RED BORDER



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Head, Karen

From: Dr.Afsana Bhuiyan [REDACTED]
Sent: 02 November 2022 17:23
To: Licensing
Subject: Representation Reference 2022/03432/01SPRN

Categories: Maroon

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Dr Afsana Bhuiyan
14 Elm Quay
Thomas Blake Avenue
SO14 5DL

2nd November 2022

Licensing Office,
Southampton City Council
Civic Centre
SO14 7LY

Dear Sir/Madam,

It has come to my attention that KNA Retail Ltd has applied for Premises Licence at Chapel Riverside Stores, Block C, Elm Terrace Southampton SO14 5BL. Reference 2022/03432/01SPRN

I believe if KNA retail is granted a license for the premises mention above it would be in contradiction of at least 2 of the objectives of the Licensing Act 2003:

- Public Safety
- The prevention of public nuisance

As a resident of Elm Quay, a block within the new development, I object to KNA retail being granted the license to sell alcohol and play recorded music.

The development and the local area do not have the required infrastructure to allow for a convenience store. There will be issues with delivery, parking for customers and workers, littering, and noise.

The development has a single road which is used for exit and entryway and is only big enough for 2 cars to pass each other with difficulty. A store at the premises above will require deliveries via a large van or delivery vehicle – there is no location for such a vehicle to park and offload the goods safely. Any delivery would either obstruct the road on a very busy junction, leading to an increased risk of accidents or nuisance to other road users, or block the only entry and exit way for the residents causing a public nuisance. Furthermore, as all the parking bays in the development are allocated therefore there is no parking for shoppers at the above premises – should the license be granted then residents will be unable to use their own bays (land they own as part of the flat lease) as they are likely to be occupied by customers of the store. There is also a significant risk that customers may decide to park on the busy road on double yellow lines to 'quickly' shop, this again leads to a risk to public safety. Should the council argue this

is unlikely to happen I would implore them to come when there is a football match at St Mary's stadium – attendees often park on the double yellow line at the junction and encroach on the dropped curb for entry and exit at the development.

There is also an issue of noise causing a public nuisance – the playing of recorded music in the early hours and deliveries is unacceptable in what is transforming into a residential area.

Furthermore, on the infrastructure point – there is no waste disposal near the planned store and there is no appropriate location to install one. There is already a littering issue with alcohol bottles at the scooter station a few yards from the planned store and this is likely to increase with such a store with no public waste disposal.

It is also important to note there is a children's nursery, Play Away Day Nursery, near the planned store – sales of alcohol at the premises are likely to increase the number of people drinking outside the premises which could impact the safety of the residents, and the children in the area. Increased alcohol consumption will also lead to increased disorder – especially on days when there are football matches at St Mary's stadium, which is a stone's throw away from the premises.

I hope you will give serious consideration to the point raised above and I hope will reject the requested licenses as they breach the Licensing Act 2003

Yours Sincerely,

Dr Afsana Bhuiyan

From: [Edward Hook](#)
To: [Licensing](#)
Subject: Objection to KNA RETAIL LTD at CHAPEL RIVERSIDE STORES S014 5BW
Date: 31 October 2022 11:00:13

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I wish to make a representation against KNA RETAIL LTD at CHAPEL RIVERSIDE STORES UNIT 1, TRINITY COURT, OLD MILL LANE, SOUTHAMPTON S014 5BW for the reasons stated below:

There is already a public house opposite and this area does suffer crime, and thus does not need more alcohol around especially as this may lead to antisocial behaviour, especially if coupled with football traffic from match days.

There is also a day nursery (Play Away Day Nurseries Ltd) so I believe the increased exposure to alcohol in the area and the increased traffic increases the chance of reduced safety for this and local residents. There is no parking, no bays for deliveries etc. and a shop of this nature is not suitable here, and not needed as there are other shops only a few yards away.

- There will be increased litter, cars and deliveries parking everywhere as there is no parking or drop off bays, where illegal parking is already not addressed by the council on match days. There is also the increased risks of activities at unsociable hours which already occurs in the car park of the Sailing Club, again bringing the safety of the area into question.
- There is not even bins around the development for litter disposal so littering is a big concern as with no litter bins this risks soiling of the development and the marina.
- There is not even guest parking at the development, let alone enough space for customers to a shop and for deliveries one an already very busy junction where I have already seen the result of a road traffic accident.

The properties have been sold as premium luxury flats and this is not a premium luxury brand, and accordingly residents need their investments protected against image reduction, and possible anti-social behaviour.

