

DECISION-MAKER LICENSING (LICENSING & GAMBLING) SUB COMMITTEE

SUBJECT HEARING TO CONSIDER AN APPLICATION FOR GRANT OF A PREMISES LICENCE – **Ritas 48 - 49 Oxford Street Southampton SO14 3DP**

DATE OF HEARING 22 June 2021 1600 hrs

REPORT OF SERVICE DIRECTOR – COMMUNITIES,CULTURE AND HOMES

E-mail licensing@southampton.gov.uk

Application Date : 28th April 2021 Application Received 28th April 2021

Application Valid : 28th April 2021 Reference : **2021/01198/01SPRN**



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Representations from Responsible Authorities

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

Building Control	No Response	
Public Health Manager	No Response	
Police - Licensing	Agreed Conditions	
Trading Standards	No Response	
Other Representations		
Name	Address	Contributor Type
Mr Nick Day	Flat 13 Seafarers Court 12 - 14 Queens Terrace Southampton SO14 3SG	Resident – Supporting
Nick and Tracy Currer	Flat 101 23 - 24 Queens Terrace Southampton SO14 3BQ	Resident
Mr. Stevie Timberlake	47A Oxford Street Southampton SO14 3DP	Resident-Supporting

Legal Implications

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

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

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

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

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

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

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

The sub-committee must also have regard to:

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

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

Equality Act 2010

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

SUMMARY

This application is for a multi-purpose business with a 1930 Art Deco style Bar/Restaurant at one end with a Hair and Beauty Treatment area at the back of the building. Food and drink would be available in all areas.

Applicant	NSR Holdings (UK) Ltd.
Designated Premises Supervisor	Richard Sargent

Licensable Activities.

Live music	
Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 00:00
Friday	11:00 - 00:00
Saturday	11:00 - 00:00
Sunday	12:00 - 00:00
Recorded music	
Monday	11:00 - 00:00
Tuesday	11:00 - 00:00
Wednesday	11:00 - 00:00
Thursday	11:00 - 00:00
Friday	11:00 - 00:00
Saturday	11:00 - 00:00
Sunday	12:00 - 00:00
Supply by retail of alcohol	
Monday	11:00 - 23:00
Tuesday	11:00 - 23:00
Wednesday	11:00 - 23:00
Thursday	11:00 - 23:00
Friday	11:00 - 23:00
Saturday	11:00 - 23:00
Sunday	12:00 - 23:00

Conditions consistent with the operating Schedule

<p>1 CHALLENGE 25</p> <p>The premises licence holder shall ensure that a system is in place to ensure that every individual who appears to be under 25 years of age seeking to purchase or be supplied with alcohol at or from the premises, shall produce acceptable means of identification and age confirmation. Acceptable identification shall be a passport, photo driving licence or PASS accredited photo ID. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.</p>
<p>2 TRAINING</p> <p>The premises licence holder will ensure that there is a training package in place for all members of staff involved in the sale or supply of alcohol. All members of staff shall be trained in licensing matters proportionate to their role and aware of their responsibilities. Particular attention should be paid to underage sales/ ID verification, refusal of alcohol sale to a drunk person, proxy sales and identifying potentially vulnerable persons. The date of completion of the training shall be recorded and both the member of staff receiving the training and the trainer shall sign the record of training. Refresher training is to be given at regular intervals by the premises licence holder but not at intervals greater than 12 months.</p>

Records of training must be made available for immediate inspection by police or other responsible authority upon reasonable request and records of staff training will be retained for no less than 2 years.

3 CCTV

The premises licence holder will ensure that there is a training package in place for all members of staff involved in the sale or supply of alcohol. All members of staff shall be trained in licensing matters proportionate to their role and aware of their responsibilities. Particular attention should be paid to underage sales/ ID verification, refusal of alcohol sale to a drunk person, proxy sales and identifying potentially vulnerable persons. The date of completion of the training shall be recorded and both the member of staff receiving the training and the trainer shall sign the record of training. Refresher training is to be given at regular intervals by the premises licence holder but not at intervals greater than 12 months.

Records of training must be made available for immediate inspection by police or other responsible authority upon reasonable request and records of staff training will be retained for no less than 2 years.

4 INCIDENT LOG

An incident book shall be maintained to record any activity of a violent, criminal or anti-social nature.

The record will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. This record shall be produced to a police officer or an authorised officer of the local authority on reasonable request. This record shall be retained for a period of 12 months.

5 REFUSAL LOG

A written log shall be kept of all refusals including refusals to sell alcohol.

The premises licence holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the DPS.

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

The record of each refusal will be retained for 12 months

Hampshire Constabulary have agreed conditions with the applicant.

There have been three public representations submitted. One objection and two supporting representations.

Included in Report

Application

4 Plans

Hampshire Constabulary Conditions

Hampshire Constabulary Confirmation e-mail

Applicant confirmation of conditions

3 Public Representations - (Two supporting)

Hearing Procedures

SOUTHAMPTON AND EASTLEIGH LICENSING PARTNERSHIP
Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We NSR Holdings (UK) LTD, trading as Ritas

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description 48 – 49 Oxford Steet			
Post town	Southampton	Postcode	SO14 3DP

Telephone number at premises (if any)	TO BE INSTALLED
Non-domestic rateable value of premises	£74500

Part 2 - Applicant details

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

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

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

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SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name NSR Holdings (UK) LTD, trading as Ritas
Address Offices B Crown House, 28 Winchester Road, Romsey, Hampshire, United Kingdom, SO51 8AA
Registered number (where applicable) 11842326

Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start? DD MM YYYY
2 7 0 5 2 0 2 1

