



NOTICE OF MEETING

LICENSING SUB-COMMITTEE

WEDNESDAY, 25 JANUARY 2017 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 Bird (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: Julie Bird, Lee Mason and Gerald Vernon-Jackson CBE

The reserve member is Dave Ashmore.

(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 Appointment of Chair.**
- 2 Declarations of Members' Interests.**
- 3 Licensing Act 2003 - application for variation of a premises licence
Alibaba Kebab House, 50 London Road, Portsmouth PO2 0LN. (Pages 3 - 54)**

Purpose.

The purpose of this report is for the committee to consider an application for the variation of a premises licence under the Licensing Act 2003 ("the Act"). The matter has been referred to the committee for determination following receipt of two representations from responsible authorities namely the Chief Officer of Police for Hampshire Constabulary and also Portsmouth City Council's Licensing Authority.

The committee is asked to determine this matter.

**4 Licensing Act 2003 - application for variation of a premises licence
Victory News, 261 Copnor Road, Portsmouth PO3 5EE. (Pages 55 - 108)**

Purpose.

The purpose of this report is for the committee to consider an application for the variation of a premises licence under the Licensing Act 2003 ("the Act"). The matter has been referred to the committee for determination following receipt of ten representations from local residents and a ward councillor.

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 25th JANUARY 2017

REPORT BY: LICENSING MANAGER

REPORT AUTHOR: MR DEREK STONE

**Licensing Act 2003 – Application for variation of a premises licence
Alibaba Kebab House, 50 London Road, Portsmouth PO2 OLN**

1. PURPOSE OF REPORT

The purpose of this report is for the Committee to consider an application for the variation of a premises licence under the Licensing Act 2003 (“the Act”). The matter has been referred to the Committee for determination following receipt of two representations from responsible authorities namely the Chief Officer of Police for Hampshire Constabulary and also Portsmouth City Council's Licensing Authority.

2. THE APPLICATION

The variation application has been made by the current licence holder Mr Azizullah Yaqubi to extend opening and late night refreshment hours to finish at 03:00. Currently the premises licence permits the opening hours from 08:00 to 00:30 Monday to Sunday with late night refreshment provision from 23:00 until 00:30 daily.

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 public notice has been given by way of press notice, premises notice and local ward councillors have been informed. 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.

A copy of the variation application is attached as **appendix A**.
A copy of the current premises licence is attached at **appendix B**.

On the 23rd March 2016 your reporting officer visited the premises at 23:10 hours and found that the venue was trading. The manager Fazel Sahik stated that the premises had been trading for the last two weeks and that the owner was Mr Yaqubi. Advice was given regarding the requirement to secure a late night refreshment licence. During this visit Mr Sahik produced a letter from the planning department dated 8th September 2011 restricting hours of trading which were to cease at 00:30

On 29th April 2016 Mr Yaqubi applied for the premises licence to operate from 08:00 to 00:30 daily with late night refreshment between 23:00 and 00:30 which was granted on the 28th May 2016.

The variation before you today has resulted from further concerns and trading outside of the permitted hours.

Officer note:

A planning application has also been made seeking consent to operate after 00:30

4. OPERATING SCHEDULE – PROMOTION OF LICENSING OBJECTIVES

The applicant has completed their operating schedule at section 16. This section should detail the steps that they intend to take to promote all four of the licensing objectives.

5. RELEVANT REPRESENTATIONS BY RESPONSIBLE AUTHORITIES

There are two representations from responsible authorities. PC Rackham will present on behalf of the Chief Officer of Police and Nickii Humphreys, Licensing Manager will present on behalf of the local authority.

All representations are attached at **appendix C**.

Officer note:

In the Local Authority representation where it states that Mr Yaqubi was interviewed and advised regarding the breach of licensing conditions following PC Rackham's visit on the 22nd November, it was Fazel Sahik that was interviewed and warned. Mr Sahik was given a letter to hand to Mr Yaqubi regarding this matter. This letter is attached at **appendix D**

Para 9:11

Responsible authorities under the 2003 act are automatically notified of all new applications. While all responsible authorities may make representations regarding applications for licences and full variation applications, it is the responsibility of each responsible authority to determine when they have appropriate grounds to do so.

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 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 representation can withstand the scrutiny to which they would be subject at a hearing.

6. RELEVANT REPRESENTATIONS BY OTHER PERSONS

There are no other representations.

7. POLICY AND STATUTORY CONSIDERATIONS

When determining the application to vary 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 9.36

"... As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person 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. While 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 10:13 (Hours of Trading)

The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of its licensing policy statement. Licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.

Para 10.14

"Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested".

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 vary a premises licence has been made in accordance with section 34 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:

- To modify the conditions of the licence
- To reject the whole or part of the application

And for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

In discharging its duty in accordance with the above, the Committee may vary 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 vary 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.

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

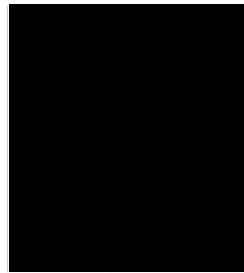
- a) that any variation made ought not to have been made, or
- b) that, on varying the licence, the Licensing Authority ought not to have modified the conditions of the licence, or ought to have modified them in a different way, under section 4(a) of that section,

He may appeal against the decision.

8. APPENDICES

- A.** Copy of the application form for the variation of a premises licence
- B.** Copy of current premises licence
- C.** Copies of representations received
- D.** Copy of letter addressed to Mr Yaqubi given to Mr Fazel Sahik

THE COMMITTEE IS REQUESTED TO DETERMINE THE APPLICATION



For Licensing Manager
And on Behalf of Head of Service

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Portsmouth
Application to vary a premises licence
Licensing Act 2003



16/04325/LAPREM
 repsby 27.12.16

For help contact
Licensing@portsmouthcc.gov.uk
 Telephone: 023 9283 457

* required information

Section 1 of 17

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?

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

☐ Yes ☒ No

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.

Registration number

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.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 17

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

We, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

Premises Licence Number

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

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

Section 3 of 17

VARIATION

Do you want the proposed
variation to have effect as
soon as possible? ☒ Yes ☐ No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

☐ Yes ☒ No

You do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.

If your proposed variation
would mean that 5,000 or
more people are expected to
attend the premises at any
one time, state the number
expected to attend

Describe Briefly The Nature Of The Proposed Variation

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.

TO VARY THE LATE NIGHT REFRESHMENT LICENCE CONDITION OF 23:00 TO 00:30 HOURS TO ALLOW THE PREMISES TO
REMAIN OPEN TO THE PUBLIC WITH LATE NIGHT REFRESHMENT FROM 23:00 TO 03:00 HOURS DAILY. THE OPENING HOURS
OF THE PREMISES TO BE EXTENDED TO ALLOW PUBLIC ACCESS FROM 08:00 TO 03:00 DAILY.

Section 4 of 17

PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to
vary is successful?

☐ Yes ☒ No

Section 5 of 17

PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to
vary is successful?

☐ Yes ☒ No

Section 6 of 17

PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if
this application to vary is successful?

Continued from previous page...

☐ Yes

☒ No

Section 7 of 17

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 8 of 17

PROVISION OF LIVE MUSIC

Will the schedule to provide live music be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 9 of 17

PROVISION OF RECORDED MUSIC

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 10 of 17

PROVISION OF PERFORMANCES OF DANCE

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 11 of 17

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

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 12 of 17

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start	08:00	End	03:00
Start		End	

WEDNESDAY

Start	08:00	End	03:00
Start		End	

THURSDAY

Start	08:00	End	03:00
Start		End	

FRIDAY

Start	08:00	End	03:00
Start		End	

SATURDAY

Start	08:00	End	03:00
Start		End	

SUNDAY

Start	08:00	End	03:00
Start		End	

Will the provision of late night refreshment take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other structure select 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.

WILL THE PROVISION OF LATE NIGHT REFRESHMENT TAKE PLACE INDOORS OR OUTDOORS OR BOTH?

State any seasonal variations.

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

DO SEASONAL CHANGES ANTICIPATED

Continued from previous page...

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

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

N/A

Section 13 of 17

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☐ Yes

☒ No

Section 14 of 17

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.

Provide 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.

NONE INTENDED

Section 15 of 17

OURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start	08:00	End	03:00
Start		End	

SATURDAY

Start	08:00	End	03:00
Start		End	

SUNDAY

Start	08:00	End	03:00
Start		End	

State any seasonal variations.

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

N/A

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

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

N/A

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

APPLICATION IS TO ONLY VARY THE CURRENT OPERATIONAL HOURS AND THE ABILITY TO PROVIDE LATE NIGHT REFRESHMENT TO 03:00 HOURS DAILY

- ☐ I have enclosed the premises licence
- ☐ I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

N/A

Continued from previous page...

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

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

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

CONTINUE CURRENT GENERAL OBJECTIVES

b) The prevention of crime and disorder

MAINTAIN EXISTING SUPERVISION

c) Public safety

CONTINUE TO PROVIDE SAFE PREMISES

d) The prevention of public nuisance

AVOID ANY PUBLIC NUISANCE

e) The protection of children from harm

AGAIN ENSURE THAT CHILDREN CAN ENTER THE PREMISES SAFELY

Section 17 of 17

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.

Variation 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 you are required to pay a higher fee

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

continued from previous page...