Recently the local council increased council tax banding of the properties in this area citing area developments. Accordingly, if a premium brand or something positive for the local community is not put here then this calls into question development of this area.

It should also be noted that activity appears to already be taking place before the deadline to make representations. Who is conducting this?

Yours faithfully,

Edward Hook (24 Elm Quay, Thomas Blake Avenue, Southampton, SO14 5DL)

Lauren MacPherson.
7 Elm Quay,
Thomas Blake Avenue,
Southampton,
SO14 5DL
01/11/2022

Licencing Office,
Southampton City Council,
Civic Centre,
Southampton,
SO14 7LY

The Licencing Officer,

I would like to submit my representation of the application made by KNA Retail Ltd for a Premises Licence at Chapel Riverside Stores, Block C, Elm Terrace, Southampton, SO14 5BL on the following grounds:

Safety issues

- There is already a public house opposite this area which does suffer crime and thus the area does not need more alcohol around especially as this may lead to antisocial behaviour in particular given the area sees a great deal of foot traffic to St Mary's football stadium on match days
- There is a day nursery (Play Away Day Nurseries Ltd) within close proximity of the area, the increased exposure to alcohol and the increased traffic increases the chance of reduced safety for this and the local residents

Infrastructure

- There is not the infrastructure in place to support the shop including the following: no delivery bays/parking and the disturbance this will bring to residents (noise, parking)
- There is no parking to the public, residents may see disturbance with visitors to the shop parking in their bays, illegal parking is already not addressed by the council on match days
- Noise disturbance at anti-social hours from deliveries and visitors to the shop especially given the increased exposure to alcohol
- Increased litter given there are no litter bins in the area, the area already sees a lot of smashed glass which is not cleared up this will only increase with the increased sale of alcohol.

Image of the area

- The properties in this development have been sold as premium luxury flats with a price that is reflective of this status. A shop of this nature is not fitting with this image as it is not a premium brand. There is a significant risk that a shop of this nature will negatively impact the image and therefore the value of properties in the development. In order to maintain value, image needs to be maintained which is under threat from this proposal.
- The council have recently increased the council tax bandings in the area given the development of the area, if the available space is not used for a premium brand or something positive for the local community then this calls into question the grounds of development in the area.
- No other developments of this nature have a shop that is not fitting with the image of the properties, for example Ocean Village in close proximity to this area has the premium branded Tesco and Co-op which was initially stated on the plans for this development when the properties were sold. A non-premium brand such as this proposal is not in keeping with this developments premium image/prices of the property compared to similar areas.

It should also be noted that activity appears to have already be taking place to renovate the space before the deadline to make representations which is giving the impression that such representations are not being considered prior to the proposal going ahead, who is conducting this?

I look forward to hearing from you.

Kind regards,

Lauren

From: [Andy McBride](#)
To: [Licensing](#)
Subject: Application for premises licence. Ref:2022/03432/01SPRN *Representation*
Date: 02 November 2022 19:21:14

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Good evening,

I have recently been made aware of a proposed new property licence at Unit 1 Chapel Riverside by KNA Retail where they are applying for a licence which I am opposed to.

I own the penthouse at 43 Elm Quay. SO14 5DL which is part of Chapel Riverside constructed by Inland Homes.

I am strongly opposed to this application for many reasons, some of which are below.

The Chapel pub is opposite. Makes no sense to sell alcohol opposite a public house?

There is 'NO' parking to accept many more customers to use the proposed facility. There is also no room to increase this area.

Deliveries will be awful causing traffic problems and not in keeping with residents expectations. Large vehicles and lorries should not be a regular hurdle for residents to drive around.

The nearby nursery surley should not have to be associated with licenced alcohol premises that will undoubtedly bring unwanted people to the area. Has a risk assessment been conducted?

I cannot understand why the clearing of the site has begun when the contract for this has 'apparently' not been signed off yet. It does appear that this is a 'done deal'?

Further more I would seriously consider selling my property. These are supposed to be luxury flats and the proposal is nothing close to that of premium luxury brand that was sold and marketed to me by the sales staff of Inland homes as well at all marketing brochures and social media marketing by that company.

Please could you acknowledge receipt of my objection to this.

Kind regards

Andy McBride
43 Elm Quay
SO14 5DL

From: [Julie McBride](#)
To: [Licensing](#)
Subject: Application for liscensing Ref 2022/03432/01SPRN *Representation*
Date: 02 November 2022 19:56:45

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Good evening,

I have recently been made aware of a proposed new licence at Unit 1 Chapel Riverside by KNA Retail where they are applying for a licence which I am opposed to.

