

DECISION-MAKER LICENSING (LICENSING & GAMBLING) SUB COMMITTEE

SUBJECT HEARING TO CONSIDER AN APPLICATION FOR GRANT OF A PREMISES LICENCE –
Chilli Flames - 7 Bedford Place Southampton SO15 2DB

DATE OF HEARING 20th July 2023

REPORT OF SERVICE DIRECTOR – PLACE

E-mail licensing@southampton.gov.uk

Application Date: 30th May 2023 Application Received: 30th May 2023

Application Valid: 30th May 2023 Reference: **2023/01934/01SPRN**



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Representations from Responsible Authorities

Responsible Authority	Satisfactory?
Safeguarding Children	Yes
Fire Service	No response received
Environmental Health - Licensing	No response received
Home Office	No response received
Public Health Manager	No response received
Planning & Sustainability - Development Control - Licensing	Yes
Police - Licensing	Yes – conditions and amended hours agreed
Trading Standards	No response received

Other Representations

Name	Address	Contributor Type
Mrs Ronnie Barratt	8 Morris Road Southampton SO15 2BT	Resident - Objecting
Mr. Stewart Morris	42 Harborough Road Southampton SO15 2FY	Resident - Objecting
Mr. Rithik Vasan	11 Almond Road Southampton SO15 3AJ	Resident - Supporting
Mrs Elizabeth Hurley	7A Kings Park Road Southampton SO15 2AS	Resident - Supporting
Ms. Lorraine Barter	42 Harborough Road Southampton SO15 2FY	Resident - Objecting
Mr. John Britto	8 Almond Road Southampton SO15 3AJ	Resident - Supporting

Mr. Vithu Pulen	Flat B 9001 - 9009 Mayflower A West Park Road Southampton SO15 1DP	Resident - Supporting
Miss Kelly George	38 Mede House Salisbury Street Southampton SO15 2TZ	Resident - Supporting

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; and
- the Statutory Guidance.

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

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

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

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

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

The sub-committee must also have regard to:

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

- *The Human Rights Act 1998*
The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the sub-committee to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the sub-committee that could have an effect upon another person's Human Rights must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the sub-committee which affect another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.

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

Equality Act 2010

Section 149 of the Equality Act 2010 requires the Council to have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act. It also requires the Council to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. This means having due regard to the need to removing or minimising disadvantages suffered, taking steps to meet the needs of persons, encouraging persons to participate in public life, tackling prejudice and promoting understanding. The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

SUMMARY

This is a new application for a takeaway in Bedford Place which is within the London Road/Bedford Place Cumulative Impact Policy Area. The hours applied for have been amended in agreement with the Police and conditions have been agreed between the Police and Applicant which are detailed in the report.

Applicant	<i>T & S /UK Ltd.</i>
Designated Premises Supervisor	Not applicable

Licensable Activities.

Provision of late night refreshment

Monday	23:00 - 03:00
Tuesday	23:00 - 03:00
Wednesday	23:00 - 03:00
Thursday	23:00 - 04:00
Friday	23:00 - 04:00
Saturday	23:00 - 04:00
Sunday	23:00 - 03:00

Conditions consistent with the operating Schedule

1 CCTV

A colour recording CCTV system that captures images from the main public areas must be fully operational whilst licensable activities are taking place. The system shall be able to cope with all levels of illumination. The recording equipment shall be stored and operated in a secure environment with limited access, to avoid damage, theft, unauthorised viewing and maintain the integrity of the system. The system shall be serviced at twelve monthly intervals and maintained to a standard that is acceptable to the police licensing department responsible for the area. The system clock shall be checked regularly for accuracy taking account of GMT and BST. Digital systems shall have sufficient storage capacity for 28 days evidential quality recordings (minimum 4 frames per second). The images produced shall be date and time stamped. A notice shall be displayed at the entrance to the premises advising that CCTV is in operation. An additional recording CCTV camera shall be installed and fully operational whilst the venue is open to the public to cover the area immediately outside the front of the premises. It is important that the Police are able to access data from the systems quickly and easily and therefore provision shall be made that at all times a person is in attendance who is nominated by the data controller who has access to the secure area who is able to operate the equipment. Ensure all operators receive training from the installer when equipment is installed and that this is cascaded down to new members of nominated staff. Have a simple operator's manual available to assist in replaying and exporting data (particularly important with digital systems) and to produce images to the police responsible authority for the purpose of the prevention and detection of crime as long as the request is lawful and complies with the data protection Act. In the event of a technical failure of the CCTV equipment, the premises licence holder or DPS shall notify the police licensing department responsible for the area within 24 hours.