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

Please give a general description of the premises (please read guidance note 1)
 This is a 1930 style art deco bar restaurant serving freshly made cocktails and drink, we will be serving food with mostly seating area.
 At the far end of the property there will be a blow dry bar at the far end of the premises, this is an area for ladies to have hair done treatments, blow dry's, nails and makeup done. They will be able to have food drinks during this process

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

- | Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |

- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	11:00	00:00			
Tue	11:00	00:00			
Wed	11:00	00:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	11:00	00:00			
Fri	11:00	00:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	11:00	00:00			
Sun	12:00	00:00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	11:00	00:00			
Tue	11:00	00:00			
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed	11:00	00:00			
Thur	11:00	00:00			
			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri	11:00	00:00			
Sat	11:00	00:00			
Sun	12:00	00:00			

G

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

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00			
Fri	11:00	23:00			
Sat	11:00	23:00			
Sun	12:00	23:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

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

Name Richard Sargent	
[REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) CURRENTLY UNDER APPLICATION	
Issuing licensing authority (if known) SOUTHAMPTON	

M

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

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

- Ensure that any person selling or supplying alcoholic drink under the authority of a personal licence holder asks for a photo ID proof of age where they have reason to suspect that the individual may be under 18 years of age.
- Adopt and comply with the British Beer and Pub Associations Guidelines on On-Trade Promotions.
- Ensure all staff receive regular training on the responsible sale of alcohol (every 6 months) with a record of training kept up-to-date on the premises.

b) The prevention of crime and disorder

- Provide a means of two way communication to report incidents between the premises and the local police or CCTV monitoring centre.
- Install Video/CCTV equipment inside/outside the premises and ensure that it is maintained in working order.
- Set Video/CCTV equipment to record from the time that the premises open to the public until the premises close and all members of the public have left.
- Ensure that any cameras covering the exterior of the premises are left to record for the duration of the tape and for a period not less than 24 hours a day.
- Ensure that monitoring tapes are retained for at least twenty eight days and are produced to an authorised officer on demand.
- Put up notices advising that CCTV has been installed on the premises so that they are clearly visible to the public within the licensed premises.
- Maintain an incident log of all instances of crime and disorder; and details of such checks are kept in a Log-book.

c) Public safety

- Where glass bottles are used, they will be retained or disposed of on the premises.
- No customers will be admitted, or permitted to leave when carrying open or sealed bottles or glasses.
- Ensure that the consumption of alcohol is restricted to the areas identified on the plan attached to the operating schedule.
- Ensure that a secure deposit box is kept on the premises for the retention of confiscated items and ensure that the Police are advised of any items which require safe disposal.
- Be responsible for the disposal of waste on the frontage of the premises and make provision for the emptying of litter bins in the vicinity of the premises.
- Ensure that lighting is provided outside the premises (and in my private car park) during the hours of darkness when any licensable activity takes place on the premises.
- Make sure that escape routes and exits, including external exits, are maintained to ensure that they are not obstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified.
- Make sure that where chairs and tables are provided, internal gangways are kept unobstructed.
- Make sure that all exit doors are easily openable and do not require the use of a key, card, code or similar means
- Make sure that doors at such exits are regularly checked to ensure that they function satisfactorily and a record of the check is kept.
- Make sure that any removable security fastenings are removed whenever the premises are open to the public or occupied by staff.
- Make sure that all fire doors are maintained effectively selfclosing and not held open other than by approved devices (for example, electromagnetic releases operated by smoke detectors).

- Make sure that fire resisting doors to ducts, service shafts, and cupboards are kept locked shut.
- Make sure that the edges of the treads of steps and stairways are maintained so as to be conspicuous.
- Safety checks are carried out before the admission of the public or club members and guests; and details of such checks are kept in a Log-book.
- Make sure that hangings, curtains and temporary decorations are maintained in a flame-retardant condition.
- Make sure that any upholstered seating meets on a continuous basis the pass criteria for smouldering ignition source 0, flaming ignition source 1 and crib ignition source 5 when tested in accordance with section 5 of Bs 5852:1990.
- Make sure that Hangings, curtains and temporary decorations are arranged so as not to obstruct exits, fire safety signs or firefighting equipment.
- Make sure that Temporary decorations are not used without prior notification to the licensing authority/fire authority.
- Make sure that notices detailing the action to be taken in the event of fire or other emergencies, including how the fire brigade should be summoned, are prominently displayed and protected from damage and deterioration.
- The fire brigade will be called at once to any outbreak of fire, however slight, and the details recorded in a Fire Log-book.
- Notify the local Fire Control Centre as soon as possible if the water supply to any hydrant, hose reel, sprinkler, drencher or other fire extinguishing installation is cut off or restricted.
- Access for emergency vehicles is kept clear and free from obstruction.
- Ensure that when disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency, and that patrons are made aware of these arrangements.
- Ensure that adequate and appropriate supply of first aid equipment and materials is available on the premises.
- Ensure that at least 1 trained first aider will be on duty when the public are present. If more than one first-aider is present, I will make sure that their respective duties are clearly defined.
- In the absence of adequate daylight, I will make sure that the lighting in any area accessible to the public is fully operational.
- Ensure that Fire safety signs are adequately illuminated.
- Make no alterations to Emergency lighting without prior notification to the Licensing Authority.
- Ensure that Emergency lighting batteries are fully charged before admission of the public.
- In the event of failure of normal lighting, where the emergency lighting battery has a capacity of one hour, I will make sure that evacuation of the premises is possible within 20 minutes. Where the emergency lighting battery has a capacity of three hours, I will make sure that evacuation of the premises is possible within one hour.
- Temporary electrical wiring and distribution systems will not be provided without prior inspection by a suitably qualified electrician
- Ensure that any temporary electrical wiring and distribution systems comply with the recommendations of BS 7671 or where applicable BS 7909.
- Ensure that where temporary electrical wiring and distribution systems have not been installed by a competent person, they are inspected and certified by a competent person before they are put to use.
- Ensure that the following systems are maintained and inspected by suitably qualified professional persons in accordance with any British Standards and at intervals recommended in national guidance, and will keep the records of such inspections available for inspection by authorised officers on request:
 - Building Electrical Installation
 - Emergency Lighting System
 - Fire Warning System
 - Gas boiler, calorifier or appliance
 - Oil fired boiler or appliance
 - Suspended ceilings