If you own a large premise 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

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/change-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	Premises Licence No. 16/03207/LAPREM
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

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Portsmouth
CITY COUNCIL

PREMISES LICENCE

Licensing Act 2003

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description

Address: Alibaba Kebab House
50 London Road
Portsmouth PO2 0LN

Map Ref (E) : 464942
Map Ref (N): 102077
UPRN: 001775049370

Telephone

Where the licence is time limited the dates

This licence is **NOT** time limited

Licensable activities authorised by the licence

► Late night refreshment

The times the licence authorises the carrying out of licensable activities

► Late night refreshment
Monday to Sunday 23:00 until 00:30

The opening hours of the premises

► Monday to Sunday 08:00 until 00:30

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

N/A

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Name: Mr Azizullah Yaqubi

Address:

Telephone:

Email:

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Name: N/A

Address:

Telephone:

Email:

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Personal Licence No:


Issuing Authority:

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 as amended and regulations made thereunder

Date Licence granted: 28 May 2016

Date last amended: 28 May 2016

Type: New


Signed on behalf of the Head of Service
(Authorised Officer)

Portsmouth City Council is committed to complying with the Freedom of Information Act 2000 (FOIA) which applies to all recorded information that it holds or is held on its behalf. Information that is provided to or held by the City Council will be processed and disclosed strictly in accordance with the FOIA, the Data Protection Act 1998 or other appropriate legislation.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information go to www.portsmouth.gov.uk and search for 'National Fraud Initiative'.

Annex 1 – Mandatory Conditions

-- END --



Annex 2 – Conditions consistent with the operating schedule

-- END --



Annex 3 – Conditions attached after a hearing by the licensing authority

-- END --



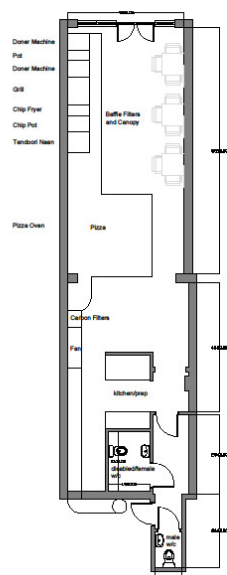
Portsmouth
CITY COUNCIL
Licensing



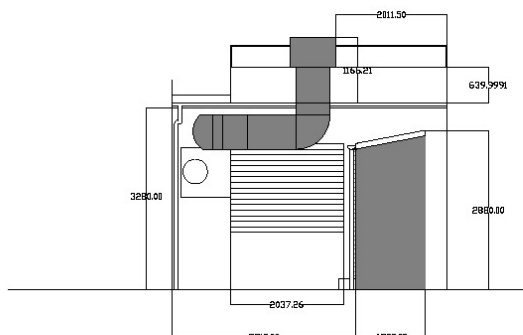
Annex 4 – Premises and location plan

Premises Plan(s)

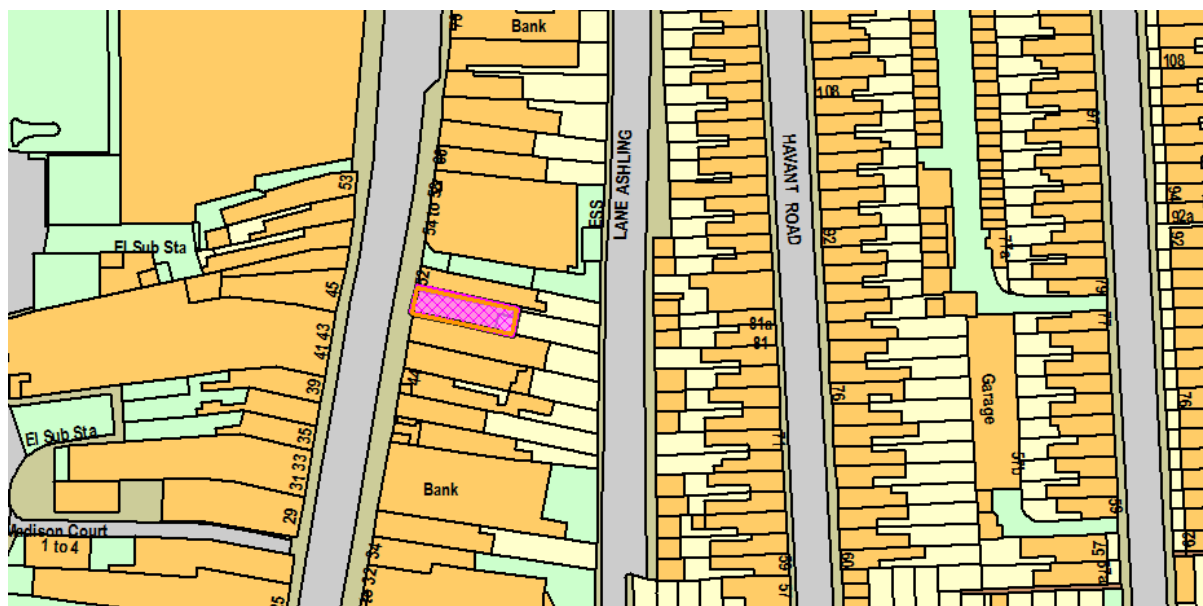
These will either be shown below or attached as a separate part of the premises licence authorisation.



Ground Floor Plan (1:100 @ A3)



Rear Elevation (1:50 @ A3)

Location Plan: 50 London Road Portsmouth

REPRODUCED FROM THE ORDNANCE SURVEY MAPPING WITH PERMISSION OF THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE © CROWN COPYRIGHT. UNAUTHORISED REPRODUCTION INFRINGES CROWN COPYRIGHT AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS. LICENCE AGREEMENT NUMBER LA100019671- PORTSMOUTH CITY COUNCIL



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Licensing Sub-Committee
Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth
Hants
PO1 2AL

Licensing Service

Civic Offices
Guildhall Square
Portsmouth
PO1 2AL

Phone: 023 9283 4604

Our Ref: 16/04325/LAPREM

Date: 21 December 2016

Dear Members of the Licensing Sub-Committee

**Re: Licensing Act 2003 - Application for the Variation of a Premises Licence -
Alibaba Kebab House 50 London Road Portsmouth PO2 0LN**

I refer to the recent application for the variation of a premises licence in respect of the premises known as Alibaba's and situated at 50 London Road, Portsmouth, PO2 0LN. The application is to extend the hours for the provision of late night refreshment every day.

Currently, the licence permits late night refreshment everyday between the hours of 23:00 and 00:30 hours but the applicant wishes to extend those hours to 03:00 every day.

On behalf of the Licensing Authority, I would wish to make formal representations in relation to the application on the following grounds:

- Prevention of crime and disorder

As per the representation made by the Chief Officer of Police, I have concerns that the premises licence holder has been providing licensable activities, namely the provision of late night refreshment, beyond the hours the premises are currently authorised for which is an offence in accordance with section 136 of the Licensing Act 2003.

PC Rackham, in his representation, evidenced a visit to the premises on 22 November 2016 when the premises were found to be open to members of the public and providing late night refreshment at 03:04 hours. As a result of this information being given to the Licensing Authority, Mr Yaqubi, the premises licence holder was interviewed by licensing staff and was advised in no uncertain terms that to continue to provide late night refreshment beyond 00:30 hours would constitute an offence under the 2003 Act and he could be liable for legal proceedings to be instigated.

It is of concern to the Licensing Authority that despite this advice and warning, the information submitted by the Chief Officer of Police would suggest that the premises licence holder is knowingly continuing to trade beyond 00:30 hours and is in fact making deliberate efforts to disguise those activities.

It is also submitted that the applicant has only requested to trade until 03:00 hours on the application under consideration but advertises the provision of late night refreshment until 04:30 hours.

At the time that this representation was prepared, investigations were still ongoing in terms of potential offences being committed contrary to section 136 of the Act. If it is established that this is indeed the case then the Licensing Authority will be seeking to instigate legal proceedings against the licence holder.

Given that the applicant has knowingly traded beyond his permitted hours under the terms of the premises licence and there is evidence to suggest that this is ongoing, the Licensing Authority is not satisfied that the applicant has demonstrated sufficient commitment to promoting the prevention of crime and disorder licensing objective and on that basis it is requested that the Licensing Sub-Committee refuse the application.

Yours sincerely



Nickii Humphreys
Licensing Manager

Email: licensing@portsmouthcc.gov.uk

Mr Azizullah Yaqubi
13 Alexandra Road
Portsmouth
PO1 4HN

Licensing Service
Civic Offices
Guildhall Square
Portsmouth
PO1 2AL

Phone: 023 9268 8462
Our Ref: 16/03207/LAPREM
Date: 22/11/16

Dear Mr Yaqubi

Alibaba Kebab House. 50 London Road, Portsmouth. PO2 0LN

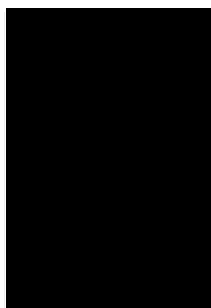
It has come to the attention of Portsmouth City Council's Licensing department that you are not complying with the conditions of your Premises Licence in regard to Alibaba Kebab House, 50 London Road Portsmouth.

At 03:04 on Sunday 22nd November 2016 a police officer in plain clothes entered these premises and was able to purchase food. Your Premises Licence only permits late night refreshment between the hours of 23:00 until 00:30.

In addition, I am advised by my planning colleagues that under planning consent for these premises, there is a condition that the premises shall remain closed and vacated by all customers between the hours of 00:30 and 08:00 am daily.

I must point out to you that failure to comply with the conditions of your premises licence is an offence, and any further breaches may result in prosecution.

Yours sincerely



Derek Stone
Principal Licensing Officer

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Portsmouth City Council Licensing Service
Core 5, Lower Ground Floor
Civic Offices
Portsmouth
Hampshire
PO1 2AL

Telephone
101

Direct Dial

Fax
01962 874201

Text Relay
18001 101

Email Address

Our ref:
Your ref:

2 December 2016

Dear Sir/Madam

Re: Application for a Variation of Premises Licence, Ali Babas, 50 London Road, Portsmouth

On Behalf of the Chief Officer of Police, I make representations in relation to the application for a variation of premises licence at Ali Babas, 50 London Road, Portsmouth.

I make these representations under the grounds of:

- 1) The prevention of crime and disorder

This is due to the lack of engagement by the applicant with the Chief Officer of Police and also due to offences the Chief Officer of Police believes the applicant to have committed and continues to commit under the Licensing Act 2003 which have undermined the Licensing Objectives.