2 CAPACITY

The premise licence holder is to set a suitable capacity (for standing customers) which will ensure the safety of customers and allow access & egress at all times. This will be monitored at busy times and controlled at the entry door if required.

3 LITTER

All food sold for consumption away from the premises shall be provided in packaging which clearly identifies the food as having been sold at the premises (branded packaging). The holder of the licence shall ensure that a member of staff clears litter produced by the premises from outside the premises twice each day (one occasion being after closure) to at least 100 metres from the premises.

4 NOTICES

Signs will be clearly displayed requesting customers to disperse quietly and in an orderly manner. After 00:01hrs, any customers congregating or loitering outside the premises will be politely asked to depart quickly and quietly.

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 F&S/uk Ltd
 (Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description Chilli flames 7 Bedford Place, Southampton, SO15 2DB			
Post town	Southampton	Postcode	SO15 2DB

Telephone number at premises (if any)	02380390180
Non-domestic rateable value of premises	£ 10,750

Part 2 - Applicant details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - 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
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth	I am 18 years old or over <input type="checkbox"/>		Please tick yes		
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		<input type="checkbox"/> Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name	EAS/UKITd
Address	7 Bedford place, Southampton, SO15 2DB
Registered number (where applicable)	12871050

Description of applicant (for example, partnership, company, unincorporated association etc.)	
Company	
Telephone number (if any)	0238039 0180
E-mail address (optional)	southampton@chilliflames.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

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

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

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

Please give a general description of the premises (please read guidance note 1)
Grill chicken Take away 5 seats No Alcohol

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) | <input type="checkbox"/> |

g) performances of dance (if ticking yes, fill in box G)

h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3) <i>five seats</i>	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	<i>12:00</i>	<i>03:00</i>	Please give further details here (please read guidance note 4)		
Tue	<i>11:00</i>	<i>03:00</i>			
Wed	<i>11:00</i>	<i>03:00</i>	State any seasonal variations for performing plays (please read guidance note 5)		
Thur	<i>11:00</i>	<i>05:00</i>			
Fri	<i>11:00</i>	<i>05:00</i>	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) <i>In this area day time is not busy, to keep our business in stable need to open late to get more people in please.</i>		
Sat	<i>11:00</i>	<i>05:00</i>			
Sun	<i>11:00</i>	<i>03:00</i>			

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) <i>Five Seating</i>	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11:00	03:00	Please give further details here (please read guidance note 4)		
Tue	11:00	03:00			
Wed	11:00	03:00	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur	11:00	05:00			
Fri	11:00	05:00	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) <i>In this area day time is not busy, to keep our business in stable need to open late to get more people in please.</i>		
Sat	11:00	05:00			
Sun	11:00	03:00			

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

F

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

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
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) <i>5 seats</i>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input checked="" type="checkbox"/>		
Mon	11.00	03.00	Please give further details here (please read guidance note 4) 		
Tue	11.00	03.00 02.00			
Wed	11.00	03.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5) 		
Thur	11.00	05.00			
Fri	11.00	05.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6) <i>In this area day time is not busy, to keep our business in stable need to open late to get more people in please.</i>		
Sat	11.00	05.00			
Sun	11.00	03.00			

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					

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 type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			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	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

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).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations (please read guidance note 5)</u>
Day	Start	Finish	
Mon	11:00	03:00	
Tue	11:00	03:00	
Wed	11:00	03:00	
Thur	11:00	03:00	<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 (please read guidance note 6)</u>
Fri	11:00	05:00	
Sat	11:00	05:00	
Sun	11:00	03:00	

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)

b) The prevention of crime and disorder

c) Public safety

Peoples safety note and equipments
available

Safety notes visualized.

d) The prevention of public nuisance

e) The protection of children from harm

None of the area to harm children.