I own the penthouse at 43 Elm Quay. SO14 5DL which is part of Chapel Riverside constructed by Inland Homes.

I oppose to this application for the following reasons;

There is 'NO' parking to accept many more customers to use the proposed facility. There is also no room to increase this area.

Deliveries will cause additional traffic in a residential area

Furthermore I would seriously consider selling my property. These are supposed to be luxury flats and the proposal is nothing close to that of premium luxury brand that was sold and marketed to me by the sales staff of Inland homes as well at all marketing brochures and social media marketing by that company.

Kind regards

Julie McBride
43 Elm Quay
SO14 5DL
[REDACTED]

From: [Tallulah England](#)
To: [Licensing](#)
Subject: Reference 2022/03432/01SPRN - KNA retail Ltd *Representation*
Date: 02 November 2022 19:55:08

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Tallulah England
16 Elm Quay
Thomas Blake Avenue
SO14 5DL

2nd November 2022

Licensing Office,
Southampton City Council
Civic Centre
SO14 7LY

Dear Sir/Madam,

It has come to my attention that KNA Retail Ltd has applied for Premises Licence at Chapel Riverside Stores, Block C, Elm Terrace Southampton SO14 5BL. Reference 2022/03432/01SPRN

I believe if KNA retail is granted a license for the premises mentioned above it would be in contradiction of at least 2 of the objectives of the Licensing Act 2003:

- Public Safety
- The prevention of public nuisance

As a resident of Elm Quay, a block within the new development, I object to KNA retail being granted the license to sell alcohol and play recorded music.

The development and the local area do not have the required infrastructure to allow for a convenience store. There will be issues with delivery, parking for customers and workers, littering, and noise.

The development has a single road which is used for exit and entryway and is only big enough for 2 cars to pass each other with difficulty. A store at the premises above will require deliveries via a large van or delivery vehicle – there is no location for such a vehicle to park and offload the goods safely. Any delivery would either obstruct the road on a very busy junction, leading to an increased risk of accidents or nuisance to other road users, or block the only entry and exit way for the residents causing a public nuisance. Furthermore, as all the parking bays in the development are allocated therefore there is no

parking for shoppers at the above premises – should the license be granted then residents will be unable to use their own bays (land they own as part of the flat lease) as they are likely to be occupied by customers of the store. There is also a significant risk that customers may decide to park on the busy road on double yellow lines to ‘quickly’ shop, this again leads to a risk to public safety. Should the council argue this is unlikely to happen I would implore them to come when there is a football match at St Mary’s stadium – attendees often park on the double yellow line at the junction and encroach on the dropped curb for entry and exit at the development.

There is also an issue of noise causing a public nuisance – the playing of recorded music in the early hours and deliveries is unacceptable in what is transforming into a residential area.

Furthermore, on the infrastructure point – there is no waste disposal near the planned store and there is no appropriate location to install one. There is already a littering issue with alcohol bottles at the scooter station a few yards from the planned store and this is likely to increase with such a store with no public waste disposal.

It is also important to note there is a children’s nursery, Play Away Day Nursery, near the planned store – sales of alcohol at the premises are likely to increase the number of people drinking outside the premises which could impact the safety of the residents, and the children in the area. Increased alcohol consumption will also lead to increased disorder – especially on days when there are football matches at St Mary’s stadium, which is a stone’s throw away from the premises.

I hope you will give serious consideration to the point raised above and I hope will reject the requested licenses as they breach the Licensing Act 2003

Yours Sincerely,

Tallulah England

17 Elm Quay
Thomas Blake Avenue
Southampton
SO14 5DL
30th Oct 2022

Subj - License application – 2022/03432/01SPRN – KNA Retail Ltd

Dear Sir

I wish to submit an objection to the subj license application. My objection to this application is centred around what I consider an excessive period where alcohol can be sold. The ability to buy alcohol 0600 – 2300 seven days a week is excessive and will I feel lead to an increase in anti-social behaviour in and around the Chapel Riverside development. Many residents that are currently residing in Chapel Riverside are professional people and have no wish to navigate past people that need a drink at 0600 or a group of youths consuming budget spirits late into the evening. The ability to buy alcohol for this extended period will I fear result in groups of people congregating on the waterfront or other areas of the development. Unfortunately, this type of behaviour brings with it unwelcome noise and ultimately an increase in low level crime. The Chapel Riverside development has been designed with several seating and communal areas, these areas risk becoming meeting places for the consumption of alcohol rather than social spaces to be enjoyed by the residents.