- Portable fire fighting equipment
 - Temporary Electrical Installation
 - Ensure that I have valid public liability insurance in force and that a copy of the schedule is available for inspection by an authorised officer on request.
 - Make no alterations to the premises in such a way as to make it impossible to comply with an existing licence condition, without first seeking a variation of the premises licence.
- Make free drinking water available at all times the premises is open to the public.

d) The prevention of public nuisance

- Ensure that public information notices about crime and disorder issues are displayed at the request of the Council or the local Constabulary. (e.g. Customer Code of Conduct)
- Display any conditions of entry to the premises in the vicinity of any entrance to the premises.
- Make sure that any request by an authorised officer of the Council in relation to reducing noise levels is complied with.
- Make sure that the placing of bottles into receptacles outside the premises takes place at times that will minimise disturbance to nearby properties.
- Display prominent, clear and legible notices at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
- Ensure that offensive smells from the licensed premises are not permitted so as to cause a nuisance to nearby properties and the premises are properly vented.
- Ensure that receptacles for waste are emptied regularly to minimise nuisance smells.
- Ensure that flashing or particularly bright lights on or outside the licensed premises do not cause a nuisance to nearby properties, whilst balancing the need for lighting in the interests of prevention of crime and disorder.
- Provide adequate and suitable (lidded) receptacles to receive and store refuse from the premises/site.
- Make sure that receptacles for refuse storage are maintained in a clean condition.
- Make sure litter is regularly cleared from the vicinity of the premises.

e) The protection of children from harm

- Display any restrictions on the admittance of individuals according to age (e.g. Children) on or immediately outside the premises.
- Implement a proof of age policy agreed by the police and local authority.
- Implement and enforce a Challenge 25 scheme for the purchase of all alcohol at the premises.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
-

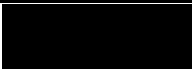
[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	27/4/2021
Capacity	AUTHORISED AGENT

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) ROB JEPHCOTE NATIONAL COMPLIANCE TRAINING ELIOT PARK INNOVATION CENTRE			
Post town	NUNEATON	Postcode	CV10 7RH
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

DATA PROTECTION

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

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

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

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

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

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

Notes:

License Plan

- Building Boundary
- Indoor License Area
- Fire Control Panel
- Fire Call Point
- S Smoke Detection
- H Heat Detection
- S Smoke Sounder
- X Illuminated Exit
- Fire Extinguisher Point
- Self Closing Fire Door
- X Emergency Light
- CCTV