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 or my share code issued by the Home Office online right to work checking service (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
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	seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	KJL K. Thayalan
Date	30/05/2023
Capacity	Director

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
7 bedford place.			
Post town	Southampton	Postcode	SO15 2DB
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
Southampton@chilliflames.co.uk			

DATA PROTECTION

The Council is collecting this information in order to perform this service or function, and if further information is needed in order to do so, you may be contacted using the details provided.

In performing this service, the Council may be required to share your information with other organisations or departments, but it will only do so when it is necessary in order for the service to be provided.

The Council may also share your personal information for the purposes of the prevention, investigation, detection, or prosecution of criminal offences, but will not share your personal information, or use it for this, or any other purpose, unless provided for by law.

For more detail about how we handle your personal data please see our privacy policies:

For Southampton City Council applications: <http://www.southampton.gov.uk/privacy>

For Eastleigh Borough Council applications: <https://www.eastleigh.gov.uk/privacy>

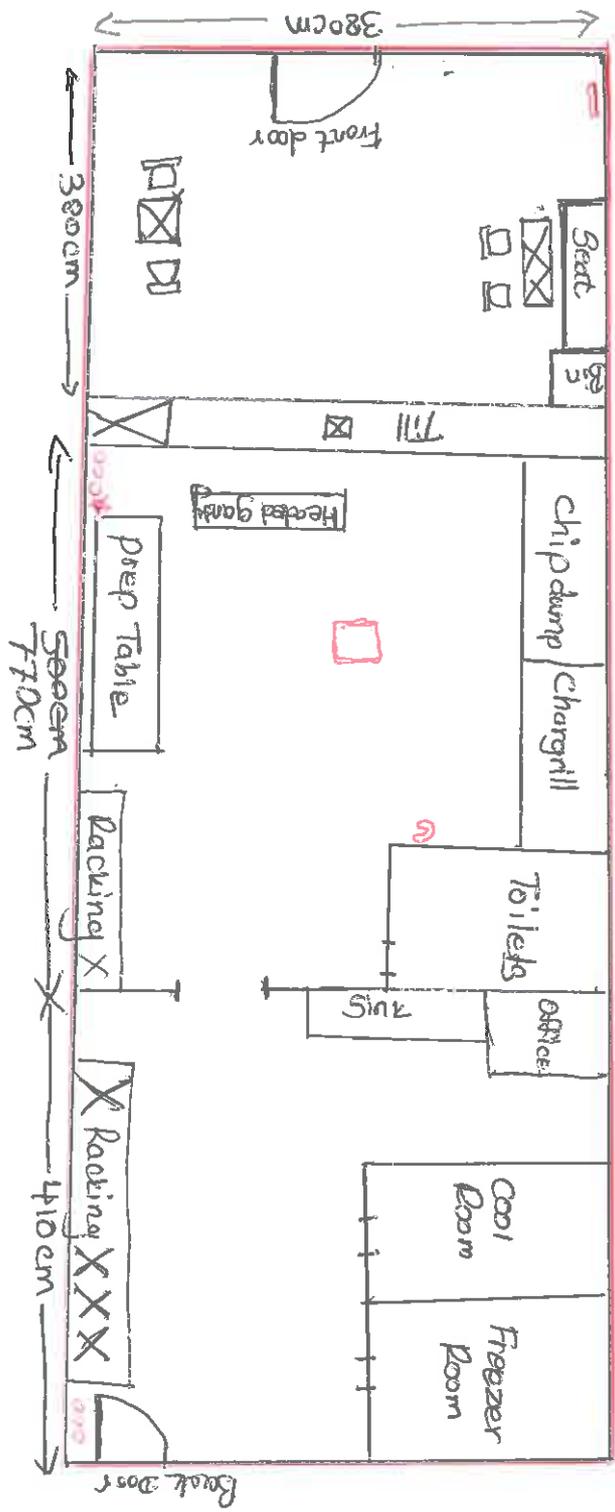
Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing

objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

2. In terms of specific regulated entertainments please note that:
- **Plays:** no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - **Indoor sporting events:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - **Live music:** no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - **Recorded Music:** no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the

- ☉ - Fire extinguisher
- - Fire Blanket
- || - Fire alarm
- ★ - Emergency fire stop Button
- ⊙ - Emergency Chas Stop Button