Ali Babas

Ali Babas is a late night takeaway premises in London Road, Portsmouth. It is licenced under the Licensing Act 2003 to provide late night refreshment between 23:00 and 00:30 hours Monday – Friday.

The licence was applied for and granted in Summer 2015 with no conditions placed onto the premises licence.

Offences under Licensing Act 2003

On Sunday 22nd November at 03:04 hours, PC 21945 Rackham, whilst on duty, drove past the premises and noted that it appeared open. Through the window could be seen a full selection of meats in the open chilled section and kebab spits were also up. PC Rackham also noted that two members of staff appeared to be making hot food within the premises and the door was open. On entering PC Rackham was sold a medium portion of chips which were seen to be cooked in hot oil for £1.99.

This sale clearly was unlicensed and as such an offence under Section 136 of the Licensing Act 2003.



PC Rackham provided a statement and receipt for the hot food to Portsmouth City Councils Licensing Team where it is understood that the following week the councils licensing team interviewed the applicant and advised him to desist operating outside of his permitted hours. It is also understood that the applicant was advised that should he continue providing hot food and drink to members of the public after his permitted hours, he may be subject to prosecution for offences under the licensing act 2003.

Application

Shortly after this meeting on 29th November 2016 the Chief Officer of Police received an application to extend the hours of the premises from 00:30 hours to 03:00 hours. The application did not specify how the premises would promote any of the licensing objectives.

As a result the Chief Officer of Police contacted the applicant and proposed a CCTV condition to be placed onto the premises licence should the licence be granted. As of the 20th December no further response was heard and so the Police Licensing Team re sent the email. So far the applicant has not responded to the Chief Officer of Police. These emails are provided in Annex A.

It should be noted that the applicant did not contact the Chief Officer of Police prior to submitting the application as per current Home Office Guidance.

Further suspicions of licensable activity after permitted hours

On both 16th and 17th December 2016 PC Rackham drove by the premises at around 02:00 hours each night and noted that the front door was shut. However there was a bed sheet put up in the window and the inside light was on. On driving around to the rear of the premises cars were seen to be parked in the rear area of the premises. Whilst no hot food was seen to be provided to members of the public, it did seem odd.

The Chief Officer of Police has also seen takeaway websites in which the premises is advertised as selling hot food until 04:30 hours in the morning. Some 4 hours past their permitted licensable hours. This is despite being advised by the Council Licensing Team of what they can and cant do and being aware of the consequences of such actions. A screen shot of the two takeaway websites is provided in Annex B.

Refusal Recommendation

The Chief Officer of Police has huge concerns about the applicants ability to operate a licensed premises in a way which promotes the licensing objectives. Not only has the applicant broken the law in opening way past the permitted hours stated on the premises licence but he has continued to do so once advised by Portsmouth City Councils Licensing Team. From the information on the takeaway websites and also PC Rackhams visit it appears that the applicant has decided to continue operating at a time when he has no lawful authority to do so.

What also concerns the Chief Officer of Police is the lack of contact from the applicant regarding the current application. It is important that persons operating licensed premises respond promptly to the Chief Officer of Police. It is disappointing that the applicant has not responded to the Chief Officer of Police and potentially indicates what will happen in the future when the Police request contact with the applicant over potential issues.

The final concern the Chief Officer of Police has with this application is that it is quite clear that the applicant wants to trade long past 03:00 hours. The applicant is advertising being able to be open to provide hot food and drink until 04:30 hours. This will undoubtedly lead to further



offences being committed by the applicant under the licensing act 2003 and again shows how the applicant will undermine the licensing objectives.

As such the Chief Officer of Police respectfully recommends that the application be refused.

Yours Sincerely

PC 21945 Rackham
Licensing and Alcohol Harm Reduction Team
Hampshire Constabulary



www.hampshire.police.uk

Deaf? Non-emergency text **07781 480999**

For crime and community information www.hampshirealert.co.uk

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Proposed Conditions – Ali Baba

1 - The CCTV system must be fully operational whilst the venue is open to the public. The recording equipment shall be stored and operated in a secure environment with limited access.

The system shall be regularly maintained and serviced.

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

Digital systems shall have sufficient storage capacity for 31 days good quality pictures.

The images produced will be date and time stamped.

Access

It is important that the Police are able to access data from the systems quickly and easily and therefore provision shall be made for someone to have access to the secure area and also be able to operate the equipment.

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

Have a simple operator's manual available to assist in replaying and exporting data (particularly important with digital systems).

At all times that the premises is open for trade a person shall be on site that is able to work the CCTV system and provide a copy of any footage to the Police or officers of the Licensing Authority on request.

CCTV shall cover the full licensable area.

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Police Annex A

From: Rackham, Peter
Sent: 20 December 2016 18:57
To: [REDACTED]
Subject: FW: Proposed Conditions

Mr Yaqubi

Please can you let me know your thoughts on the proposed conditions.

If I do not hear from you I will be left with no option but to consider making representations to the application you have submitted

Kind Regards

Pete

*PC 21945 Pete Rackham
Licensing and Alcohol Harm Reduction Team
Portsmouth Civic Offices*

Peter.rackham@hampshire.pnn.police.uk

[REDACTED]

[Licensing Home Page](#)

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

From: Rackham, Peter
Sent: 15 December 2016 11:55
To: [REDACTED]
Subject: Proposed Conditions

Dear Mr Yaqubi

I can confirm that the Chief Officer of Police has received your application to vary a premises licence under the Licensing Act 2003 at Alibaba, 50 London Road, Portsmouth.

The Chief Officer of Police would like to see the attached condition onto the premises licence should the licence be granted.

Please can you advise me that you are happy for this condition to be placed onto the premises licence should it be granted. Can you please also advise me that you understand that should you not comply with this condition, you may be liable for prosecution for offences under the licensing act 2003 and also the review process.

Kind Regards

Pete

*PC 21945 Pete Rackham
Licensing and Alcohol Harm Reduction Team
Portsmouth Civic Offices*



[Licensing Home Page](#)

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



Proposed
conditions Ali Babas..

ANNEX D

Card Receipts Seized from Ali Baba – 50 London Road – 23rd December 2016

30/10/2016

00:49 - £15.17
01:01 - £14.47
01:40 - £3.49

31/10/2016

02:49 - £23.45
04:23 - £11.48

05/11/2016

03:26 – £12.37

11/11/2016

00:52 - £6.78

13/11/2016

01:56 - £30.00

14/11/2016

01:11 - £10.28
03:45 - £7.48

15/11/2016

03:19 - £10.49

16/11/2016

01:00 - £20.77

20/11/2016

01:54 - £5.49
01:58 - £12.48
04:00 - £10.48

21/11/2016

03:02 - £13.47

23/11/2016

03:08 - £8.48

24/11/2016

03:32 - £20.17

25/11/2016

03:09 - £11.48

09/12/2016

01:58 - £7.49

10/12/2016

01:34 - £18.48

02:35 - £40.46

14/12/2016

01:33 - £15.48

02:28 - £7.39

19/12/2016

01:48 – £10.39

03:03 - £7.79

03:06 - £12.37

23/12/2016

02:16 - £7.49

02:50 - £12.48

04:38 - £5.59

Total amount after licensable hours by Card Payment

£393.70

ANNEX E

Just Eat Receipts Seized from Ali Baba 50 London Road – 24th December 2016

24/12/2016

No time - £16.49

No time - £8.99

00:52 - £8.49

00:59 - £22.97

01:05 - £12.47

01:19 - £17.46

01:28 - £7.99

02:28 - £10.48

Total

£105.34

Hungry House Receipts Seized from Ali Baba 50 London Road – 24th December 2016

24/12/2016

NB – Proposed delivery time is the time not actual ordered time

02:05 - £30.05

02:13 - £9.88

02:57 - £15.47

02:34 – £16.49

Total

£71.89

Total from online sales 24th December 2016 after permitted hours

£177.23

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Portsmouth City Council Licensing Service
Core 5, Lower Ground Floor
Civic Offices
Portsmouth
Hampshire
PO1 2AL

Telephone
101

Direct Dial

Fax
01962 874201

Text Relay
18001 101

Email Address

Our ref:
Your ref:

28th December 2016

Dear Sir/Madam

Re: Further Information Re Application for a Variation of Premises Licence, Ali Babas, 50 London Road, Portsmouth

On Behalf of the Chief Officer of Police I provide further information in relation to representations made on 21st December 2016 which further show incidents where the applicant has operated past their permitted hours and in doing so have committed offences under the Licensing Act 2003. This has again seriously undermined the Licensing Objectives at the premises.

On 24th December 2016 at around 02:30 hours, Police attended the premises after noting bedding at the window, lights on inside, a smell of cooked food emanating from the premises and a car parked at the rear in the premises driveway. Police entered the premises believing that offences were being committed under the licensing act 2003 and used powers under section 180 of the licensing act 2003 to do so.

On entering the premises a member of staff prevented the Police licensing officer from gaining access to the kitchen area and uniformed officers had to be called to enable the officer to gain access. Around 4 members of staff were on site and the kitchen was fully operational. Police seized a number of receipts which also showed that the premises has on a regular basis been operating beyond its permitted hours at the premises.

The Chief Officer of Police will be providing these receipts to members of Portsmouth City Councils Licensing Team to further investigate this matter.

The Chief Officer of Police would also like to make it known that following this visit the applicants agent Les Weymes made contact via email on 27/12/2016 to state that they would accept the initial proposed condition given by the Police. No mention whatsoever is made of the visit on the 24th.

The Chief Officer of Police provides the following:

Annex C – Statement of PC 21945 Rackham detailing attendance to the premises on 24th December 2016.



Annex D – Details of card receipts seized, showing that from the 30/10/2016 – 23/12/2016 the premises has been operating beyond its permitted hours.

Annex E – Details of Just Eat and Hungry House Receipts seized, showing that in the early hours of 24/12/2016 the premises has been operating beyond its permitted hours.