Client: RITA'S

Address:
48-49 Oxford Street
Southampton
Hampshire
SO14 3DP

Title: Basement

Designer: Matt Brenchley

Scale: 1:100 @ A3

Drawing No. 11520211228

Date: 15/01/2021

Revision: B

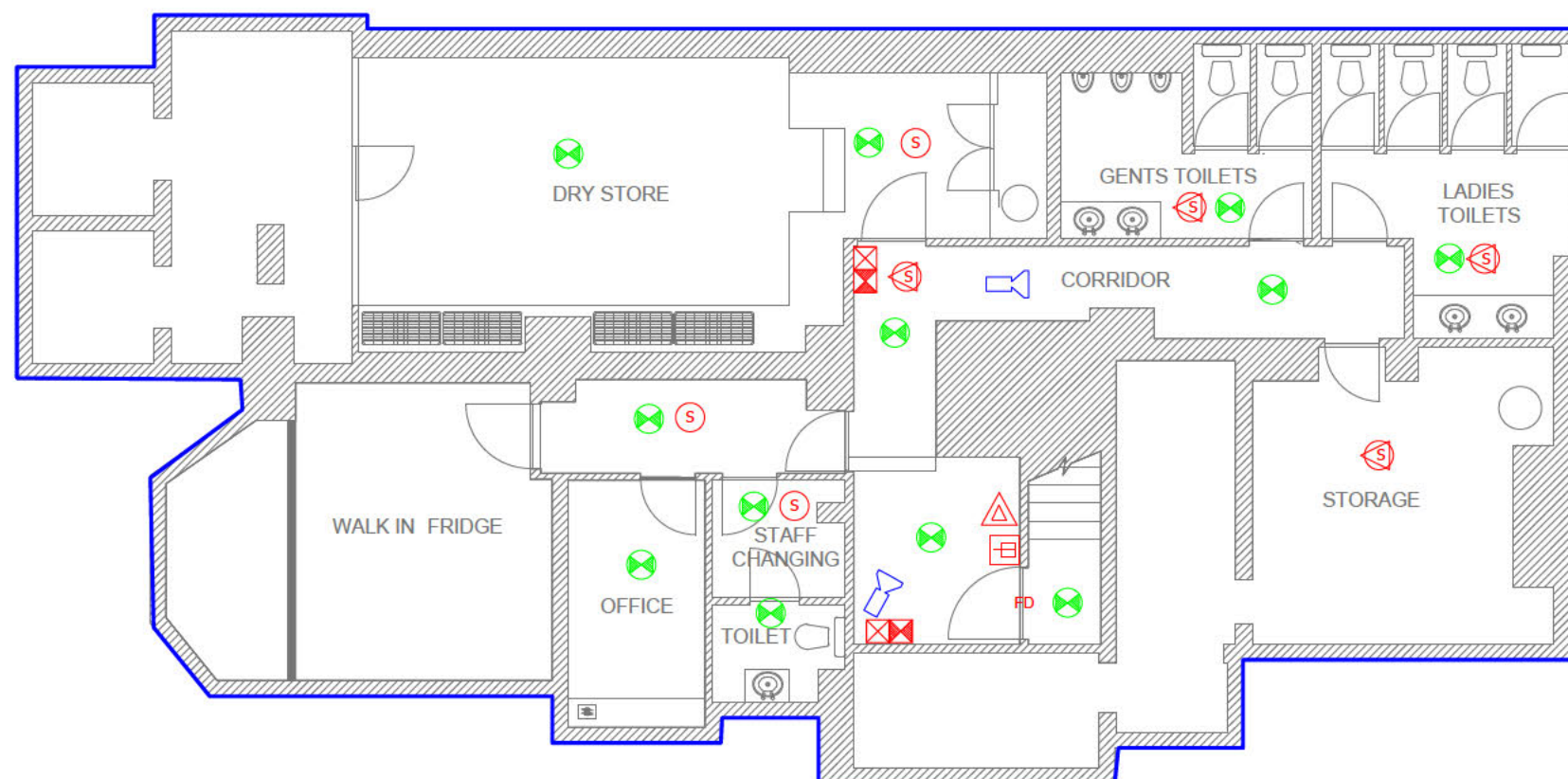
Brenchleys

BRENCHLEYS LTD
TEL: 02380 452550
EMAIL: sales@brenchleys.com
UNIT 14 THE SIDINGS, NETLEY ABBEY, SOUTHAMPTON,
HAMPSHIRE, SO31 5QA

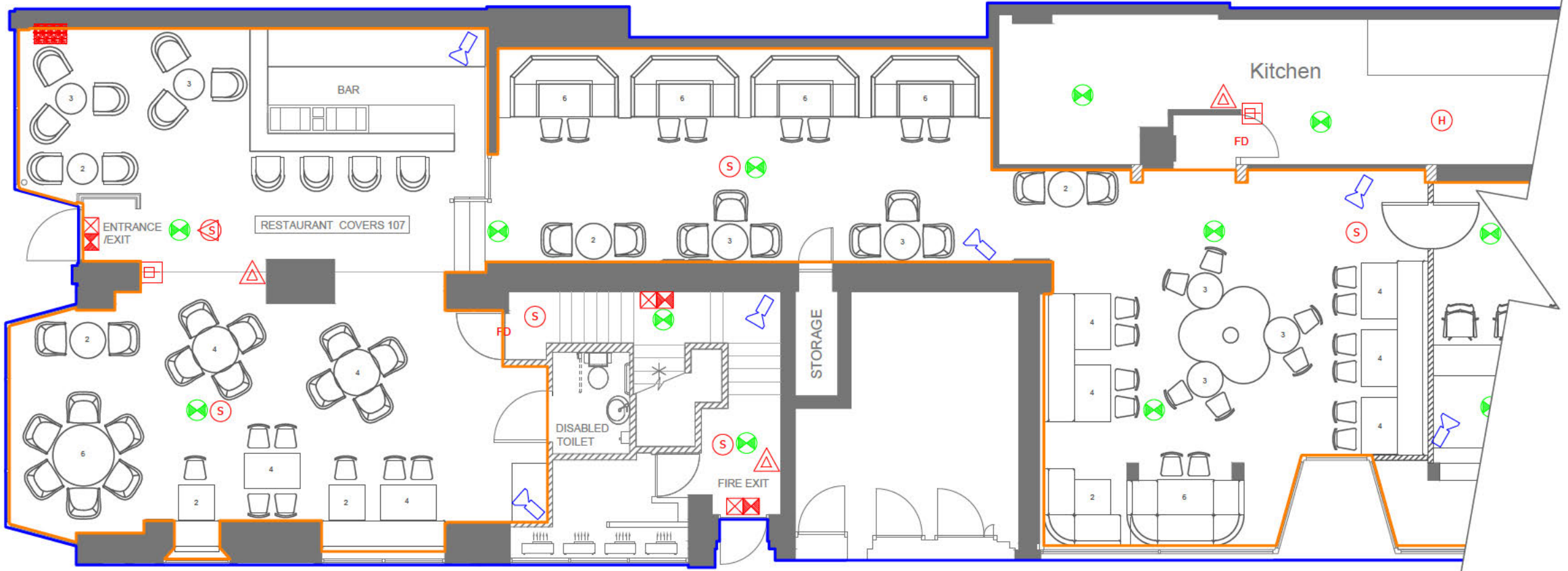
THIS IS AN ORIGINAL DESIGN AND MUST NOT BE RELEASED OR COPIED UNLESS APPLICABLE FEE HAS BEEN PAID OR JOB ORDER PLACED

ALL DIMENSIONS AND SIZE DESIGNATIONS GIVEN ARE SUBJECT TO VERIFICATION ON JOB SITE AND ADJUSTMENT TO FIT JOB CONDITIONS.