From: [Young, Tricia](#) on behalf of [Licensing](#)
To: [Idox DMS Licensing](#)
Subject: FW: FW: New - Chilli Flames 7 Bedford Place SO15 2DB - 2023/01934/01SPRN - Police Agreed Cond
Date: 12 June 2023 12:28:14

From: Hawley, Mark (25491)
Sent: Monday, June 12, 2023 11:03 AM
To: Licensing
Subject: FW: FW: New - Chilli Flames 7 Bedford Place SO15 2DB - 2023/01934/01SPRN

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Dear Licensing

Please find agreed amendments (Times & Conditions in bold font) to the application for the above premises. We make representation on the application but based on the amendments a hearing is not necessary.

Kind regards

Mark

From: Southampton Chilli Flames® >
Sent: 09 June 2023 17:48
To: Hawley, Mark (25491) >
Subject: Re: FW: New - Chilli Flames 7 Bedford Place SO15 2DB - 2023/01934/01SPRN

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Hi Sir

Yes I'm happy go ahead please

Thank you

On Wed, 7 Jun 2023 at 16:51, Hawley, Mark (25491)
wrote:

Dear Sirs,

I am receipt of an application for a new premises licence for, Chilli Flames [7 Bedford Place SO15 2DB](#).

I do not believe that departmentally we have been contacted with regards to this new

applications as required in the 182 guidance.

Section “M” of the application where the applicant details how they will demonstrate the steps they will take to promote the 4 licensing objectives is very sparse, If you had contacted us prior to submitting the application we would have been able to assist.

That being said...

The area of Southampton does suffer from alcohol related crime and disorder and the premises is well with a cumulative impact area (CIA), the onus is therefore on the applicant to demonstrate how their premises will not add to issues already seen in the area. As such, I would propose that formal conditions are added to the premises licence (should the licensing authority be minded to grant it)

Opening hours & LNR 11:00 – 04:00 Monday to Sunday

The condition I propose is:

CCTV

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

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

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

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

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

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

The images produced shall be date and time stamped.

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

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

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

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

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

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

Capacity

The premise licence holder is to set a suitable capacity (for standing customers) which will ensure the safety of customers and allow access & egress at all times. This will be monitored at busy times and controlled at the entry door if required.

Litter

All food sold for consumption away from the premises shall be provided in packaging which clearly identifies the food as having been sold at the premises (branded packaging)

The holder of the licence shall ensure that a member of staff clears litter produced by the premises from outside the premises twice each day (one occasion being after closure) to at least 100 metres from the premises.

Signs will be clearly displayed requesting customers to disperse quietly and in an orderly manner. After 00:01hrs, Any customers congregating or loitering outside the premises will be politely asked to depart quickly and quietly.

Kindly respond by return email by replying on this email thread to ensure the clarity and continuity of the conversation .

Regards

Mark

PC 25491 Mark HAWLEY

Licensing Officer
Licensing & Alcohol Harm Reduction Team
Southampton Central Police Station
Southampton
SO15 1AN

From: [Young, Tricia](#) on behalf of [Licensing](#)
To: [Idox DMS Licensing](#)
Subject: FW: Objection to Chilli Flames, 7 Bedford Place - 2023/01934/01SPRN - Public Rep - Lorraine Barter
Date: 14 June 2023 09:56:03

From: Lorraine Barter
Sent: Wednesday, June 14, 2023 7:25 AM
To: Licensing
Subject: Objection to Chilli Flames, 7 Bedford Place

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Objection to Chilli Flames, 7 Bedford Place. Thursdays - Saturdays 05.00

Public Safety .

As fewer people would be on the streets after about 04.30 that means customers of Chilli Flames could be alone while walking home and no one around to help if they were to be attacked

The prevention of Crime and Disorder.

Local Police spend most of their night duty on Night Time Economy revellers and drunken people entering the Polygon area. the latter doing Anti Social antics, damaging cars, kicking over bins, vomiting and urinating, and are even likely to be crime victims themselves.

Anyone using a takeaway from 04.00 to 05.00, in an area with many clubs and bars, drinking venues, is quite likely to be drunk or disorderly themselves.

The prevention of Public Nuisance.