Annex F – Email sent by applicants agent on 27/12/2016 to Police agreeing CCTV condition.

Following this visit the Chief Officer of Police is still of the opinion that the application should be refused. The applicant has demonstrated an unwillingness to adhere to the law and complete contempt for the advice provided by officers of Portsmouth City Councils Licensing Team. The applicant has continued to trade beyond permitted hours and in doing so continued to commit offences under the licensing act.

It is the opinion of the Chief Officer of Police that should this application be granted the applicant will continue to break the law and this will seriously undermine the licensing objectives at the premises.

As such the Chief Officer of Police respectfully recommends that this application be refused.

Yours Sincerely

PC 21945 Rackham
Licensing and Alcohol Harm Reduction Team
Hampshire Constabulary



www.hampshire.police.uk

Deaf? Non-emergency text 07781 480999

For crime and community information www.hampshirealert.co.uk

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Ali Baba Kebab House in Port

<https://hungryhouse.co.uk/ali-baba-kebab-house-portsmouth#menu>


Apps Free Hotmail Imported From IE Home Page


[Home](#) > [Takeaways delivering to PO2](#) > [Ali Baba Kebab House](#) > [Checkout](#)




Ali Baba Kebab House in Portsmouth

Pizza and Kebab

 4.0
253 ratings

 50 London Road, Portsmouth
PO2 0LN

 11:30 - 04:00

Menu

Customer reviews

Pizzas

Chicken

Kebabs


Wraps

Burgers

Vegetarian

Pizzas

Ali Baba Kebab House takeaway menu:




	10" medium	12" large
margherita  cheese and tomato	£7.99 ADD	£9.99 ADD
farmhouse pizza	£10.99 ADD	£12.99 ADD

My Order

My postcode: **PO2 9EH** [Change location](#)

☐ Collection ☒ **Delivery**

- Minimum Order Amount: £7.99
- Free delivery

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Just-Eat.com

All Babas Kebab House in No

← → ↻ 🏠

https://www.just-eat.co.uk/restaurants-ali-babas-po2

📱 Apps

📧 Free Hotmail

📁 Imported From IE

🏠 Home Page

JUST EAT

Log in Help

Home > PO2 North End > Ali Babas Kebab House

Categories

Popular

Special Offers

Garlic Bread

American Burgers

Kebab Menu

Combination Kebabs

Mixed Grills

Kebab Wraps

Chicken

Hot Wings

Jacket Potatoes


Side Orders

Dips

Kids Meal

Desserts

Drinks



Ali Babas Kebab House

★★★★★ 665 reviews

Kebab, Pizza, Halal

50 London Road, Portsmouth, PO2 0LN

Delivery: £6.99 Min. delivery order: £6.99


Menu

Reviews

Info

25% off today on orders over £40

Where to find us



Go to Checkout

Your Order

☒ Delivery

45 – 60 mins

☐ Collection

20 mins

There are no items in your basket

☐ Do you have an allergy or other dietary requirement?

Just-Eat.com

Ali Babas Kebab House in No

← → ↻ 🏠 <https://www.just-eat.co.uk/restaurants-ali-babas-po2>

📱 Apps 📧 Free Hotmail 📁 Imported From IE 📄 Home Page

See this restaurant's food hygiene rating at <http://ratings.food.gov.uk/>

Fancy something different? Ali Babas Kebab House also offers another menu from these premises under the name of Square Pan Pizza 4 U

Allergy watch
Please mention any allergies when ordering

Opening hours

Monday	11:30 - 04:30
Tuesday	11:30 - 04:30
Wednesday	11:30 - 04:30
Thursday	11:30 - 04:30
Friday	11:30 - 04:30
Saturday	11:30 - 04:30
Sunday	11:30 - 04:30

Delivery areas

PO1 Portsmouth
PO2 North End
PO3 North End
PO4 Southsea
PO5 Southsea
PO6 Cosham

Go to Checkout

Your Order

☒ **Delivery**
45 – 60 mins

☐ **Collection**
20 mins

There are no items in your basket

[Do you have an allergy or other dietary requirement?](#)

[Customer service](#)[Top cuisines](#)[Locations](#)[A bit more about us](#)

WITNESS STATEMENT**Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

URN

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Statement of: PC Peter Rackham

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police service

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: _____(witness)

Date: 28/12/2016

I am PC 21945 Rackham and I am employed by Hampshire Constabulary as a Police Constable. I am currently employed on the Alcohol Harm Reduction and Licensing Team.

This is my statement in relation to a visit I performed at Ali Baba, 50 London Road, Portsmouth where I noted that the premises was still open past its permitted operating hours given under the Licensing Act 2003.

Ali Babas is a fast food takeaway outlet, licensed for the provision of hot food and drink under the Licensing Act 2003 between 23:00 – 00:30 hours 7 days a week. The customer entrance leads directly to a small waiting area. In front of which is a counter containing a till, paperwork and also online ordering computers. Behind the counter is an open kitchen area with, kebab spits, food preparation areas, food storage areas, Vats of oil to cook items in and also a large mechanical pizza oven. Beyond this area is a door which leads to the rear of the premises. At the rear is a small parking area, stairs which lead to a flat above the premises and Ashling Lane a road which backs onto residential areas.

In this statement I will refer to two main characters. Shams SAHAK [REDACTED] whom I shall refer to as SHAMS and Fazal SAHAK [REDACTED] whom I shall refer to as FAZAL.

On Saturday 24th December 2016 at around 02:30 hours I was on duty in plain clothing when I drove past Ali Babas on the London Road side of the premises. I could see that the premises lights were on. I could not see fully into the premises as it appeared bed sheets were up at the window. I parked the unmarked Police vehicle I was in, in Ashling Lane and approached the rear of the premises on foot. I could smell the smell of cooked food coming from the premises. I also saw a car parked at the rear of the premises. The car had a sat nav which was still on and was showing the Portsmouth area. It appeared that the vehicle had recently been used to travel somewhere in the Portsmouth area. I tried the door at the rear which was unlocked.

At this point I believed that the premises was in the process of being used for licensable activities, namely the provision of hot food. Knowing that the premises licence only permitted the provision of hot food until 00:30 hours each day and also seeing the items described previously I believed that an offence under Section 136 of the Licensing Act 2003 was being committed. As such I entered the premises via the unlocked rear door. I entered using my powers under section 180 Licensing Act 2003.

On entering the premises I could hear the whirr of extraction fans, the smell of cooked food was much stronger. I could see 4 males on the premises one of which was SHAMS. The other three all appeared to be of Middle Eastern Appearance and were between the ages of 40 and 60.

I withdrew my Warrant Card from my pocket and called out "HELLO POLICE". SHAMS approached me and I introduced myself by name and showed my Warrant Card to him. I advised him that I worked in the Police

Signed :

Signature witnessed by :

Licensing team and that I had a legal power under Section 180 of the Licensing Act 2003 to enter and search the premises as I believed that an offence under the Licensing Act 2003 was being committed, namely the provision of hot food and drink when an authorisation was not in place. At this point SHAMS was stood directly in front of me, preventing me from walking past him. I advised SHAMS that I wanted to walk past him into the kitchen/food preparation area to look around. SHAMS stated that he wanted to check who I was. I again showed my warrant card, Police Radio to him and explained again my power to be on the premises and what my intention was. I also advised SHAMS that it was an offence to obstruct a Police Officer for which he could be arrested for and prosecuted. SHAMS asked why I was not in uniform. I advised him that I did not require a uniform to perform my role and that the powers I was using did not state that I needed to be in uniform to use them. I again asked SHAMS to move to one side in order that I could move into the food preparation area. SHAMS refused.

At this point I noted that the other males on the premises were leaving via the back door. I requested another unit to attend the premises in order that I could satisfy SHAMS who I was and also assist me in facilitating my role as it was clear that without them the only way I would achieve access to the rest of the premises was by arresting SHAMS and potentially having to use a level of force to do so.

At around 02:40 hours two officers in uniform attended and confirmed who I was. SHAMS then allowed me access to the rest of the premises. On entering the kitchen area I noted that two kebab spits, Lamb and Chicken were turning on the kebab cooker. I also noted that the vats were full of oil and were switched on. The mechanical pizza oven was also switched on and working. It was quite clear that the premises was being used to cook hot food.

Whilst at the premises I noted two boxes of till receipts which showed timings and dates for after permitted hours. These were positioned next to the till system. I seized these under Section 19 PACE and produce them as PR/AB/01 – Receipts seized from Ali Baba.

Whilst at the premises I asked to speak with Mr YAQUBI the Premises Licence Holder. SHAMS called a number and shortly after this FAZAL attended. He stated that Mr YAQUBI was ill and unable to attend and that he was the manager for the premises. I advised FAZAL of the situation and that he needed to ensure that he did not operate past his permitted hours.

Whilst speaking with FAZAL another male entered the premises and spoke with SHAM. The male picked up a plastic bag which had been sat on the side and left with it. On being asked what he was doing he advised that he was the delivery driver and had been delivering food all evening.

Signed :

Signature witnessed by :

ANNEX F

From: Les Weymes [REDACTED]
Sent: 27 December 2016 15:39
To: Rackham, Peter; Stone, Derek
Cc: Shazia Sahak; Christie, Gary
Subject: 16/01975/VOC - 50 LONDON ROAD - Proposal to extend opening hours to 03:00 hours

Dear Peter Rackham

Mr Yaqubi - applicant for the above variation of planning condition and variation of premises licence forwarded your suggestion for the introduction of a CCTV system in the premises which accords with the specification described in your "Proposed Conditions - Ali Baba"

I have Mr Yaqubi's authorisation to confirm that he would be prepared to accept the requirements of the condition subject to a short period being allowed for its installation.

I trust that this confirmation is acceptable.

