



NOTICE OF MEETING

LICENSING SUB-COMMITTEE

TUESDAY, 20 DECEMBER 2016 AT 9.30AM

THE EXECUTIVE MEETING ROOM - THIRD FLOOR, THE GUILDHALL

Telephone enquiries to Jane Di Dino 023 9283 4060

Email: jane.didino@portsmouthcc.gov.uk

If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

Committee Members Councillors Julie Swan (Chair), Hannah Hockaday (Vice Chair), Dave Ashmore, Jennie Brent, Ken Ellcome, Paul Godier, Scott Harris, Steve Hastings, Suzy Horton, Leo Madden, Lee Mason, Stephen Morgan, Steve Pitt, David Tompkins and Gerald Vernon-Jackson.

The panel today consists of: Paul Godier, Steve Hastings and Steve Pitt

The reserve member is Councillor Ken Ellcome.

(NB This agenda should be retained for future reference with the minutes of this meeting).

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

Licensing Sub Committee meetings are digitally recorded.

A G E N D A

- 1 Declarations of Interest.**
- 2 Appointment of Chair.**
- 3 Licensing Act 2003 - Application for grant of a premises licence Dixie's, 58C, High Street, Cosham, Portsmouth PO6 3AG. (Pages 3 - 34)**

Purpose.

The purpose of this report is for the committee to consider an application for the grant of a premises licence under the Licensing Act 2003 ("the Act"). The matter has been referred to the committee for determination following the receipt of two representations.(Other persons).

The committee is asked to determine this matter.

Members of the public are now permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting or records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the council's website and posters on the wall of the meeting's venue.

Agenda Item 3

REPORT TO: LICENSING SUB-COMMITTEE 20th DECEMBER 2016

REPORT BY: LICENSING MANAGER

REPORT AUTHOR: MR DEREK STONE

**Licensing Act 2003 – Application for grant of a premises licence
Dixie's, 58C, High Street, Cosham, Portsmouth. PO6 3AG**

1. PURPOSE OF REPORT

The purpose of this report is for the Committee to consider an application for the grant of a premises licence under the Licensing Act 2003 (“the Act”). The matter has been referred to the Committee for determination following the receipt of two representations.(Other persons)

2. THE APPLICATION

The application to grant the premises licence has been submitted by Brian Dean owner of Dixie's which is a new business venture.

The applicant has requested that a licence be granted so as to permit the following licensable activities:

- Provision of recorded music Sunday to Thursday 10:00 to 23:59 and Friday and Saturday 10:00 to 02:00
- Provision of late night refreshment Sunday to Thursday 23:00 to 00:00 and Friday and Saturday 23:00 to 02:00
- Provision of alcohol retail sales (on sales only) Sunday to Thursday 10:00 to 23:59 and Friday and Saturday 10:00 to 01:30
- Premises open to the public Sunday to Thursday 10:00 to 23:59 and Friday and Saturday 10:00 to 02:00.

3. BACKGROUND INFORMATION

This application has been submitted in accordance with the provisions of Part 3 of the Act and associated Regulations. I can confirm that proper public notice has been given by way of press notice and premises notice. Local councillors have also been notified. There are no grounds therefore for the committee to reject the application for non-compliance with the advertising requirements prescribed by the act and regulations.

The applicant Brian Dean has worked in the licence trade for 24 years since 1982 but took a ten year break returning to the trade in 2012 to co-manage the Swan Public House in Cosham with his partner Maryanne Palmer who was the designated premises supervisor (DPS). The Swan was owned by Punch Tavern who sold the premises in March 2016 for development. During this period they had regular customers supporting them, and it is for this reason the applicant has decided to venture into his own business and to pay back the loyalty shown by these customers by opening a small bar to cater for their needs. Maryanne is a personal licence holder having held her licence since 2009 and she will be the DPS at Dixie's.

Apart from one incident at the Swan in 2012 where there was a fight inside the venue during which the applicant himself was assaulted, the police report that there were no other incidents at the venue of any concern during the period between 2012 and 2016. Dixie's will be a small bar with a maximum of 60 persons. Due to the size of the premises there are no catering facilities for the provision of food. There is a secluded alleyway at the side of the premises that will be used for any persons who wish to smoke with no customers permitted to smoke or drink at the front of the venue in the High Street.

4. OPERATING SCHEDULE – PROMOTION OF LICENSING OBJECTIVES

The applicant has detailed in the operating schedule the steps intended to be taken to promote the licensing objectives. These can be found in the application form which is attached at **appendix A**.