Customers coming towards and into their homes after 05.00. , could be shouting, banging doors, waking up workers, the retired and school children. These people would have no time to get back to sleep before they have to get up and face a full day.

Planning Policy AP8 that places a midnight curfew on all local Food and Drink Uses, was imposed for a good reason , to protect residential amenity, after years of campaigning and evidence supplied to the Council by Polygon residents groups.

I do realise that when some Food and Drink uses in Bedford Place were given consent with no closing hour imposed no one could predict that the Polygon would become an HMO ghetto with a high proportion of young singles who like to use the night time economy venues.

The resulting ASB, street noise and criminal damage drove many families to flee the area.

I shall add to this letter when I gain some essential statistics for my submission.

Lorraine Barter
42 Harborough Road
Polygon
Southampton
SO15 2FY

From: [Young, Tricia](#) on behalf of [Licensing](#)
To: [Idox DMS Licensing](#)
Subject: Chilli Flames - Public Rep - Lorraine Barter - Additional Information - Part 2
Date: 19 June 2023 14:37:31

From: Lorraine Barter
Sent: Monday, June 19, 2023 11:14 AM
To: Licensing

to 05.00

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Objection to 7 Bedford Place 04.00 to 05.00

CUMULATIVE IMPACT, Public Nuisance , Public Safety

Considering that most evening /late night restaurants do takeaways and deliveries with services like Uber and Just Eat the high number of takeaways and their customers has already proven to be Cumulative. There are many delivery drivers around at night on motor bikes and scooters, impacting on Public Safety at a time when some people on street are drunk and unaware of dangers.

They may be quiet with their deliveries but the vehicle sounds will wake neighbours of the buying customers and also the customer could close the front door with a slam.

Also when the bottom of Devonshire Road is closed to traffic drivers may go in and around elegant Grosvenor Square.

Between numbers 22 and 3 Bedford Place (the numbers are not odds and evens) there are 20 shop fronts, with only three places that do not do take outs, a supermarket and Diegos which have two shopfronts, and a Tea Room.

Takeaways Chickenland at number 9, JJs and Caspians at 8 and Romeo Pizza at 3 all stay open until 04.00.

Obviously if Chilli Flames at 7 is granted it will set a precedent for those three to do the same.

In the area after 04.00 will be people from three night clubs, three large bars, in the Bedford Place Triangle plus hundreds or more returning from the similar venues in the city centre.

The Committee must have statistics at hand in order to work out the numbers on the streets, and estimate what proportion would need a take away after 04.00 at Chilli Flames.

The applicant says that the money taken from customers between 04.00 and 05.00 Thursday to Saturdays will enable enough profit to keep the business viable, so the

number of those customers estimated will be the " Cumulative Impact Number " as those particular people are not on the road waiting for hot food now, nor at any time prior to this application.

Does the Council have a written list or chart of how many extra people on street prove to be Cumulative pro rata to the number of food and drink outlets or how many people are on the streets now. ?

Lorraine Barter
42 Harborough Road
Polygon
Southampton
SO15 2FY

From: [Young, Tricia](#) on behalf of [Licensing](#)
To: [Idox DMS Licensing](#)
Subject: FW: 7 .BEDFORD PLACE OPENING - 2023/01934/01SPRN - Public Rep - R Barratt
Date: 08 June 2023 13:52:47

From: Ronnie Barratt
Sent: Thursday, June 8, 2023 10:26 AM
To: Licensing
Subject: 7 .BEDFORD PLACE OPENING - 2023/01934/01SPRN

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My objection is on the following grounds -
The prevention of Crime and Disorder -
Police are out all night in this area, as a matter of 'safe guarding', Many reasons police are in attendance is due to alcohol abuse.

Public Safety

- This extra time allowance opening until 0500...is it REALLY essential? One of my concerns is should the clients of this later opening hours venue actually be consuming alcohol and have reached the place by car..HOW CAN THEY POSSIBLY DRIVE IF THEY HAVE BEEN DRINKING UNTIL 0500 hrs?

The Prevention of Public Nuisance -

People coming home after 5 a.m.
In all honesty this is an anti social hour to be calling 'time'..even though the drinking establishment is located in the 'commercial' part of Bedford Place it is hard by residential areas. Families with children will not take kindly to noise disturbance at this early hour..neither will long term older residents.