Kind regards Les

Les Weymes Planning Consultancy Ltd, 18 Limberline Spur, Hilsea, Portsmouth,
Hampshire, PO3 5HJ Te: 02392 691843 [REDACTED]

—
This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

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Agenda Item 4

REPORT TO: LICENSING SUB-COMMITTEE 25th JANUARY 2017

REPORT BY: LICENSING MANAGER

REPORT AUTHOR: MR DEREK STONE

**Licensing Act 2003 – Application for variation of a premises licence
Victory News, 261 Copnor Road, Portsmouth PO3 5EE**

1. PURPOSE OF REPORT

The purpose of this report is for the Committee to consider an application for the variation of a premises licence under the Licensing Act 2003 (“the Act”). The matter has been referred to the Committee for determination following receipt of ten representations from local residents and a ward councillor.

2. THE APPLICATION

The variation application has been made by the current licence holder Mr Kailasanathan Madanlal for the premises situated in Copnor Road Portsmouth.

The applicant has requested that the licence be varied in respect of the above premises so as to permit the premises to open 24 hours a day seven days a week. The application is to permit off sales of alcohol for the 24 hour period and also late night refreshment from 23:00 to 05:00 daily. Currently the premises are authorised to open and to sell off sales of alcohol on a Sunday from 10:00 until 22:30 and Monday to Saturday 08:00 until 23:00.

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 public notice has been given by way of press notice, premises notice and local ward councillors have been informed. 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.

A copy of the variation application is attached as **appendix A**.
A copy of the current premises licence is attached at **appendix B**.

Victory News is a well established independent local convenience store located in a small parade of shops along with many others along Copnor Road. This store is in close proximity to college park. The store has recently undergone a refurbishment and has a retail selling area in excess of 480 sq ft. (See photographs included in appendix A)

4. OPERATING SCHEDULE – PROMOTION OF LICENSING OBJECTIVES

The applicant has completed their operating schedule outlining the steps they intend to take in order to support the four licensing objectives.

5. RELEVANT REPRESENTATIONS BY RESPONSIBLE AUTHORITIES

There are no representations from any responsible authority. Agreed conditions have been negotiated with the applicant.

Para 9:11

Responsible authorities under the 2003 act are automatically notified of all new applications. While all responsible authorities may make representations regarding applications for licences and full variation applications, it is the responsibility of each responsible authority to determine when they have appropriate grounds to do so.

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 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 representation can withstand the scrutiny to which they would be subject at a hearing.

6. RELEVANT REPRESENTATIONS BY OTHER PERSONS

There are ten representations from local residents and a ward councillor. The objections to this application are in regard to noise, anti-social behaviour, the potential for an increase in crime, litter, and the negative impact that this would have on the quality of life for people living in close proximity to the store.

All representations are attached at **appendix C**.

7. POLICY AND STATUTORY CONSIDERATIONS

When determining the application to vary 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 9.36

".... As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person 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. While 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 10:13 (Hours of Trading)

The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of its licensing policy statement. Licensing authorities are best placed to make decisions about appropriate opening hours for premises based on their local knowledge and

in consultation with responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.

Para 10.14

"Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested".

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 vary a premises licence has been made in accordance with section 34 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:

- To modify the conditions of the licence
- To reject the whole or part of the application

And for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

In discharging its duty in accordance with the above, the Committee may vary 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 vary 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.

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

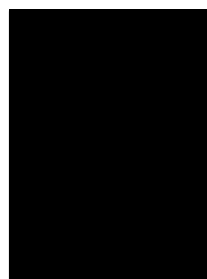
- a) that any variation made ought not to have been made, or
- b) that, on varying the licence, the Licensing Authority ought not to have modified the conditions of the licence, or ought to have modified them in a different way, under section 4(a) of that section,

He may appeal against the decision.

8. APPENDICES

- A. Copy of the application form for the variation of a premises licence
- B. Copy of current premises licence
- C. Copies of representations received

THE COMMITTEE IS REQUESTED TO DETERMINE THE APPLICATION



For Licensing Manager
And on Behalf of Head of Service

16/0427/LAPREM

**LICENSING SERVICE, PORTSMOUTH CITY COUNCIL, CIVIC OFFICES,
GUILDHALL SQUARE, PORTSMOUTH, PO1 2AL**

reps by

19/12/16

Application to vary a premises licence 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 KAILASANATHAN MADANLAL

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

13/03862/LAPREM

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

VICTORY NEWS
261 COPNOR ROAD

Post town	PORTSMOUTH	Postcode	PO3 5EE
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Telephone number at premises (if any)

[REDACTED]

Non-domestic rateable value of premises

[REDACTED]

Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post town	
Postcode	

**LICENSING SERVICE, PORTSMOUTH CITY COUNCIL, CIVIC OFFICES,
GUILDHALL SQUARE, PORTSMOUTH, PO1 2AL**

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐
No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			
+	+	+	+	+	+	+	+

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

EXTEND THE HOURS FOR THE SALE OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES TO 24 HOURS PER DAY 7 DAYS PER WEEK

APPLY FOR THE PROVISION OF LATE NIGHT REFRESHMENT FOR 23.00 HOURS UNTIL 05.00 HOURS – 7 DAYS A WEEK.

AMEND SCALE DRAWING OF PREMISES TO REFLECT CURRENT LAYOUT

REMOVE UNNECESSARY AND/OR IRRELEVANT CURRENTLY ON THE PREMISES LICENCE: I.E. ANNEX 2 CONDITIONS 1 & 2

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

--

**LICENSING SERVICE, PORTSMOUTH CITY COUNCIL, CIVIC OFFICES,
GUILDHALL SQUARE, PORTSMOUTH, PO1 2AL**

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment	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)	<input type="checkbox"/>
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input type="checkbox"/>

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

Sale by retail of alcohol (if ticking yes, fill in box J) X

In all cases complete boxes K, L and M

**LICENSING SERVICE, PORTSMOUTH CITY COUNCIL, CIVIC OFFICES,
GUILDHALL SQUARE, PORTSMOUTH, PO1 2AL**

I

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	X
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon	23.00	05.00	THE PROVISION OF HOT PIES, SAVOURIES, SOUP, HOTDRINKS ETC CONSISTENT WITH A TAKEOUT SERVICE FOR CONSUMPTION ON OR OFF THE PREMISES			
Tue	23.00	05.00				
Wed	23.00	05.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)			
Thur	23.00	05.00				
Fri	23.00	05.00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sat	23.00	05.00				
Sun	23.00	05.00				

**LICENSING SERVICE, PORTSMOUTH CITY COUNCIL, CIVIC OFFICES,
GUILDHALL SQUARE, PORTSMOUTH, PO1 2AL**

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	X			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)					
Mon	00.00	24.00						
Tue	00.00	24.00						
Wed	00.00	24.00						
Thur	00.00	24.00				<u>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</u> (please read guidance note 5)		
Fri	00.00	24.00						
Sat	00.00	24.00						
Sun	00.00	24.00						

K

<p>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 8).</p> <p>NONE</p>

**LICENSING SERVICE, PORTSMOUTH CITY COUNCIL, CIVIC OFFICES,
GUILDHALL SQUARE, PORTSMOUTH, PO1 2AL**

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	00.00	24.00	
Tue	00.00	24.00	
Wed	00.00	24.00	
Thur	00.00	24.00	
Fri	00.00	24.00	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 5)
Sat	00.00	24.00	
Sun	00.00	24.00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

RESTRICTION REGARDING THE HOURS FOR THE SALE OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES.

NO LICENSABLE ACTIVITY CURRENTLY PERMITTED FOR LATE NIGHT REFRESHMENT

AMEND SCALE DRAWING OF PREMISES TO REFLECT CURRENT LAYOUT

REMOVE UNNECESSARY AND/OR IRRELEVANT CURRENTLY ON THE PREMISES LICENCE I.E. ANNEX 2 CONDITIONS 1 & 2

**LICENSING SERVICE, PORTSMOUTH CITY COUNCIL, CIVIC OFFICES,
GUILDHALL SQUARE, PORTSMOUTH, PO1 2AL**

Please tick as appropriate

- I have enclosed the premises licence ☒
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

**LICENSING SERVICE, PORTSMOUTH CITY COUNCIL, CIVIC OFFICES,
GUILDHALL SQUARE, PORTSMOUTH, PO1 2AL**

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

1. The CCTV system must be fully operational whilst the venue is open to the public. The recording equipment shall be stored and operated in a secure environment with limited access. The system shall be regularly maintained and serviced. The system clock shall be checked regularly for accuracy taking account of GMT and BST.
2. Digital systems shall have sufficient storage capacity for 31 days good quality pictures. The images produced will be date and time stamped.
3. Authorised staff to provide CCTV recordings to the Police upon reasonable request and no later than 24 hours after initial request.
4. CCTV shall cover the full licensable area including the entrance to the premises.
5. External CCTV cameras will be installed to cover the area outside the store frontage.
6. All staff must receive comprehensive training in relation to the sale of alcohol. No member of staff shall be permitted to sell alcohol until such time as they have successfully completed this training. Training shall cover:
 - Sale of alcohol to persons under 18
 - Challenge 25 and acceptable forms of Identification
 - Signs of intoxication
 - Refusal register and when/how to use
 - The Licensing Objectives
7. This training shall be documented and records kept on the premises. Police and the Licensing Authority shall have access to an individual staff members training records upon reasonable request.
8. Any customer appearing to those staff members engaged in selling or supplying alcohol, to be under the age of 25, and unknown to the staff member serving, as a person who is over the age of 18 years and who is attempting to buy alcohol will be required to produce satisfactory photographic identification as proof of age. Acceptable ID shall be as per the latest Home Office guidance.
9. A refusals register in paper or digital format shall be kept and maintained at the premises. The register shall be made available for inspection upon request by an authorised officer of the Police or Local authority.
10. The premises shall operate a challenge 25 policy. Challenge 25 signage shall be visible within the store.
11. Between the hours of 23:00 hours and 03:00 hours a minimum of two persons shall be work within the shop floor at the store.
12. No beers, lagers or ciders over 6.5% ABV shall be sold by retail in plastic or metal containers, excluding premium products as agreed in writing, in advance by the Police Licensing Unit for the Portsmouth area.
13. Spirits (with the exception of spirit mixers and pre mixed spirit drinks) will be located behind the counter.
14. Alcohol (with the exception of the spirits stored behind the counter) shall not be displayed within five metres of the entrance to the premises.
15. There shall be no free standing stacks of alcohol on display.
16. There shall be no free standing advertisements of alcohol products in the area immediately outside the public entrance to the premises.
17. The premises shall be a member of a crime reduction partnership where one is in place and membership welcomed.