Attached at **appendix B** is the plan

5. RELEVANT REPRESENTATIONS BY RESPONSIBLE AUTHORITIES

There are no representations from any responsible authority. Conditions have been agreed between the police and the applicant which will be added to the licence if granted.

These conditions are attached at **appendix C**

6. RELEVANT REPRESENTATIONS BY OTHER PERSONS

There are two representations. One is from the business that operates above this venue which has its own separate entrance. This business operates from 09:30 to 21:00 Monday to Thursday, Friday 09:30 until 14:30 and on Saturday 09:00 to 14:00. This representation concerns noise that may be generated from the venue itself being heard above, and customers congregating outside the premises smoking and drinking and how this may lead to disorder. The other is from the Leader of the Council Councillor Donna Jones, expressing concerns regarding public nuisance and the protection of children from harm.

These are attached at **appendix D**.

Attached at **appendix E** are photographs showing the front and side of the venue together with some internal photographs.

7. POLICY AND STATUTORY CONSIDERATIONS

When determining the application to grant the premises licence the Committee must have regard to:

- Promotion of the licensing objectives which are;
 - prevention of crime and disorder
 - public safety
 - prevention of public nuisance

- protection of children from harm
- The Licensing Act 2003;
- Judgements of the High Court, (your legal adviser will give you guidance should this become necessary).
- Its Statement of Licensing Policy;
- The statutory guidance issued by the Home Secretary in accordance with section 182 of the Act; and
- The representations, including supporting information, presented by all the parties.

Statement of Licensing Policy

The Statement of Licensing Policy lays down a general approach to the determination of licensing applications and any such application will be considered on its individual merits. Equally, any person permitted by the Act to make relevant representations to the Committee will have those representations considered on their individual merit.

The Committee should consider the fundamental principles set out in its policy, particularly paragraphs 4.6 and 4.7 which are reproduced below:

4.6 Whether or not incidents can be regarded as being “in the vicinity” of licensed premises is a question of fact and will depend on the particular circumstances of the case. In cases of dispute, the question will ultimately be decided by the courts. In addressing this matter, the Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

4.7 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of the overall approach to the management of the evening and night-time economy in town and city centres.

The Committee should also have regard to paragraphs 7.1 to 7.6 in relation to such circumstances where it may be appropriate to consider the imposition of conditions on a premises licence.

Statutory Guidance

The updated statutory guidance issued by the Home Secretary in accordance with section 182 of the Act, which came into force in March 2015, refers to the

consideration of applications for the grant or variation of premises licences in Chapter 9.

Members may wish to consider the following extracts from the statutory guidance when determining this application:

Para 9.12

"... In their role as a responsible authority, the police are an essential source of advice and information on the impact and potential impact of licensable activities, particularly on the crime and disorder objective. The police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The police should be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective, but may also be able to make relevant representations with regard to the other licensing objectives if they have evidence to support such representations. The licensing authority should accept all reasonable and proportionate representations made by the police unless the authority has evidence that to do so would not be appropriate for the promotion of the licensing objectives. However, it remains incumbent on the police to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing"

Para 9.36

"... As a matter of practice, licensing authorities should seek to focus the hearing on the steps needed to promote the particular licensing objective which has given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other persons may choose to rely on their written representations. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation..."

Para 9.41

"Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representation made by the applicant or premises user as the case may be".

Para 9.42

"The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve"

Para 9.43

"Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable"

to achieve that end. Whilst this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters.

As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business.

Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination."

Para 10.8

"The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing that it is appropriate to impose conditions to promote one or more of the four licensing objectives."

Para 10.9

"It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives."

Members may also wish to consider Chapter 11 of the statutory guidance in respect of reviews of premises licences. Paragraphs 11.1 and 11.2 of the guidance states:

Para 11.1

"The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate".

Para 11.2

At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.

A copy of the Statement of Licensing Policy, statutory guidance, the Act and the pool of model conditions has been supplied to each of the Members' Rooms and further copies will be available for reference at the hearing.

Determination of an application

Where an application to grant a premises licence has been made in accordance with section 17 of the Act and where relevant representations have been made, the licensing authority must hold a hearing to consider them, unless the applicant, each person who has made representations and the licensing authority agree that a hearing is unnecessary.

After having regard to the representations, the Committee may take such steps, if any, as it considers appropriate for the promotion of the licensing objectives which are:

- grant the licence subject to such conditions as are consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives and any mandatory conditions.
- exclude from the licence any of the licensable activities applied for.
- refuse to specify a person in the licence as the premises supervisor (if the application relates to the sale of alcohol).
- reject the application.