THE BASEMENT



THE RESTAURANT



Notes:

License Plan

- Building Boundary
- Indoor License Area
- Fire Control Panel
- Fire Call Point
- S Smoke Detection
- H Heat Detection
- S Smoke Sounder
- ⊗ Illuminated Exit
- △ Fire Extinguisher Point
- FD Self Closing Fire Door
- ⊗ Emergency Light
- ↖ CCTV

Client: RITA'S

Address:
48-49 Oxford Street
Southampton
Hampshire
SO14 3DP

Title: Restaurant

Designer: Matt Brenchley

Scale: 1:100 @ A3

Drawing No. 11520211227

Date: 15/01/2021

Revision: B



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HAMPSHIRE, SO31 5QA

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Notes:

License Plan

- Building Boundary
- Indoor License Area
- Fire Control Panel
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- S Smoke Detection
- H Heat Detection
- S Smoke Sounder
- X Illuminated Exit
- △ Fire Extinguisher Point
- FD Self Closing Fire Door
- X Emergency Light
- ▶ CCTV

Client: RITA'S

Address:
48-49 Oxford Street
Southampton
Hampshire
SO14 3DP

Title: Salon

Designer: Matt Brenchley

Scale: 1:100 @ A3

Drawing No. 11520211227

Date: 15/01/2021

Revision: B

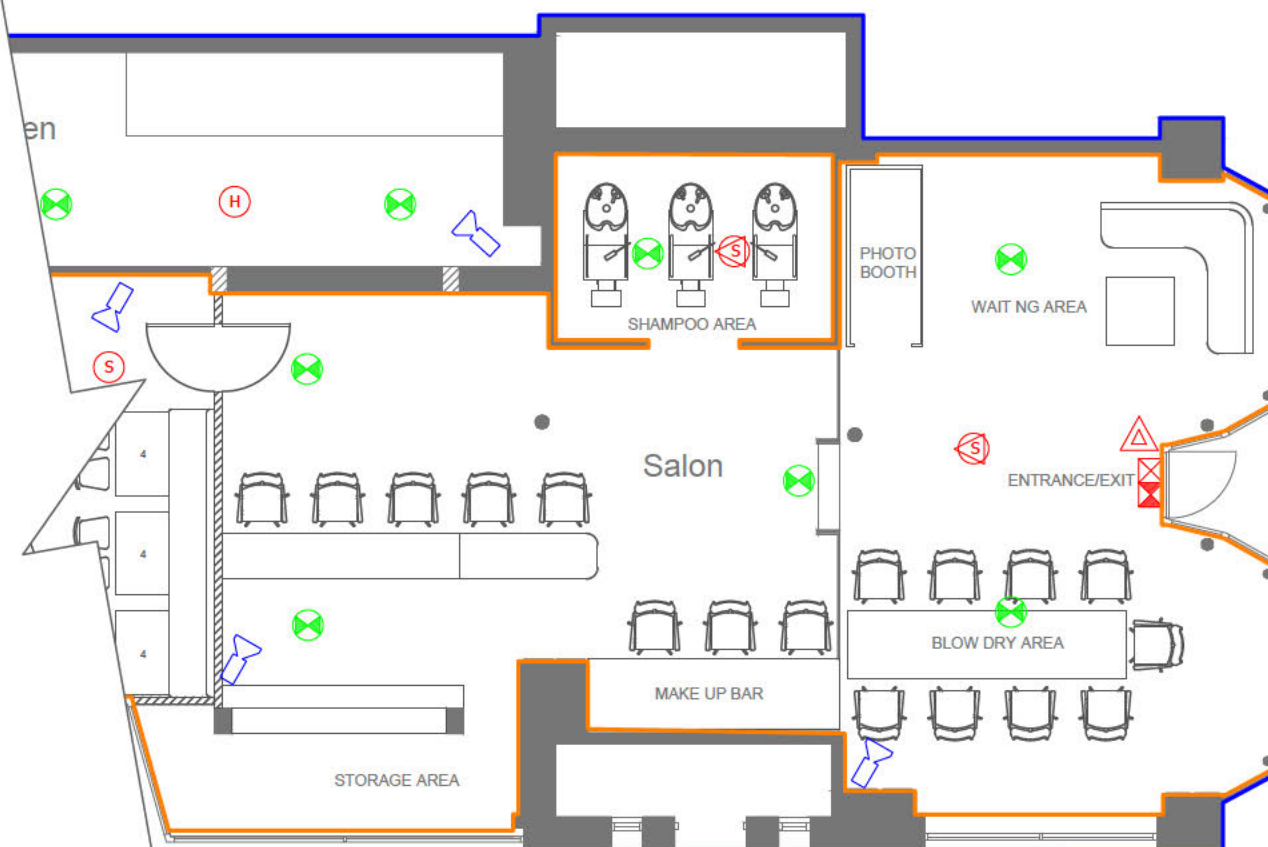
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LTD