**LICENSING SERVICE, PORTSMOUTH CITY COUNCIL, CIVIC OFFICES,
GUILDHALL SQUARE, PORTSMOUTH, PO1 2AL**

18. Notices will be displayed requesting customers using the store during the night to keep the noise down and respect neighbours.
19. The area outside the shop front will be swept regularly.

b) The prevention of crime and disorder

1. The CCTV system must be fully operational whilst the venue is open to the public. The recording equipment shall be stored and operated in a secure environment with limited access. The system shall be regularly maintained and serviced. The system clock shall be checked regularly for accuracy taking account of GMT and BST.
2. Digital systems shall have sufficient storage capacity for 31 days good quality pictures. The images produced will be date and time stamped.
3. Authorised staff to provide CCTV recordings to the Police upon reasonable request and no later than 24 hours after initial request.
4. CCTV shall cover the full licensable area including the entrance to the premises.
5. External CCTV cameras will be installed to cover the area outside the store frontage.
6. All staff must receive comprehensive training in relation to the sale of alcohol. No member of staff shall be permitted to sell alcohol until such time as they have successfully completed this training. Training shall cover:
 - Sale of alcohol to persons under 18
 - Challenge 25 and acceptable forms of Identification
 - Signs of intoxication
 - Refusal register and when/how to use
 - The Licensing Objectives
7. This training shall be documented and records kept on the premises. Police and the Licensing Authority shall have access to an individual staff members training records upon reasonable request.
8. Between the hours of 23:00 hours and 03:00 hours a minimum of two persons shall be work within the shop floor at the store.
9. No beers, lagers or ciders over 6.5% ABV shall be sold by retail in plastic or metal containers, excluding premium products as agreed in writing, in advance by the Police Licensing Unit for the Portsmouth area.
10. Spirits (with the exception of spirit mixers and pre mixed spirit drinks) will be located behind the counter.
11. Alcohol (with the exception of the spirits stored behind the counter) shall not be displayed within five metres of the entrance to the premises.
12. There shall be no free standing stacks of alcohol on display.
13. The premises shall be a member of a crime reduction partnership where one is in place and membership welcomed.

c) Public safety

**LICENSING SERVICE, PORTSMOUTH CITY COUNCIL, CIVIC OFFICES,
GUILDHALL SQUARE, PORTSMOUTH, PO1 2AL**

1. The CCTV system must be fully operational whilst the venue is open to the public. The recording equipment shall be stored and operated in a secure environment with limited access. The system shall be regularly maintained and serviced. The system clock shall be checked regularly for accuracy taking account of GMT and BST.
2. Digital systems shall have sufficient storage capacity for 31 days good quality pictures. The images produced will be date and time stamped.
3. Authorised staff to provide CCTV recordings to the Police upon reasonable request and no later than 24 hours after initial request.
4. CCTV shall cover the full licensable area including the entrance to the premises.
5. External CCTV cameras will be installed to cover the area outside the store frontage.

d) The prevention of public nuisance

1. The premises shall be a member of a crime reduction partnership where one is in place and membership welcomed.
2. Notices will be displayed requesting customers using the store during the night to keep the noise down and respect neighbours.
3. The area outside the shop front will be swept regularly.

e) The protection of children from harm

1. All staff must receive comprehensive training in relation to the sale of alcohol. No member of staff shall be permitted to sell alcohol until such time as they have successfully completed this training. Training shall cover:
 - Sale of alcohol to persons under 18
 - Challenge 25 and acceptable forms of Identification
 - Signs of intoxication
 - Refusal register and when/how to use
 - The Licensing Objectives
2. This training shall be documented and records kept on the premises. Police and the Licensing Authority shall have access to an individual staff members training records upon reasonable request.
3. Any customer appearing to those staff members engaged in selling or supplying alcohol, to be under the age of 25, and unknown to the staff member serving, as a person who is over the age of 18 years and who is attempting to buy alcohol will be required to produce satisfactory photographic identification as proof of age. Acceptable ID shall be as per the latest Home Office guidance.
4. A refusals register in paper or digital format shall be kept and maintained at the premises. The register shall be made available for inspection upon request by an authorised officer of the Police or Local authority.
5. The premises shall operate a challenge 25 policy. Challenge 25 signage shall be visible within the store.

Checklist:

Please tick to indicate agreement

- | | |
|---|---|
| • I have made or enclosed payment of the fee. | X |
| • I have sent copies of this application and the plan to responsible authorities and others where applicable. | X |


**LICENSING SERVICE, PORTSMOUTH CITY COUNCIL, CIVIC OFFICES,
GUILDHALL SQUARE, PORTSMOUTH, PO1 2AL**

- I understand that I must now advertise my application. X
- I have enclosed the premises licence or relevant part of it or explanation. X
- I understand that if I do not comply with the above requirements my application will be rejected. X

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.

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	19 TH NOVEMBER 2016
Capacity	RICHARD BAKER OF RB RETAIL & LICENSING SERVICES LIMITED - DULY AUTHORISED AGENT


Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

RICHARD BAKER
RB RETAIL & LICENSING SERVICES LIMITED
23 MAGISTER DRIVE
LEE ON THE SOLENT

Post town	PORTSMOUTH	Post code	PO13 8GE
-----------	------------	-----------	----------

Telephone number (if any)	
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)



Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of

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***Premises Licence
variation
Application***
on behalf of
Victory News
**261 Copnor Road
Portsmouth
PO3 5EE**

Background History

This is a well established independent local convenience store. The shop has undergone recent refurbishment resulting in the creation of a convenience store with a retail selling area in excess of 480 sq ft.

The Shop

This purpose built shop has been designed to serve the local community. The shop is to trade as a convenience store under the **Premier** fascia, a good range of fresh foods, groceries and other products are offered and the off-licence is an important part of the service that the store is expected to provide.

The Operation

The store is operated by the manager, assisted by a team of part & full time staff all of whom live locally. The designated premises supervisor, trained and certified through the APLH training scheme will be responsible for training all staff and keeping and maintaining ongoing training records utilising the **Premises Licence Manual**. The **Challenge 25** trading initiative is also used supported by the refusals system with records kept in the **Refusals Book** to tie in with the CCTV system.

Security

The **CCTV system** benefits from a **24-hour recorder** and **library** which can be made available to Police if required. The premises will operate CCTV cameras located both internally and externally. The store benefits from a **full alarm system**.

Shop Front



Retail Trading Area

480 sq ft plus

Opening Hours

Monday	00.00 hours to 24.00 hours
Tuesday	00.00 hours to 24.00 hours
Wednesday	00.00 hours to 24.00 hours
Thursday	00.00 hours to 24.00 hours
Friday	00.00 hours to 24.00 hours
Saturday	00.00 hours to 24.00 hours
Sunday	00.00 hours to 24.00 hours

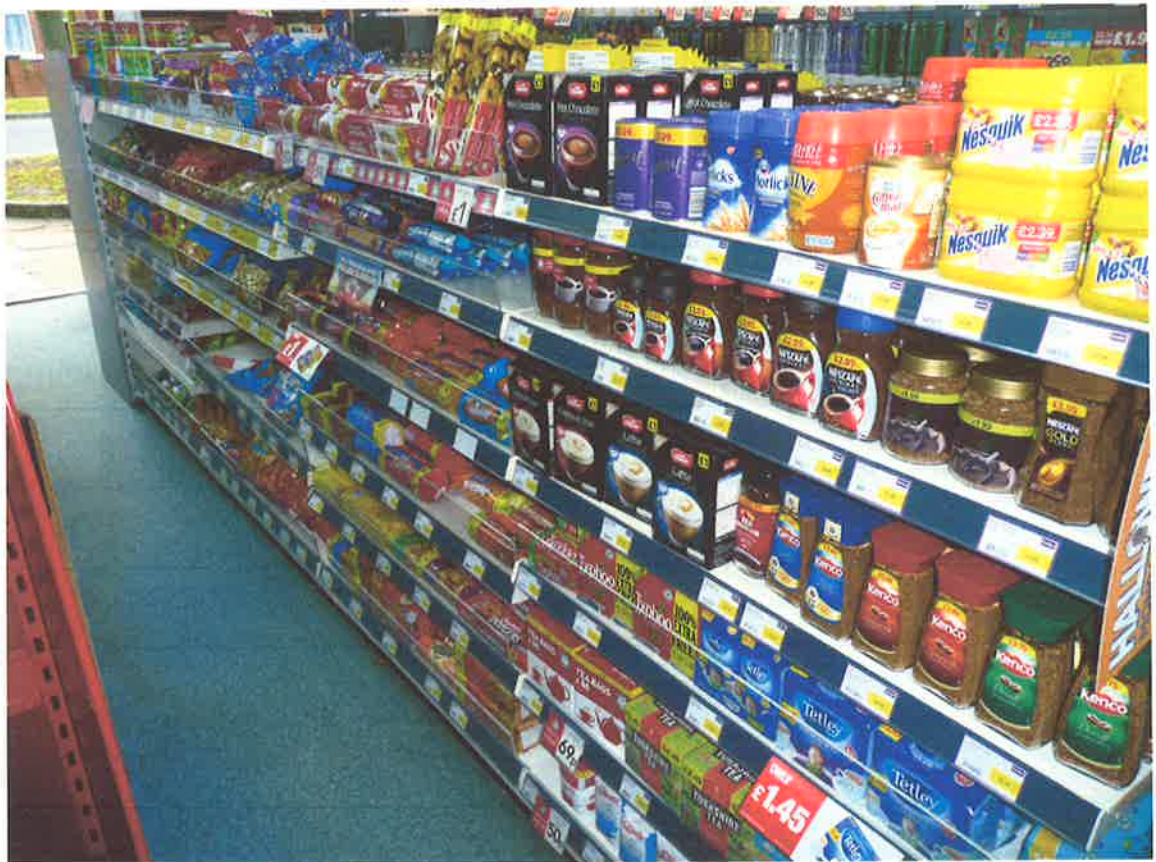
Summary

Convenience trading format
Premises licence Manual
Challenge 25
Refusals Book
CCTV cameras
24 hour recorder with 31 day library
Full Alarm System