In discharging its duty in accordance with the above, the Committee may grant a premises licence so that it has effect subject to different conditions in respect of:

- different parts of the premises concerned;
- different licensable activities.

Appeal Provisions

Schedule 5, part 1, of the Act sets out the appeal provisions in relation to the determination of an application to grant a premises licence.

Where the Licensing Authority rejects (in whole or in part) an application, the applicant may appeal against the decision to the Magistrates' Court.

Should the committee grant (in whole or in part) an application, the applicant may appeal against any decision to modify the conditions of the licence. Equally appeal provisions apply against the exclusion of licensable activities and/or refusal to specify a person as a premises supervisor.

Where a person who made relevant representations in relation to the application contends that:

- a) that the licence ought not to have been granted, or
- b) that, on granting the licence, the Licensing Authority ought to have imposed

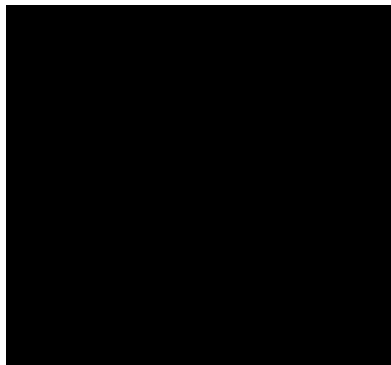
different or additional conditions or excluded activities and/or the premises supervisor,

He may appeal against the decision.

8. APPENDICES

- A. Copy of the application form
- B. Copy of plan
- C. Copy of agreed conditions
- D. Copy of representations
- E. Photographs

THE COMMITTEE IS REQUESTED TO DETERMINE THE APPLICATION



For Licensing Manager
And on Behalf of Head of Service

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Portsmouth
Application for a premises licence
Licensing Act 2003



16/0476/LAP/LEM
 reps by 1/12/16

For help contact
Licensing@portsmouthcc.gov.uk
 Telephone: 023 9283 4572

* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Is your business registered outside the UK? Yes No

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

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

Section 4 of 19**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Brian

Family name

Dean

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

Add another applicant

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

Ground floor shop, situated on the high street. App 60 Sq Meters with fire escape to the rear. Fire escape door will act as entry into the rear outside proposed smoking area.

Continued from previous page...

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

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PROVISION OF PLAYS

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

WEDNESDAY

Start End
Start End

THURSDAY

Start End
Start End

FRIDAY

Start End
Start End

SATURDAY

Start End
Start End

SUNDAY

Start End
Start End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

The music will be from a Juke Box so I would say amplified

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

The Hours may vary if a temp event notice is in place

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The Hours may vary if a temp event notice is in place

Continued from previous page...

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PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

SUNDAY TO THURSDAY 23:00 - 00:00
FRIDAY AND SATURDAY 23:00 02:00

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Give timings in 24 hour clock.

(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:59"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

The Hours may vary if a temp event notice is in place

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The Hours may vary if a temp event notice is in place

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text" value="Fareham"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NA

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:59"/>
Start	<input type="text"/>	End	<input type="text"/>

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:59"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:59"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:59"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:59"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

The Hours may vary if a temp event notice is in place

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The Hours may vary if a temp event notice is in place

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

Personal License holder on the premises at all times, Designated Premises Supervisor nominated; sufficient number of staff on the premises to cover longer hours.
Regular glass collections from tables so staff can pick up (eavesdrop) in areas of suspicious gatherings.
All parts of the premises and all fittings and apparatus therein, door fastenings and notices and the seating, lighting, heating, electrical, ventilation, sanitary accommodation, washing facilities and other installations, will be maintained at all times in good order and in a safe condition.
Prominent, clear and legible notices will be displayed at all exits requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.
Customers will be asked not to stand around talking in the street outside the premises; and asked to leave the vicinity quickly and quietly.
"Challenge 25" information to prevent the supply of alcohol to under-age drinkers.
CCTV recording system installed.
Ensuring all external doors and windows are kept closed other than for access and egress while amplified music is being played.
Protocols agreed with the Police to reduce crime & Measures to prevent the use or supply of illegal drugs will always be in force.
Imposing a time limit after which readmissions to the premises will not be permitted.
Staff will check identification and refuse to serve anyone under eighteen. Anyone under eighteen will be asked to leave the premises. A register of refused sales would be maintained and made available for inspection.