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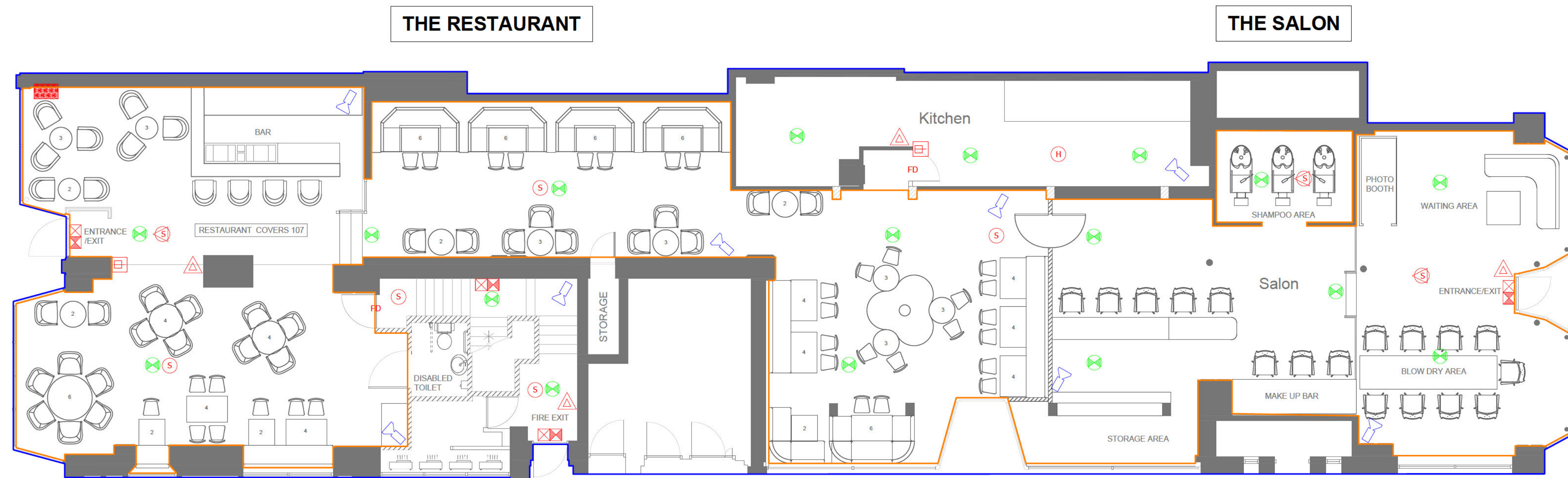
THE SALON



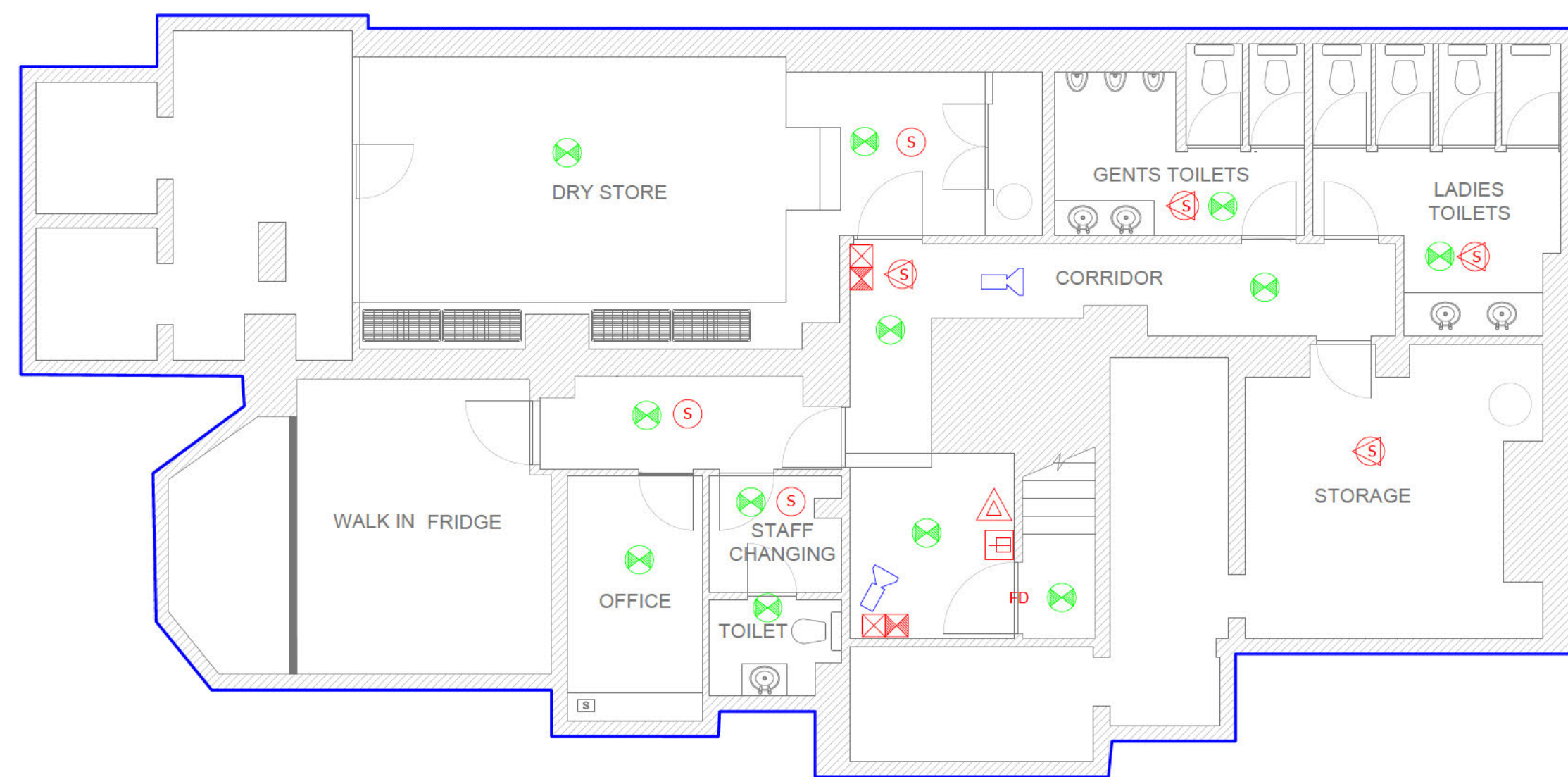
Notes:

License Plan

- Building Boundary
- Indoor License Area
- Fire Control Panel
- Fire Call Point
- S Smoke Detection
- H Heat Detection
- S Smoke Sounder
- X Illuminated Exit
- △ Fire Extinguisher Point
- FD Self Closing Fire Door
- X Emergency Light
- ▶ CCTV



THE BASEMENT



Client: Richard Sargent

Project: 48-49 Oxford Street

Address:
48-49 Oxford Street
Southampton
Hampshire
SO14 3DP

Title: A1

Designer: Matt Brenchley

Scale: 1:75 @ A1

Drawing Number: 11520211225

Date: 15/01/2021

Revision: B

Brenchleys

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TEL: 02380 452550

EMAIL: sales@brenchleys.com

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HAMPSHIRE, SO31 5QA

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ORDER PLACED

ALL DIMENSIONS AND SIZE DESIGNATIONS
GIVEN ARE SUBJECT TO VERIFICATION ON
JOB SITE AND ADJUSTMENT TO FIT JOB
CONDITIONS.

The premises licence holder will ensure that there is a training package in place for all members of staff involved in the sale or supply of alcohol. All members of staff shall be trained in licensing matters proportionate to their role and aware of their responsibilities. Particular attention should be paid to underage sales/ ID verification, refusal of alcohol sale to a drunk person, proxy sales and identifying potentially vulnerable persons.

The date of completion of the training shall be recorded and both the member of staff receiving the training and the trainer shall sign the record of training. Refresher training is to be given at regular intervals by the premises licence holder but not at intervals greater than 12 months.

Records of training must be made available for immediate inspection by police or other responsible authority upon reasonable request and records of staff training will be retained for no less than 2 years.

The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside areas.

CCTV warning signs to be fitted in public places.

The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.

Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.

The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.

There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered must be in a format that can be viewed on readily available equipment without the need for specialist software.

In the event of technical failure of the CCTV equipment, the Premises Licence holder/DPS MUST report the failure to the Hampshire Police Licensing Unit within 24 hours, and arrangements made to repair the fault without delay.

A competent trained person in the use of and operation of the CCTV must be in attendance at the premises at all times that licensable activities take place and there must be a person present, nominated by the data controller, who is able to fully operate the CCTV system to be able to download at the times of the visit onto a CD/DVD/USB stick any information lawfully requested by any Responsible Authority.

An incident book shall be maintained to record any activity of a violent, criminal or anti-social nature.

The record will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. This record shall be produced to a police officer or an authorised officer of the local authority on reasonable request. This record shall be retained for a period of 12 months.

A written log shall be kept of all refusals including refusals to sell alcohol.

The premises licence holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the DPS.

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

The record of each refusal will be retained for 12 months

The premises licence holder shall ensure that a system is in place to ensure that every individual who appears to be under 25 years of age seeking to purchase or be supplied with alcohol at or from the premises, shall produce acceptable means of identification and age confirmation. Acceptable identification shall be a passport, photo driving licence or PASS accredited photo ID. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.

From: [Scott, Lee \(25597\)](#)
To: [Licensing](#)
Cc: [REDACTED]
Subject: Rita's premises licence application
Date: 17 May 2021 11:10:20
Attachments: [Licence application - Rita's Oxford Street Southampton .msg](#)
[RE Rita's Oxford Street Southampton .msg](#)

Good morning licensing,
Hampshire Constabulary wish to make a representation regarding the premises licence application relating to Rita's, Oxford Street, Southampton. However, with the attached e-mails whereby conditions have been agreed with the applicants representative a hearing is not considered necessary so long as the conditions within the attached document on the e-mail :- Licence application – Rita's Oxford Street Southampton sent originally on 11/05/21 are attached to the licence upon it being granted. With the conditions agreed there will be no further representation.

If there are any concerns or queries regarding this please do not hesitate in contacting me.

Kind regards

PC Lee Scott

PC 25597

Lee Scott

Licensing & Alcohol Harm Reduction Team

Southampton Central Police Station



This email contains information which is confidential and may also be privileged. It is for the exclusive use of the addressee(s) and any views or opinions expressed within are those of the originator and not necessarily those of the Force. If you are not the intended recipient(s) please note that any form of distribution, copying or use of this email or the information contained is strictly prohibited and may be unlawful. If you have received this communication in error please forward a copy to informationsecurity@thamesvalley.police.uk and to the sender. Please then delete the email and destroy any copies of it. DO NOT use this email address for other enquiries as it will not be responded to, nor any action taken upon it. If you have a non-urgent enquiry, please call the Police non-emergency number 101. If it is an emergency, please call 999. Thank you.

From: [Scott, Lee \(25597\)](#)
To: [Young, Tricia](#)
Subject: FW: Rita's Oxford Street Southampton
Date: 17 May 2021 16:27:04
Attachments: [Redacted]

Hi Tricia,

One of the attachments was the below e-mail just the applicants representative agreeing to the conditions that I have proposed to show they are aware of what I have asked for and that they agree for them to be listed as conditions on the licence.