Internal view











Portsmouth
CITY COUNCIL

PREMISES LICENCE

Licensing Act 2003

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description

Address: Victory News

261 Copnor Road
Portsmouth
PO3 5EE

Map Ref (E) : 465958

Map Ref (N): 102503

UPRN: 001775016940

Telephone

Where the licence is time limited the dates

This licence is **NOT** time limited

Licensable activities authorised by the licence

► Sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

► Sale by retail of alcohol

Sunday 10:00 until 22:30

Monday to Saturday 08:00 until 23:00

The opening hours of the premises

► Sunday 10:00 until 22:30

► Monday to Saturday 08:00 until 23:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption **off** the premises

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence****Name:** Mr Kailasanathan Madanlal**Address:****Telephone:****Email:****Registered number of holder, for example company number, charity number (where applicable)****Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol****Name:** Mr Kailasanathan Madanlal**Address:****Telephone:****Email:****Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol****Personal Licence No:****Issuing Authority:****Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 as amended and regulations made thereunder****Date Licence granted:** 10 October 2005**Date last amended:** 11 July 2013**Type:** Transfer

Signed on behalf of the Head of Service
(Authorised Officer)

Portsmouth City Council is committed to complying with the Freedom of Information Act 2000 (FOIA) which applies to all recorded information that it holds or is held on its behalf. Information that is provided to or held by the City Council will be processed and disclosed strictly in accordance with the FOIA, the Data Protection Act 1998 or other appropriate legislation.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information go to www.portsmouth.gov.uk and search for 'National Fraud Initiative'.

Annex 1 – Mandatory Conditions

01 No supply of alcohol may be made under the premises licence-

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.

02 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

03 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:

- (a) a holographic mark, or
- (b) an ultraviolet feature.

04 (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) For the purposes of the condition set out in paragraph 1

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

where -

- (i) P is the permitted price,
- (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(4) (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

-- END --

Annex 2 – Conditions consistent with the operating schedule

01 Alcohol shall not be sold or supplied on Good Friday and Christmas Day except during permitted hours. In this condition permitted hours means:

Good Friday from 08:00 until 22:30 hours;

Christmas Day from 12:00 until 15:00 and 19:00 until 22:30 hours.

02 The permitted hours restrictions do not prohibit:

- a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

03 Alcohol shall not be sold in an open container or be consumed in the licensed premises.

04 In accordance with paragraphs 6(8) and 18 (5) of Schedule 8 of the Licensing Act 2003, the licence holder shall have regard to the statutory provisions contained within the Children and Young Persons Act 1933 (as amended).

-- END --

Annex 3 – Conditions attached after a hearing by the licensing authority

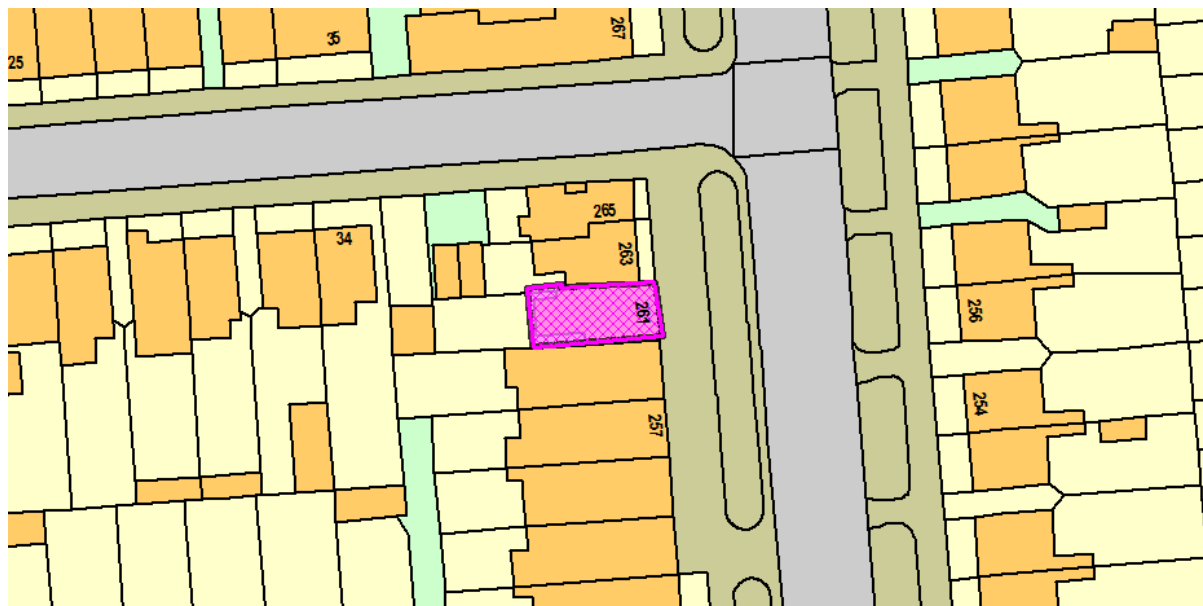
-- END --



Annex 4 – Premises and location plan**Premises Plan(s)**

These will either be shown below or attached as a separate part of the premises licence authorisation.



Location Plan: 261 Copnor Road Portsmouth

REPRODUCED FROM THE ORDNANCE SURVEY MAPPING WITH PERMISSION OF THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE © CROWN COPYRIGHT. UNAUTHORISED REPRODUCTION INFRINGES CROWN COPYRIGHT AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS. LICENCE AGREEMENT NUMBER LA100019671- PORTSMOUTH CITY COUNCIL



TONY CHILDS
34 WINTON RD
PORTSMOUTH
HANTS PO2 0JW

RE: Victory News, 261 Cornhill Road
Licence extension.

Dear Sirs,

I wish to protest in the strongest
possible way against the granting
of a 24 hour licence to this shop.

This is one of the quietest residential
areas and it should be cherished.

You only have to look at the
negative impact of similar shops on
Trafalgar Ave - further to see the
negative impact on the local area.
This must be resisted with all force

Best Regards

[Redacted signature]

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256, COPNOR ROAD,
COPNOR,
PORTSMOUTH.

HANTS.

PO3 5DB

2nd December 2016

APPLICATION TO VARY PREMISES LICENCE AT VICTORY NEWS – 261 COPNOR ROAD
PORTSMOUTH

Dear Sir / Madam,

We are writing to object to the above application to vary a premises licence.

Our reasons for the objection are as follows:

1. If the shop is granted a 24 hour licence to sell alcohol it will attract alcohol dependant people to the area at night, these people might well congregate in the area if they can get a ready supply of alcohol.
2. It will create noise with car doors and people taking loudly (I don't think sober people would buy drinks in the middle of the night and half-drunk people are usually noisy) This will disturb the residents of Copnor Road in the vicinity of the shop.
3. Drinking causes trouble and we could get gangs of noisy alcohol fuelled youths/young people stopping to buy more drink or refreshment on their way home from the pubs, clubs and parties.
4. It will affect the value of property, (would you buy a house next to or near a shop with a 24 hour licence? We wouldn't).
5. The late night refreshment facility will attract people who are passing, causing noise with car radios and slamming doors. They might also sit in their cars with radios on eating/drinking their purchases.

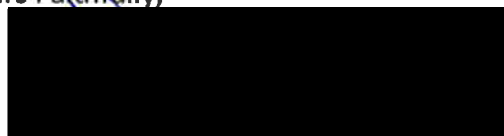
It should also be noted that all the parking places outside of the shop are usually taken up at night and any cars parking would be on yellow lines.

We live in a residential area, the only shops are a car showroom, a Beauty shop, and Victory News on the west side of the road in this block (all with flats above). the rest are houses. and it is all houses on the east side. We believe a 24hour licence should not be granted in residential areas.

We know what we are talking about from experience as we are often woken, especially in the Summer by the newspapers being delivered to the shop at about 05.30hrs and early morning customers with radios blaring with their car windows open, we accept this but to have it all through the night would be completely unacceptable.

There is no need for 24hr opening as alcohol and refreshments can be bought at nearby Tesco Express until midnight.

Yours Faithfully,

A large black rectangular redaction box covering the signature of the first person.A black rectangular redaction box covering the signature of the second person.

S. Furmedge & L. Furmedge

Robson, Debra

From: Licensing Shared Email
Sent: 12 December 2016 08:26
To: Robson, Debra
Subject: FW: Representations Victory News Portsmouth

From: Vicky Harris [REDACTED]
Sent: 11 December 2016 11:43
To: Licensing Shared Email
Subject: Representations Victory News Portsmouth

Good Morning

I wish to object to the license being given to Victory New agents in Copnor road.

Reason being we have tescos open till 12 already and re opens at 6am, we have made complaints already about the noise, kids, barking dogs
kids hanging around drunk already. We also have to pub for drinking and have had lots of issues of late with police etc council noise complaints.
If this shop gets a license and drink is sold its 3 places that will sell drink and cause even more trouble in a built up residential area!