b) The prevention of crime and disorder

Not selling of alcohol to drunk or intoxicated customers.
Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.
Prevention and vigilance in illegal drug use at the retail unit area.
Provision of effective CCTV in and around premises to monitor entrances, exits, and other parts of the premises.
Become a member of the Local Pubwatch Scheme and back the scheme decisions to ban people from licensed premises. This is a very effective deterrent.
Do not tolerate violent behaviour.
Do not tolerate anti social behaviour
Acceptance of accredited 'proof of age' cards such as the proof of age schemes which carry the PASS (Proof of Age Standard Scheme) hologram logo, any locally approved 'proof of age' cards and/or 'new type' driving licences with photographs.
Do not allow people who have consumed too much alcohol to remain on licensed premises.
Refuse entry to people who have already consumed too much alcohol.

c) Public safety

Have Suitable and sufficient risk assessment in place.
Effective and responsible management of premises.
Provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons.
Appropriate instruction, training and supervision of those employed.
Provision of effective CCTV in and around premises.
Provision of toughened or plastic glasses.
Implementation of crowd management measures.
Regular testing (and certification) appliances, etc.
Ensure fire escape is not obstructed in any way.
an accidents and incidents log book will be kept on the premises as well as a refusal log.

d) The prevention of public nuisance

Place signs by exit asking customers to be considerate towards neighbouring residents and to leave the premises quietly.
Keep doors and windows closed to prevent noise contamination.
keep internal music levels to a predetermined set volume.

Continued from previous page...

Restrict smoking to smoking area and not on the high street.
Do not allow drinking on the High street.

e) The protection of children from harm

We will operate a full exclusion of those people under 18 from the premises during opening hours.
Challenge 25 posters will also be in place.
Underage stickers will also be in place stating that staff will not supply alcohol to under 18's

Section 19 of 19

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

DECLARATION

Continued from previous page...

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/portsmouth/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

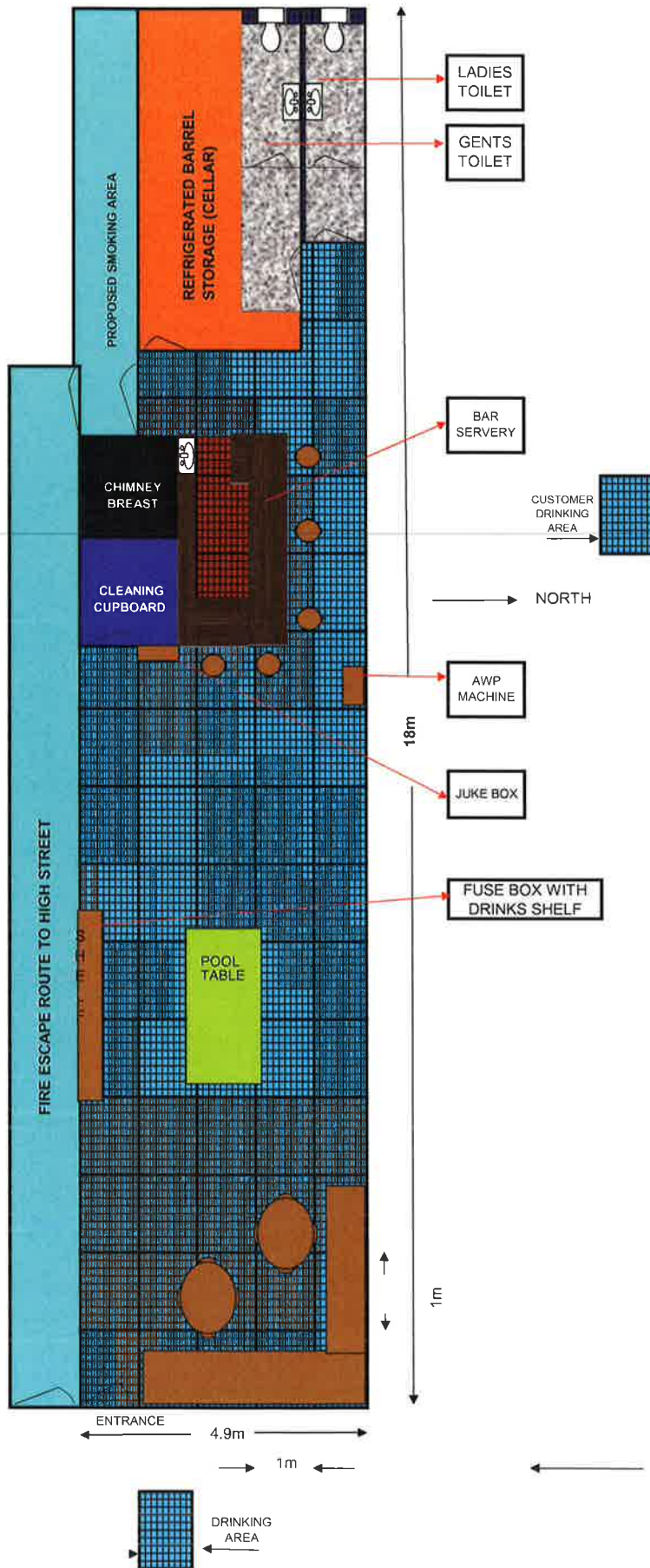
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Appendix B