The applicant's financial situation is not a relevant reason to be considered by the Panel.

However they need to heed that a Planning Policy imposes a midnight curfew on all Food and Drink uses in this area.

Although not a plentiful objection I am sure it is easy to discern my viable objections,

Mrs Barratt
8 Morris Road
Polygon
So152bt

From: [Young, Tricia](#) on behalf of [Licensing](#)
To: [Idox DMS Licensing](#)
Subject: FW: Objection to 7 Bedford Place takeaway trading Thursdays to Saturdays until 05.00 - 2023/01934/01SPRN - Public Rep - Stewart Morris
Date: 08 June 2023 14:08:44

From: Stewart Morris
Sent: Thursday, June 8, 2023 1:27 PM
To: Licensing
Subject: Objection to 7 Bedford Place takeaway trading Thursdays to Saturdays until 05.00

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Objection to 7 Bedford Place Chilli Flames takeaway trading Thursdays to Saturdays until 05.00

Strongly object for the reasons stated below.

The prevention of Crime and Disorder.

Already police spend too much time on Night Time Economy revellers and drunken homegoers to the Polygon area, some indulging in ASB, damaging cars and even likely to be crime victims themselves, owing to their helpless state. Anyone using a takeaway from 04.00 to 05.00, in an area full of established drinking venues, is likely to be drunk and disorderly.

The prevention of Public Nuisance.

Customers coming home after 05.00. could be shouting, urinating, knocking over wheelie bins, waking up full time workers, students who work, and the retired.

These people and school children then would have no time to get back to sleep before they have to rise for their duties.

But one needs to take note of the Planning Policy AP8 that imposes a midnight curfew on all local Food and Drink Uses, especially as this is a Cumulative Impact Area..

Public Safety .

.As I presume that few would want to leave their homes for a takeaway breakfast the 05.00 customers would be returning from the night time economy venues in a drunken state.

I shall write more when I have done research into the permitted hours given by Planning for the previous and current use, counted the number of takeaways in the vicinity, and maybe seek support and advice from our ward councillors as I believe they are allowed to object in support of local residents.

Stewart Morris.
42 Harborough Road
Polygon
Southampton
SO15 2FY

From: [Young, Tricia](#) on behalf of [Licensing](#)
To: [Idox DMS Licensing](#)
Subject: Chilli Flame - Representation - Stewart Morris - Part 2
Date: 19 June 2023 08:32:30

From: Stewart Morris
Sent: Sunday, June 18, 2023 12:03 PM
To: Licensing
Subject: Further Objection to 7 Bedford Place. Trading until 05.00

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Objection to 7 Bedford Place. Trading until 05.00

Public Nuisance , Public Safety and Cumulative Impact.

Now that most sit down restaurants do take ways via services like Uber and Just Eat the overwhelming number of take ways premises and their customers is already " cumulative " and there are many delivery drivers around at night.

No matter how quiet they try to be their deliveries will wake up people next to or near to the customers houses.

Between numbers 3 and 22 Bedford Place (the numbers are not odds and evens) so there are 20 shop fronts, there are only three places that do not do take outs, Diegos, a Chinese supermarket and a day time tea room. Of the take ways, Chickenland at 9, JJs and Caspians (one shop) at 8 and Romeo Pizza at 3 stay open until 04.00.

Obviously if Chilli Flames is granted it will set a precedent for those three to do the same. In the vicinity after 04.00 are patrons who have come out of nearby three night clubs, three large bars, and hundreds coming back from the city centre from similar venues there.

The Committee could easily work out the numbers on the streets, and estimate what proportion would need a take away after 04.00 at Chilli Flames.

Stewart Morris
42 Harborough Road
Polygon
Southampton
SO15 2FY

From:
To: [Licensing](#)
Subject: Comments for Licensing Application 2023/01934/01SPRN
Date: 25 June 2023 14:48:03

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

Comments were submitted at 2:47 PM on 25 Jun 2023 from Mrs elizabeth hurley.