Many thanks

Mr and Mrs Knight
234 copnor road
Portsmouth po3 5db
[REDACTED]

Kind Regards

Vicky

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Robson, Debra

From: Larder, Charlotte
Sent: 30 November 2016 10:03
To: Robson, Debra
Subject: Victory News

Hi Debbie

I would like to object to the proposal for the Victory News to open from 23-5 hours selling Alcohol and refreshments. I feel that it is not necessary to sell alcohol all through the night, who wants to buy a bottle of wine in the middle of the night?

But the refreshments all through the night would be a disturbance to local residents and I feel that this is the area that I most object to for the reasons below.

- Noise of car doors from Taxi drivers and other car users slamming.
- People standing outside of the shop chatting, especially as Copnor Road is quiet after ten and you can hear everything.
- Young people at the weekend when Tesco is closed going there to get alcohol and the noise that would create as we know young people are not considerate.
- Quality of life for residents when they have to be up for work in the morning and they cannot get to sleep due to noise in the night, and I have spoken to a resident who lives opposite the shop who works shifts so it will be a nightmare for him, and he said that this is causing him to be anxious already.
- And lighting outside the shop.

I understand that people have to make a living but, I feel that the Council should take into consideration the Quality of life for local residents but, it seems that this is never taken into consideration.

Thank you Debbie

Kind regards

Charlotte Larder

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Robson, Debra

From: Larder, Charlotte
Sent: 30 November 2016 11:55
To: Robson, Debra
Subject: RE: Victory News

236 Copnor Road
Copnor
Portsmouth
PO3 5DB

Thanks

From: Robson, Debra
Sent: 30 November 2016 11:18
To: Larder, Charlotte
Subject: RE: Victory News

Hi Charlotte

Can I have your full postal address.

I have received two more representations this morning.

Debbie

From: Larder, Charlotte
Sent: 30 November 2016 10:05
To: Robson, Debra
Subject: Victory News

Hi Debbie

I hope that was ok

I know from talking to residents last night that there will be a lot of objections

Kind Regards

Charlotte

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265 Copnor Road,
Portsmouth,
Hants PO3 5EE

27 November 2016

Dear Sir/Madam

Re: Application to vary premises licence at 261 Copnor Road Portsmouth

My wife and I live only 2 doors away from the newsagents and sleep in the front of the house overlooking the pavement that 261 faces.

We are very concerned that loutish behaviour due to drink and drugs and the noise that goes with it, including car door slamming, is going to upset all local neighbours including ourselves.

We would have very disturbed sleep and would worry as to what would happen next if this licence is granted. We are both in our late eighties.

We already have beer cans and food packaging thrown over our wall in front of the house and, on a few occasions, have had people ringing our doorbell in the middle of the night. Beer cans have been left in our front door porch that drops down to the pavement in Winton Road and easily accessible to passers-by.

We already have Tesco selling beers and wine until midnight so it seems strange that the newsagent who closes early on normal days, presumably because of lack of trade, is now wanting to operate 24 hours a day in competition with Tesco, if that is the case.

Yours faithfully.

A solid black rectangular box used to redact the signature of N.F. Morton.

N.F.Morton

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Mrs Christine Rumsey
250 Copnor Road
PORTSMOUTH
PO3 5DB

09 December 2016

The Licensing Officer
The Licensing Section
Legal and Democratic Services
Portsmouth City Council
Civic Offices
Guildhall Square
PORTSMOUTH
PO1 2AL



Dear Sir or Madam,

I wish to register an objection to the change of licence at **Victoria News, 261 Copnor Road, PORTSMOUTH PO3 5EE.**

My objection is based on the following points –

- There are residential properties opposite the shop and 24 Hour Service could potentially cause disturbance to residents.
- There is already a late night service at the Esso Petrol Station on Copnor Road, open until midnight, which is very near to the shop.
- There is also a very busy public house on the corner of Copnor Road/Burrfields Road.

Yours faithfully

A solid black rectangular box used to redact the signature of Mrs Christine Rumsey.

Mrs Christine Rumsey

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Robson, Debra

From: Licensing Shared Email
Sent: 30 November 2016 09:51
To: Robson, Debra
Subject: FW: Licence application for 261 Copnor Road

From: lisa smallwood [REDACTED]
Sent: 29 November 2016 20:39
To: Licensing Shared Email
Subject: Licence application for 261 Copnor Road

Hello,

I am writing in reference to the licence application for Victory News, 261 Copnor Road. My family live directly opposite at 258 Copnor Road and I strongly oppose the approval of the licence. Although it is a main road and busy during the day, at night it becomes a quiet residential area, so this would not be welcome. I am quite often woken at 5am by the van delivering the papers and to think that it could happen all night is not good. Considering the location and the fact that it is very close to Tesco which closes at midnight and that we get very little traffic past our house after 8 o'clock at night, it does not seem necessary. It would also have a detrimental effect to the house prices in the nearby vicinity.

I look forward to your response

Lisa Smallwood

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Robson, Debra

From: Licensing Shared Email
Sent: 29 November 2016 09:19
To: Robson, Debra
Subject: FW: Victory News licence application, 261 Copnor Road, Portsmouth

From: Jacqui Smith [REDACTED]
Sent: 28 November 2016 21:20
To: Licensing Shared Email
Subject: Fwd: Victory News licence application, 261 Copnor Road, Portsmouth

Sent from my iPhone

Begin forwarded message:

From: <[REDACTED]>
Date: 28 November 2016 at 21:04:57 GMT
To: <cllr.neill.young@[REDACTED]>
Subject: Victory News licence application, 261 Copnor Road, Portsmouth

Dear Mr Young,

I write with regards to the application to extend licensing hours at Victory News Agent. I am the immediate neighbour to the shop, 263 Copnor Roads, Po35EE and the thought of extending their licensing hours feels me with dread. At present I am woken most mornings at around 5am with the noise of paper deliveries, people talking loudly, cars pulling up to use the shop, cigarette smoke from customers/staff outside the shop. Later in the day I more often than not have to ask the children/teenagers and some adults to get off my wall, throwing rubbish into my forecourt, including alcohol cans/bottles. On occasions I have groups of youths hanging around outside my front drinking, smoking and generally being a nuisance for which I have contacted the police in the past.

I can just imagine how things would be if Victory News are granted their extended licensing hours, it would be all night as well. This is a residential area and would be very unfair to myself and my fellow neighbours. There is a Tesco Express a stones throw away where the public can purchase alcohol until midnight. I am quite surprised that the council would even think to approve this with the current drive to cut down on Alcohol consumption. Lastly, only a few months back Victory News was held up at knife point and the person got away with cash from the till! Opening all night would surely make them an easy target! Ive got to live next door to them and I fear for my safety and my family.

Thank you for your attention

Regards

Jacqueline Smith

Sent from my iPhone

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Robson, Debra

From: B and K [REDACTED]
Sent: 12 December 2016 21:24
To: Robson, Debra
Subject: Re: Victory News, Copnor - 24 Hour Alcohol Licence Application

Dear Debbie,

Thank you for your email.

My address is:

1 Tangier Road
Portsmouth
PO3 6JG

Kindest regards

Benedict

Sent from my iPhone

On 8 Dec 2016, at 09:47, Robson, Debra [REDACTED] wrote:

Dear Benedict

Can I have your postal address including postcode.

Thanks.

Debbie Robson
Senior Licensing Officer
Directorate of Culture and City Development
Licensing Service
Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth
PO1 2AL

T: 023 9283 4607

F: 023 9283 4811

E: [REDACTED]

www.portsmouth.gov.uk

From: Licensing Shared Email
Sent: 07 December 2016 08:33
To: Robson, Debra
Subject: FW: Victory News, Copnor - 24 Hour Alcohol Licence Application

From: B and K [REDACTED]
Sent: 07 December 2016 08:10
To: Licensing Shared Email
Subject: Victory News, Copnor - 24 Hour Alcohol Licence Application

Dear Sir/Madam,

Further to the recent application by Victory News, located at 261 Copnor Road for a 24 hours trading licence please take this email as a formal objection to this application and request that it be rejected.

the granting of such a licence would have a major and overwhelmingly negative effect on our local community due to the potential and extremely likely increase in traffic (both foot and road) at unsocial hours creating an unacceptable level of noise and disruption to the lives of local residents with groups congregating outside the shop leading to an intimidatory and stressful atmosphere for residents in the immediate area. I also feel strongly that this application would greatly increase the level of antisocial behaviour in the area and particularly in and around nearby College Park where inevitably some people would go to consume alcohol bought at Victory News and groups would congregate I have genuine concerns that should this happen College Park would cease to be the attractive community/family space it current is and will become an area to avoid because of a significant increase of litter and fear of encountering antisocial behaviour, both of which creating an unacceptable and needless strain on council/police resources.

I really have to question the need for this licence as there are already shops in the local area that have later opening hours and the negative effect granting this application would have on local residents and the area is wholly unacceptable, unwanted and I ask you support our community and reject this application.

Thank you for taking the time to consider my objection

Yours faithfully

Benedict Swann

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Robson, Debra

From: Licensing Shared Email
Sent: 20 December 2016 08:21
To: Robson, Debra
Cc: Humphreys, Nickii
Subject: FW: Licensing Application: Victory News, 261 Copnor Rd

From: NEILL YOUNG [REDACTED]
Sent: 19 December 2016 18:24
To: Licensing Shared Email
Cc: Robert New (Member)
Subject: RE: Licensing Application: Victory News, 261 Copnor Rd

Dear Sir or Madam,

I wish to object to the licensing application to extend the sale of alcohol to 24 hours a day at Victory News, 261 Copnor Road.

My main concern centre around this risk of noise and anti-social behaviour that this extension presents. As the ward councillor for Copnor I have regular correspondence from local residents about their concerns about anti-social behaviour around College Park. This newsagent is in close proximity to the park and I am concerns that it will encourage people to drink alcohol late in to the night and will increase the risk of nuisance in this area of Copnor and potentially increase crime and anti-social behaviour.

This application is a risk to community safety.

Regards

Cllr Neill Young
Cabinet Member for Education
Copnor Councillor
[REDACTED]

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