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1) CCTV

- 1.a The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exits.
- 1.b CCTV warning signs to be fitted in public places.
- 1.c The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.
- 1.d The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
- 1.e Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.
- 1.f The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.
- 1.g There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police and other enforcement agencies on request when investigating allegations of offences or criminal activity. Any images recovered must be in a viewable digital format. Footage supplied in a digital format will also have a copy of the CCTV system software enabled to allow playback.

2) Incident book

- 2.a An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request.
- 2.b Any incidents that include physical altercation or disorder, physical ejection, injury, id seizure or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.
- 2.c If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry.

- 2.d The Premises Licence Holder shall ensure that the incident log is checked, entries reviewed and signed and dated on a weekly basis.
If incidents have occurred the duty manager will de-brief door staff.

3) Refusals book

- 3.a A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis.
- 3.b The refusals log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority.
- 3.c The record of refusals will be retained for 12 months.

4) Challenge 25

- 4.a There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.
- 4.b Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and the persons date of birth.
- 4.c If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.
- 4.d 'Challenge 25' posters shall be displayed in prominent positions at the premises.

5) Training

- 5.a The licence holder must ensure that all staff selling alcohol have received adequate training, which must incorporate a process of assessment and refresher training to a recognised national standard on the law with regard to age restricted sales.
- 5.b Such training will be properly documented and full training records kept.
- 5.c No member of staff shall sell alcohol until they have completed this training and it has been documented and signed by both the staff member and the DPS.

Below are additional conditions that we recommend are considered owing to the locality of this particular premises.

6) SIA Registered Door Staff

6.a. At all times when the premises is open for licensable activities there shall be a risk assessment conducted as to whether it is necessary to employ SIA staff.

6.b. Records of the risk assessments made will be kept for a minimum of 12 months.

7) Authorisation of supply of alcohol in absence of DPS

7.a. A record will be kept at the premise of any persons that the DPS has authorised to supply alcohol. Further to this when the DPS is absent from the premise a list will be made available stating who will be managing the venue.

I also see on your application that you have specified that there will be a personal licence holder on duty at all times, I feel that this isn't necessary as long as you adopt condition 7.

I hope the above assists. Please contact me if you have any queries on any of the above.

Regards

Jackie

*PC 24272 Cherry
Licensing and Alcohol Harm Reduction Team
Core 5, Ground Floor
Portsmouth Civic Offices
Portsmouth
Hampshire
PO1 2AL*

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Councillor Donna Jones
Leader of Portsmouth City Council
Executive Office
Floor 3, Core 3-4, Civic Offices
Guildhall Square
Portsmouth
PO1 2AL

Nickii Humphreys
Licencing Manager

Phone: [REDACTED]

E-mail: [REDACTED]

Our Ref: [REDACTED]

Date: 30th November 2016

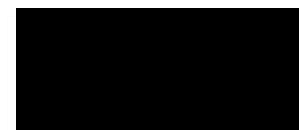
Dear Nickii,

RE: 16/01482/FUL 58c High Street, Cosham, Portsmouth, PO6 3AG

I am writing to formally object to the grant of the application for a premises licence for the sale of alcohol and regulated entertainment at 58c High Street.

58c High Street is directly below Relate Portsmouth, an independent counselling charity recognised by health professionals across the City. Children, young people and adults (some of which are vulnerable) use this public service throughout the day and night and it would be inappropriate for a licence to be granted in such close proximity. Subsequently, I wish to object to the grant of the application on the grounds of prevention of public nuisance and protection of children from harm.