Whilst my concerns are focused on Chapel Riverside development, I question the need for an additional outlet that sells alcohol when there already several outlets within a five-minute walk from this location.

I trust that this objection will be considered when reviewing the license application.

Yours Faithfully

A solid black rectangular box used to redact the signature of Tom Ward MBE.

Tom Ward MBE

Procedure – Applications etc. under the Licensing Act 2003 or Gambling Act 2005

1. A hearing will be held to decide applications, etc., under the Licensing Act 2003, where there have been relevant representations from one or more of the responsible authorities or other persons. The parties to the hearing will have the chance to be heard. They are also entitled to be helped or represented by another person if due written notice is given in advance.
2. Hearings will take place before a Sub-Committee comprising three members of the Licensing Committee. One of these members will be elected Chair of the Sub-Committee for that hearing.
3. Please note that for day time hearings the Sub-Committee will normally adjourn for lunch at 1:00 p.m. and that comfort breaks will be taken at the discretion of the Chair at appropriate points during the meeting.

Preliminary matters

4. The Chair will introduce those present.
5. The Chair will check whether any of the Sub-Committee members has a “disclosable pecuniary”, “personal” or “pecuniary” interest.
6. The Chair will check whether all the parties are present at the hearing, and if any are not, whether they have told the Council that they do not wish to attend or be represented. If any party who was expected to attend has not done so, the Sub-Committee will decide whether to hold the hearing in that party’s absence, or to adjourn it to another date. Hearings will be adjourned if the Sub-Committee considers this necessary in the public interest, if that is possible. If the Sub-Committee decides to hold the hearing in a party’s absence, they will still consider any written information received.
7. In the case of an application for variation or a new licence, the Sub-Committee’s legal advisor will ask the applicant or their advisor for confirmation that the required public notices have been displayed where they can conveniently be read from the exterior of the premises and that notice was given in a local newspaper within eleven working days of the day on which the application was received by the licensing authority.
8. Normally, hearings will be open to the public. However, the Sub-Committee may exclude the public from the hearing (or part of it) if they think the public interest in doing so outweighs the public interest in having the hearing in public. If the public are excluded, any of the parties to the hearing, and/or anyone helping or representing them, may also be excluded.
9. The Chair will propose a motion that the public and the press be excluded from the hearing while the Sub-Committee considers the matter. Ordinarily the legal advisor and democratic support officer will remain (see paragraph 30 (b) below).
10. The Openness of Local Government Bodies Regulations 2014 provide an entitlement for the public to film, photograph and audibly record (“record”) public meetings. However, by virtue of Schedule 6, paragraph 58 of the Licensing Act 2003 and section 101 (15) of the Local Government Act 1972, Licensing Act 2003 hearings are not covered by the entitlement to film as of right. The Council’s general approach is to encourage openness and transparency in all its dealings and the general presumption is that filming or recording of hearings shall generally be permitted where due notice has been provided in advance of the hearing. Nonetheless the following shall apply:

- i) Filming / recording / photographing hearings shall only be permitted with the express permission of the Chair. Such permission may include restrictions to protect children, vulnerable persons or others that object to being filmed / photographed / recorded.
 - ii) Requests to film / record / photograph should be made with sufficient notice in advance of the hearing. Late requests may not be granted if there shall be a delay to proceedings as a result.
 - iii) Every party to the hearing and any witnesses shall have the opportunity to object and those representations shall be considered by the Sub-Committee.
 - iv) No filming, photography or sound recording shall be permitted of any person under 18 years of age.
 - v) No person shall be put under any pressure to consent to such and no payment for such consent shall be given.
 - vi) The Chair shall have the final say as to whether any filming, photography or recording is allowed (including the extent to which permission is granted e.g. the parts of the meeting, the individuals concerned or the arrangement of the recording equipment).
 - vii) All directions given by the Chair shall be fully complied with and the Chair shall have the absolute discretion to withdraw permission to film, photograph or record in the event the same causes an obstruction or interferes with the general conduct of the hearing, including the impeding of the giving of proper evidence.
11. A party may have asked for someone else to appear at the hearing to make a point or points that may help the Sub-Committee reach a decision. It is up to the Sub-Committee to decide whether that person should be heard, although permission will not be refused unreasonably. Such a person is referred to as a “witness” in this procedure.
12. Where application has been made, in advance of the hearing, that it should be conducted in private (e.g. by the Police in review or summary review proceedings) reports shall be prepared and presented as confidential so that the Committee can make a meaningful determination in accordance with Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005 to exclude the press and public. It is important to note that reports presenting Licensing Act 2003 matters are not required to be published in advance. However, certain limited information must be published in accordance with the Licensing Act 2003 (Licensing Authority’s Register) (Other Information) Regulations 2005 and section 8 of the Licensing Act 2003.
13. The Chair will then explain the procedure that will follow.