Application Summary

Address: 7 Bedford Place Southampton SO15 2DB

Proposal: Premises Licence

Case Officer: Tricia Young

[Click for further information](#)

Customer Details

Name: Mrs elizabeth hurley

Email:

Address: 7A Kings Park Road, Southampton SO15 2AS

Comments Details

Commenter Type: Other

Stance: Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 2:47 PM on 25 Jun 2023 Highly recommend for kids, especially when i come back from work suitable selection for items available

From: [Young, Tricia](#) on behalf of [Licensing](#)
To: [Idox DMS Licensing](#)
Subject: FW: Comments for Licensing Application 2023/01934/01SPRN - Supp Valid Rep - John Britto
Date: 19 June 2023 08:22:25

From:
Sent: Saturday, June 17, 2023 8:11 PM
To: Licensing
Subject: Comments for Licensing Application 2023/01934/01SPRN

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

Comments were submitted at 8:10 PM on 17 Jun 2023 from Mr John Britto.

Application Summary

Address: 7 Bedford Place Southampton SO15 2DB
Proposal: Premises Licence
Case Officer: Tricia Young
[Click for further information](#)

Customer Details

Name: Mr John Britto
Email:
Address: 8 Almond Road, Southampton SO15 3AJ

Comments Details

Commenter Type: Other
Stance: Customer made comments in support of the Licensing Application
Reasons for comment:
Comments: 8:10 PM on 17 Jun 2023 Amazing food! I would definitely vote in favour in acquiring overnight permits!

From:
To: [Licensing](#)
Subject: Comments for Licensing Application 2023/01934/01SPRN
Date: 25 June 2023 15:14:10

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

Comments were submitted at 3:13 PM on 25 Jun 2023 from Miss Kelly George.

Application Summary

Address: 7 Bedford Place Southampton SO15 2DB

Proposal: Premises Licence

Case Officer: Tricia Young

[Click for further information](#)

Customer Details

Name: Miss Kelly George

Email:

Address: 38 Mede House, Salisbury Street, Southampton SO15 2TZ

Comments Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 3:13 PM on 25 Jun 2023

From: [Young, Tricia](#) on behalf of [Licensing](#)
To: [Idox DMS Licensing](#)
Subject: FW: Comments for Licensing Application 2023/01934/01SPRN - Supp Public Rep - Rithik Vasam
Date: 19 June 2023 08:12:07

From:
Sent: Friday, June 16, 2023 8:50 PM
To: Licensing
Subject: Comments for Licensing Application 2023/01934/01SPRN

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

Comments were submitted at 8:49 PM on 16 Jun 2023 from Mr Rithik Vasam.

Application Summary

Address: 7 Bedford Place Southampton SO15 2DB
Proposal: Premises Licence
Case Officer: Tricia Young
[Click for further information](#)

Customer Details

Name: Mr Rithik Vasam
Email:
Address: 11 Almond Road, Southampton SO15 3AJ

Comments Details

Commenter Type: Other
Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 8:49 PM on 16 Jun 2023 One of a great healthy restaurants I have come across. I usually visit here after I finish my gym work out to eat my salads here. It is very hygienic. If it is being opened late night after 12am it would be great for me and my friends as we usually go to the gym late night and it is very crucial for my appetite as healthy food is always my priority .

From: [Young, Tricia](#) on behalf of [Licensing](#)
To: [Idox DMS Licensing](#)
Subject: FW: Comments for Licensing Application 2023/01934/01SPRN - Supp Public Rep - Vithu Pulen
Date: 15 June 2023 15:08:02

From:
Sent: Thursday, June 15, 2023 2:37 PM
To: Licensing
Subject: Comments for Licensing Application 2023/01934/01SPRN

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

Comments were submitted at 2:36 PM on 15 Jun 2023 from Mr Vithu Pulen.

Application Summary

Address: 7 Bedford Place Southampton SO15 2DB
Proposal: Premises Licence
Case Officer: Tricia Young
[Click for further information](#)

Customer Details

Name: Mr Vithu Pulen
Email:
Address: Flat B 9001 - 9009, Mayflower A, West Park Road,
Southampton SO15 1DP

Comments Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 2:36 PM on 15 Jun 2023 As I'm currently a University student studying at University of Southampton. I have been currently been buying food at Chilli Flames as this is my go to fast food places as their food are much better and the prices are very cheap compared to other shops. However, usually I buy food late night but I've seen their shops been closed early this has led me to not buy food late night which very concerning.