Kind regards,



Councillor Donna Jones
Leader of the Council &
Cabinet Member for Planning, Regeneration & Economic Development (PRED)

CC

Cllr Hannah Hockaday, Cosham Ward
Cllr Lee Mason, Cosham Ward
Cllr Jim Fleming, Cosham Ward

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58d High Street
Cosham
Portsmouth
PO6 3AG

Tel/Fax/Text: 023 9282 7026
Email: relate@relateportsmouth.org.uk

05 December 2016

RE: 16/01482/FUL 58c High Street, Cosham, Portsmouth, PO6 3AG.

Dear Sir/Madam,

Relate Portsmouth and District is an independent charity (and Company Limited by Guarantee) and a member of the national Relate Federation, working to promote health, respect and justice in couple and family relationships to a future where healthy relationships form the heart of a thriving community.

We have delivered services in the City and surrounding District for over 50 years, helping people of all ages, backgrounds and sexual orientations to improve their relationships and life chances. Our core services include relationship counselling for individuals and couples; family counselling; counselling for children and young people; sex therapy and life skills training.

Face to face services are provided by 15 practitioners working from our Portsmouth Centre, Outpost 'room hire' locations operate in Southsea, Gosport, Fareham, Emsworth, Petersfield & Havant. In addition, adult counselling is provided over the telephone.

As we discussed on the phone we operated out of your city centre council premises since the 1960's, and only left following instruction to vacate this year 31/5/16. It has been an extremely difficult time for the charity, as we attempt to weather the cuts in a climate of austerity and its impact on the available funding. Most recent years have seen significant losses, however we have taken many measures such as drastic restructuring, streamlining processes, and diversifying our service offer, to keep the charity going. Our biggest challenge since the funding cuts has been the June move this year, costing us in the region of [REDACTED]

We are now just coming out of the post-move period with a view to stabilising the charity. We can now offer an improved and increased service due to investing in partitioning off 5 new counselling suites. These suites sit directly over 58c and the proposed plans for a licensed establishment, and consequently we are extremely concerned about the impact for the following reasons;

- Environment - Nearly all of our counselling happens in the evening, when people are out of work and school. Evenings being a time when a bar is most likely to be noisy and disruptive to the local environment. The throng of talking and music, the congregation of people outside smoking, making phone calls or socialising. The staff using the communal areas and dropping large amount of bottles in the bins.

Counselling requires a quiet and calm setting, the environment is crucial to the client's ability to relax and feel safe. Noise and distractions are detrimental to both the client and counsellors ability to focus intently on the developments in the room. We build the room around the need for these environmental factors, using soft lighting, sound proofed walls and soundproofed wall hangings. We also use white noise machines in the lobby area (these are not suitable inside the counselling rooms as trials have shown they are also distracting to the client and counsellor).

- Client Safety - Families and children access the centre services, along with people attending requiring sex therapy. We strongly believe that it is not appropriate for children and young people to have to use a centre where all of the side effects of a drinking establishment (noise in the counselling room, along with anti-social behaviour, smoking, shouting and fights outside) may affect them and their ability to benefit from counselling support, as well as being a less safe venue to come and go from. Some young people attend counselling without their parents, often without the knowledge of their parents depending on the issues they are facing.
- Client Discretion – Many of our clients express that they feel the need for anonymity and discretion when attending counselling. The thought of having a bar with people smoking or congregating in the front of our building may deter people from attending. A known local establishment of this nature may lead clients to feel nervous about attending for fear of being seen.
- Brand - Non funded clients will be paying up to £55 a session and will expect an appropriate environment in discrete premises. Due to the funding cuts we are not in a position to be any more competitive than local private practice offerings. Our brand, the client experience, and the quality of the service we provide is crucial to our being able to sustain a service. People won't come to us if the environment is detrimental to the counselling experience. We are a struggling charity and can't afford to lose any contributions as a result of the impact of this.
- Client Issues – Many clients can present with issues around alcohol abuse – it would be extremely detrimental to a client facing these issues to try and receive counselling above the throng of a busy bar.
- Community - Cosham High Street can face difficulties regarding anti-social behaviour outside in the street. Our opinion that licensed premises will exacerbate the levels of anti-social behaviour. Our services are here to promote and foster healthy relationships and behaviours amongst all the adult, children and young people we work with in our local community. We feel that a licensed establishment will be detrimental to that, and risk our ability to continue to operate from those premises. However in saying that, the prospect of another move and the ensuing financial impact would most likely render the charity insolvent.

Please advise if you need more detail from our clinical supervisors regarding the impact this poses to the clinical practise. I would be happy to meet with any of your representatives to discuss any of these points further.