General information on the conduct of the hearing

14. Each party is entitled to:
- (a) Give further information in response to any point that the Council told them before the hearing they would like clarified;
 - (b) With the permission of the Chair, seek clarification on any point by any other party;
 - (c) Address the Sub-Committee.
15. Members of the Sub-Committee may also seek clarification of any party or witness.
16. At the Chair’s discretion, the Sub-Committee’s legal advisor may ask any questions he or she thinks are relevant.

17. Unless the Council has requested in advance that a particular point be clarified, new documentary or other evidence may not be submitted for the first time at the hearing, unless all the other parties agree.
18. Members of the Sub-Committee will have read all the papers included in the agenda for the hearing before the hearing starts. The parties are requested not to spend unnecessary time repeating evidence which is already in the papers and which is not disputed.
19. Evidence that is not relevant to the case, or to the promotion of the four licensing objectives, will be disregarded.

Hearing Procedure

20. If any party has asked permission for a witness or witnesses to appear, the Sub-Committee will decide whether they should be heard (see paragraph 10 above).
21. All parties will be allowed a similar (and maximum) amount of time to put their case, and ask questions of other parties, subject to the Chair's discretion to not hear repetitive matters or questions.

The applicant

22. The applicant for the licence (or their representative) or the applicant in review proceedings, may present their case.
23. If the Sub-Committee permits, the applicant may call those witnesses whose names have been provided in advance to support their application.
24. Where a group of witnesses wish to speak in support of the application for similar reasons, one person should, where possible, act as spokesperson for the whole group. The Sub-Committee may reasonably refuse permission for a witness to be heard if their evidence simply repeats points already made.
25. The Chair will invite those making representations to seek clarification on any point made by the applicant. The Chair will decide in which order those making representations will be invited to put their questions.
26. Members of the Sub-Committee or the Legal Advisor, if so permitted by the Chair, may also seek clarification of the applicant or any of their witnesses.

The representations

27. Where there is more than one person making a representation, the Chair will decide the order in which they may put their case. If there is a representation from one or more of the responsible authorities, their representatives will normally be invited to put their case first.
28. The following procedure will apply to each person making a representation in turn:-
 - (a) The person making a representation (or their representative) may present their case.
 - (b) If the Sub-Committee permits, the person making a representation may call those witnesses whose names have been provided in advance to support their objection.
 - (c) Where a group of witnesses wish to speak in support of the objection for similar reasons, where possible, one person should act as spokesperson for the whole group. The Sub-Committee may reasonably refuse permission for a witness to be heard if their evidence simply repeats points already made.

- (d) The Chair will invite the applicant to seek clarification on any points made by those making representations.
- (e) Members of the Sub-Committee or the Legal Advisor, if so permitted by the Chair, may seek clarification of those making representations or any witnesses.

Summing up

29. The Chair will invite each person making a representation to make a final statement or sum up their case.

30. The Chair will invite the applicant to make a final statement or sum up their case.

Sub-Committee's decision

31.

- (a) At the end of the hearing the Sub-Committee will move to private session whilst it considers the matter.
- (b) The Sub-Committee's legal advisor will remain to provide legal advice and the democratic services officer will remain to record the decision. Details of any legal advice will be recorded and referenced in the decision and reasons.
- (c) The parties will be invited to wait to be informed of the outcome.
- (d) As soon as the decision is reached, the public and press will be invited to return to the room in which the hearing took place, and the Chair will announce the decision and the reasons for it.
- (e) If a room is available, the Committee may retire to deliberate and make its decision
- (f) All parties will be formally notified in writing of the decision and reasons as soon as possible.

In most cases the Sub-Committee will announce the decision at the conclusion of the hearing. In certain cases where this is not possible due to time constraints (and the Hearings Regulations permit – Regulation 26 (1) sets out those hearings where delay is not possible) the decision shall be made within 5 working days beginning with the day of the hearing or the last day of the hearing.