Lee

From: Rob Jephcote [Redacted]
Sent: 17 May 2021 10:23
To: Scott, Lee,25597 [Redacted]
Subject: RE: Rita's Oxford Street Southampton

Good morning Lee,

My apologies, I thought I had responded to this previously. I can confirm that my client is more than happy to agree to these conditions

Kindest regards,
Rob Jephcote
Director of Quality and Compliance

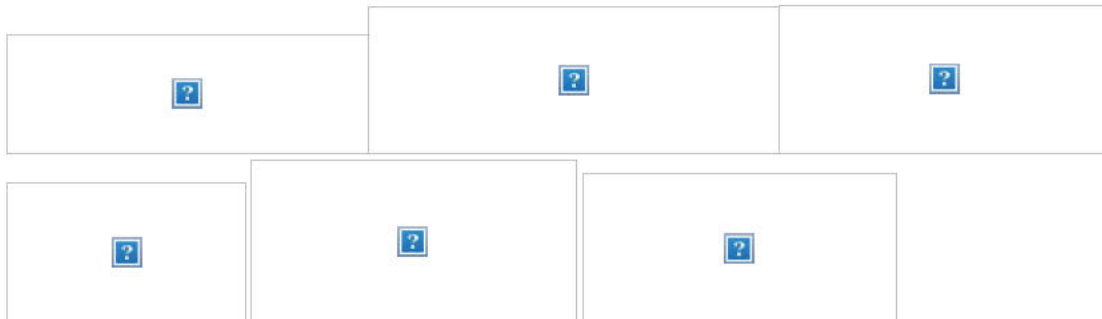
cid:image001.png@01D74B06.A935EED0



National Compliance Training

[Redacted]
E [Redacted]

W: [\[Redacted\].uk](#)



The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent.

From: [Redacted]

Sent: 17 May 2021 10:01
To: Rob Jephcote <[REDACTED]>
Subject: Rita's Oxford Street Southampton
Importance: High

Good morning,

Can I kindly request a response to my original e-mail I sent to you regarding the licence application for Rita's, Oxford Street Southampton on Tuesday 11th May. The consultation period is coming to an end for this licence application.

Kind regards
Lee Scott

PC 25597
Lee Scott
Licensing & Alcohol Harm Reduction Team
Southampton Central Police Station



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Mr & Mrs Curren
Police House, Manchester Road
Sway, Lymington, Hants
SO41 6AS

16 May 2021

ATTN: Licensing Manager
Licensing Team,
Southampton & Eastleigh Licensing Partnership,
Southampton City Council,
Civic Centre,
Southampton
SO14 7LY

Dear Sir / Madam,

RE: OBJECTION to the Application for a Premises Licence / Reference

2021/01198/01SPRN

As the owners of property Flat 101, 23-24 Queens Terrace which is located directly above the premises applying for the license, we are writing to you to express our reasonable concern and objection to the Application for a Premises Licence made by NSR Holdings Ltd. Trading as 'Ritas', 48-49 Oxford Street, Southampton SO14 3DP.

The premises below our property was formerly a Mexican restaurant, 'Chimichangas'. This operated as a restaurant and caused little disturbance. The new application for a Premises Licence made by NSR Holdings Ltd. Trading as 'Ritas' describes a late-night drinking establishment with live music which we believe will be detrimental to the local area and people who live there.

We rent our property to professional people and our tenants will suffer great disturbance if this application for a Premises Licence is approved. Our representations specifically relate to the following licencing objectives:

A cocktail bar featuring loud live and recorded music every night of the week will:

- Lead to greater intoxication of people in the area which will likely result in greater disorder and potentially crime
- Late night drinking and loud live and recorded music will create a public nuisance through:
 - Noise in the street caused by people queueing to get in and or traffic leaving a premises at midnight and afterwards
 - Street drinking and customers gathering outside
 - Environmental damage including littering
 - Increased nuisance from rowdy or inconsiderate patrons of the establishment
 - Increased nuisance such as noise, smells and increased light pollution

As conservation area, Oxford Street and its surrounding area including Queens Terrace, is advertised and described by Southampton City Council as a Heritage site. Granting this Application for a Premises Licence (Ref: 2021/01198/01SPRN) will not enhance this area and will compromise and undermine the intent that Southampton City Council is portraying for this area.

On the reasons we have outlined in this letter, we completely object to the Application for a Premises Licence (Ref: 2021/01198/01SPRN) and support that it should not be granted.

Please confirm receipt of this letter.

Yours Sincerely,

Tracy Currer & Nicholas Currer
Owners of property Flat 101, 23-24 Queens Terrace, Southampton SO14 3BQ

From: publicaccess@southampton.gov.uk
To: [Licensing](#)
Subject: Comments for Licensing Application 2021/01198/01SPRN
Date: 27 May 2021 11:34:03

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

Comments were submitted at 11:34 AM on 27 May 2021 from Mr Nick Day.

Application Summary

Address: 48 - 49 Oxford Street Southampton SO14 3DP

Proposal: Premises Licence

Case Officer: Tricia Young

[Click for further information](#)

Customer Details

Name: Mr Nick Day

Email: [REDACTED]

Address: Flat 13, Seafarers Court, 12 - 14 Queens Terrace,
Southampton SO14 3SG

Comments Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 11:34 AM on 27 May 2021 This is set to be a great venue and will be a huge asset to Oxford Street and Queens Terrace.

From: publicaccess@southampton.gov.uk
To: [Licensing](#)
Subject: Comments for Licensing Application 2021/01198/01SPRN
Date: 26 May 2021 23:40:15

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

Comments were submitted at 11:40 PM on 26 May 2021 from Mr Stevie Timberlake.

Application Summary

Address: 48 - 49 Oxford Street Southampton SO14 3DP

Proposal: Premises Licence

Case Officer: Tricia Young

[Click for further information](#)

Customer Details

Name: Mr Stevie Timberlake

Email: [REDACTED]

Address: 47A Oxford Street, Southampton SO14 3DP

Comments Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 11:40 PM on 26 May 2021 This looks like a great benefit to the street and local businesses.

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

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

Preliminary matters

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

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

General information on the conduct of the hearing

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

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

Hearing Procedure

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

The applicant

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

The representations

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

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

Summing up

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

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

Sub-Committee's decision

31.

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

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