Kate Glasby
Centre Manager on behalf of the Board of Trustees
Relate Portsmouth and District

Appendix E



Everetts PHARMACY

KING CHEF
SPECIALISTS IN FINEST CHINESE CUISINE 023 92 200121

AIM
Independent Estate Agents
Tel: 02392 210036

New To You Books
NEW & SECOND - HAND BOOKS
BOUGHT & SOLD 023 9232 1089

KEBAB CENTRE
PIZZAS - KEBABS - BURGERS - CHICKEN

BOOKS BOOKS BOOKS

NEW & SECOND - HAND BOOKS

AIM
OPEN

AIM
Merry Christmas
A Happy New Year

New To You Books
NEW & SECOND - HAND BOOKS
OPEN

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PHARMACY

Headway Brain Injury, We Care

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KING CHEF 皇厨
SPECIALISTS IN FINEST CHINESE CUISINE
023 92 200121

relate
the relationship people
t: 023 92 82 70 26 relate.org.uk/portsmouth

AJM ESTATES
Independent Estate Agents
Tel: 02392 210036

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www.ajm-estates.co.uk

AJM ESTATES
Wishing all our Customers a
Merry Christmas & A Happy New Year



HAND BOOKS

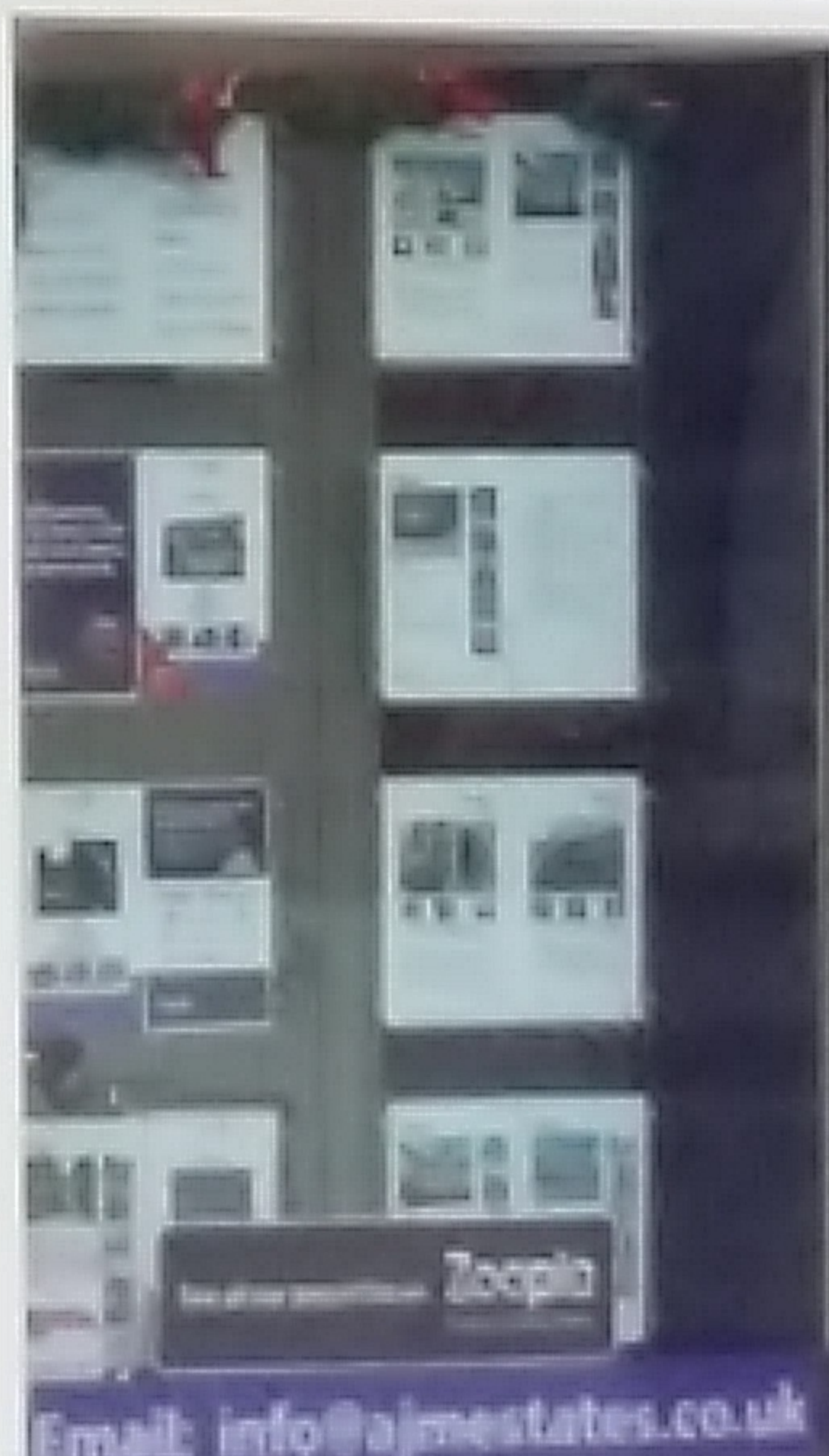
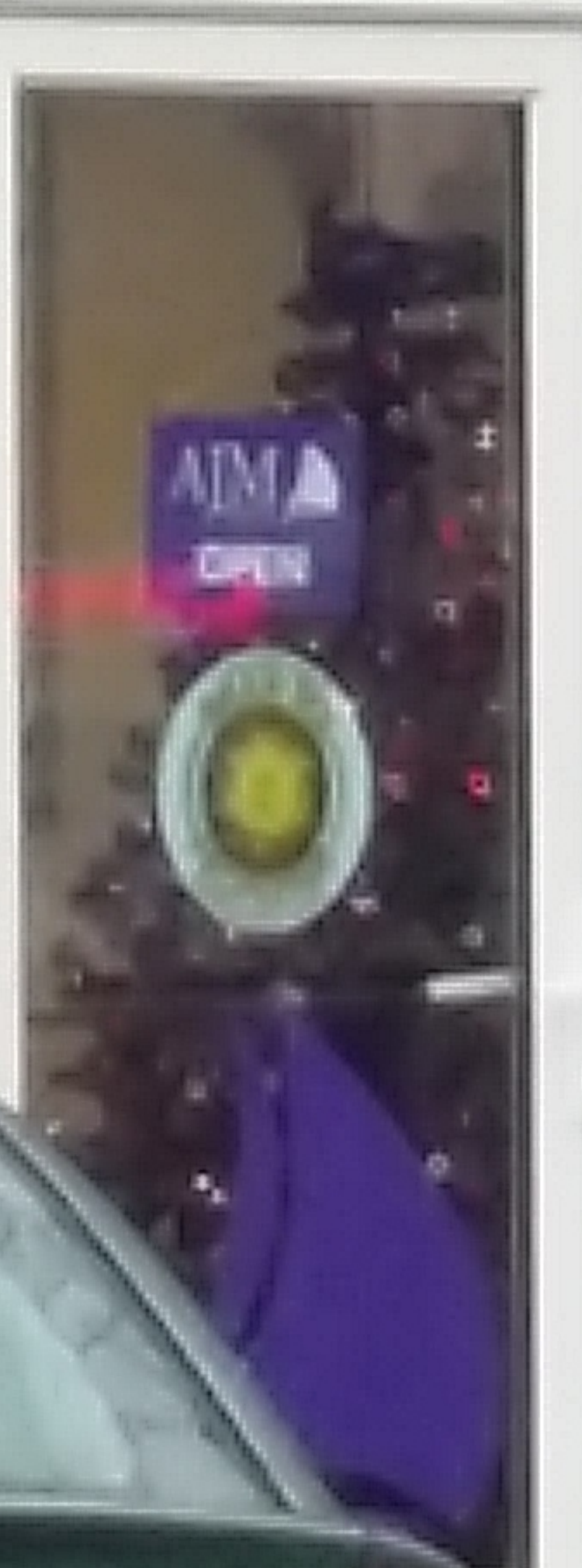
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AJM
ESTATES 

Independent Estate Agents
Tel: 02392 210036

relate
The relationship expert
www.relate.co.uk



See all our properties on Zoopla
Email: info@ajmestates.co.uk



Now
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BOOK

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the relationship people t: 023 92 82 70 26 relate.org.uk/portsmouth



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023 9262 9000

CIA

CIA

Headway Brain Injury, We Care
Portsmouth SE Harbours Telephone 023 9222 1383
Charity Number 1086140



brewers
brewers

KING CHEF 皇厨
SPECIALISTS IN FINEST CHINESE CUISINE - 023 92 200121



AJM ESTATES
Independent Estate Agents
Tel: 02392 210036



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BOUGHT & SOLD 023 9232 1089



ONE-WAY

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**GARNER
WOOD**
Shop To Let
55 sq m (588 sq ft)
023 9262 9000

Headway
Portsmouth SE Hants

Brain Injury, We Care

Telephone
023 9222 1383
Charity Number 1086140



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