

DECISION-MAKER LICENSING (LICENSING & GAMBLING) SUB COMMITTEE

SUBJECT HEARING TO CONSIDER AN APPLICATION FOR GRANT OF A PREMISES LICENCE – Afro Heights 19 Onslow Road Southampton SO14 0JD

DATE OF HEARING 6th November 2024 at 16.00 hrs

REPORT OF SERVICE DIRECTOR – ENVIRONMENT

E-mail licensing@southampton.gov.uk

Application Date : 13th September 2024 Application Received 13th September 2024

Application Valid : 13th September 2024 Reference : **2024/04166/01SPRN**



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Representations from Responsible Authorities

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

| | | |
|---|--|-------------------------|
| Public Health Manager | No Response | |
| Planning & Sustainability - Development Control - Licensing | No Response | |
| Police - Licensing | Agreed Conditions | |
| Trading Standards | No Response | |
| Other Representations | | |
| Name | Address | Contributor Type |
| Mr Shores Yosefnejad | Flat 5 23A Onslow Road Southampton SO14 0JD | Resident |

Legal Implications

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

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

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

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

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

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

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

The sub-committee must also have regard to:

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

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

Equality Act 2010

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

SUMMARY

The application is for a small grocery store selling Afro-Caribbean and International foods and they would like to add a small amount of alcohol sales to this.

| | |
|---------------------------------------|-------------------|
| Applicant | Afro Heights Ltd. |
| Designated Premises Supervisor | Kofi Amevor |

Licensable Activities.

| | |
|-----------------------------|---------------|
| Supply by retail of alcohol | |
| Monday | 07:00 - 21:00 |
| Tuesday | 07:00 - 21:00 |
| Wednesday | 07:00 - 21:00 |
| Thursday | 07:00 - 21:00 |
| Friday | 07:00 - 21:00 |
| Saturday | 07:00 - 21:00 |
| Sunday | 07:00 - 21:00 |

Conditions consistent with the operating Schedule

1 NOISE

Ensure that any noise arising from the premises associated with activities covered by this premises licence does not cause a statutory noise nuisance to occupiers of any neighbouring residential property.

2 REFUSALS BOOK

A written or digital 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 venue 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. In the case of a digital log, a downloadable record must be made available for inspection or copy produced for inspection immediately upon request by responsible authorities. The record of refusals will be retained on site for 12 months.

3 INCIDENT BOOK

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 on site for a period of 12 months.

4 STAFF TRAINING

Before commencing their duties all new staff must receive information and training concerning the sale of age-restricted products. This training must cover their legal responsibilities and action to be taken in the event of suspicions being aroused that someone is purchasing or attempting to purchase an item under the legal age and regarding the signs and symptoms of intoxication to prevent sales to intoxicated persons. All employees will sign a letter to acknowledge that they have completed this training and have understood their responsibilities on this area. This training should be reviewed and updated at reasonable intervals but no less than every 12 months. Training records will be kept on the licensed premises to which they relate and copies be made available for inspection upon request by responsible authorities

5 CHALLENGE 25

There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older. Acceptable identification for the purposes of age verification will include a photo card driving licence, passport or photographic identification bearing the "PASS" logo and the persons date of birth. 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. 'Challenge 25' posters shall be displayed in prominent positions at the premises.

6 NOTICES

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

7 CCTV

A colour recording CCTV system that captures images from the main public areas must be fully operational whilst licensable activities are taking place. The system shall be able to cope with all levels of illumination. The recording equipment shall be stored and operated in a secure environment with limited access, to avoid damage, theft, unauthorised viewing and maintain the integrity of the system. The system clock shall be checked regularly for accuracy taking account of GMT and BST. Digital systems shall have sufficient storage capacity for 28 days evidential quality recordings (minimum 4 frames per second). The images produced shall be date and time stamped. A notice shall be displayed at the entrance to the premises advising that CCTV is in operation. An additional recording CCTV camera shall be installed and fully operational whilst the venue is open to the public to cover the area immediately outside the front of the premises. It is important that the Police are able to access data from the systems quickly and easily and therefore provision shall be made that at all times a person is in attendance who is nominated by the data controller who has access to the secure area who is able to operate the equipment. Ensure all operators receive training from the installer when equipment is installed and that this is cascaded down to new members of nominated staff. Have a simple operator's manual available to assist in replaying and exporting data (particularly important with digital systems) and to produce images immediately upon request to the police for the purpose of the prevention and detection of crime as long as the request is lawful and complies with the data protection Act. In the event of a technical failure of the CCTV equipment, the premises licence holder or DPS shall notify the police licensing department responsible for the area within 48 hours.

The applicant has agreed conditions with the Hampshire Constabulary and Environmental Health and received no other representations from Responsible Authorities. The application has received one public representation.

Included in Report

Application

Plan

Police Agreed Conditions

Environmental Health Conditions

1 x Public Representation

Hearing Procedures

From: LA2003 [REDACTED]
Sent: 13 Sep 2024 08:43:18
To: IdoxDMSLicensing@southampton.gov.uk
Cc:
Subject: FW: Application for a premises licence to be granted under the Licensing Act 2003 - XGN652H2 - 2024/04166/01SPRN
Attachments: CONSENT FORM .pdf, Shop fire extinguisher fire exit layout.pdf, Personal licence (1).pdf

From: Southampton City Council <noreply@southampton.gov.uk>
Sent: Thursday, September 12, 2024 11:14 AM
To: LA2003 <LA2003@southampton.gov.uk>; licensing@hampshire.police.uk; Environmental Health <Environmental.Health@southampton.gov.uk>; Food Safety <Food.Safety@southampton.gov.uk>; CsProtection Admin <csprotection.admin@hantsfire.gov.uk>; Trading Standards <Trading.Standards@southampton.gov.uk>; Planning <planning@southampton.gov.uk>; Safeguarding Children Licensing <SafeguardingChildren.Licensing@southampton.gov.uk>; Public Health <Publichealth@southampton.gov.uk>; alcohol@homeoffice.gov.uk
Subject: Application for a premises licence to be granted under the Licensing Act 2003 - XGN652H2

Southampton and Eastleigh Licensing Partnership

Licensing authority: Southampton City

Copy to
Hampshire Constabulary
Hampshire and Isle of Wight Fire and Rescue Service
Environmental Health
Trading Standards
Planning
Safeguarding Children
Public Health
Home Office

Case reference number: XGN652H2

Payment reference: 430601915

Payment amount: £190.00

Premises address: 19 Onslow Road, Southampton, SO14 0JD

This email has been automatically generated so please do not reply to this message.

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

| | |
|-------------------------------|----------|
| Application reference: | XGN652H2 |
|-------------------------------|----------|




Before you begin

| | |
|--|------|
| I confirm that I have read and understood | True |
|--|------|

About the premises

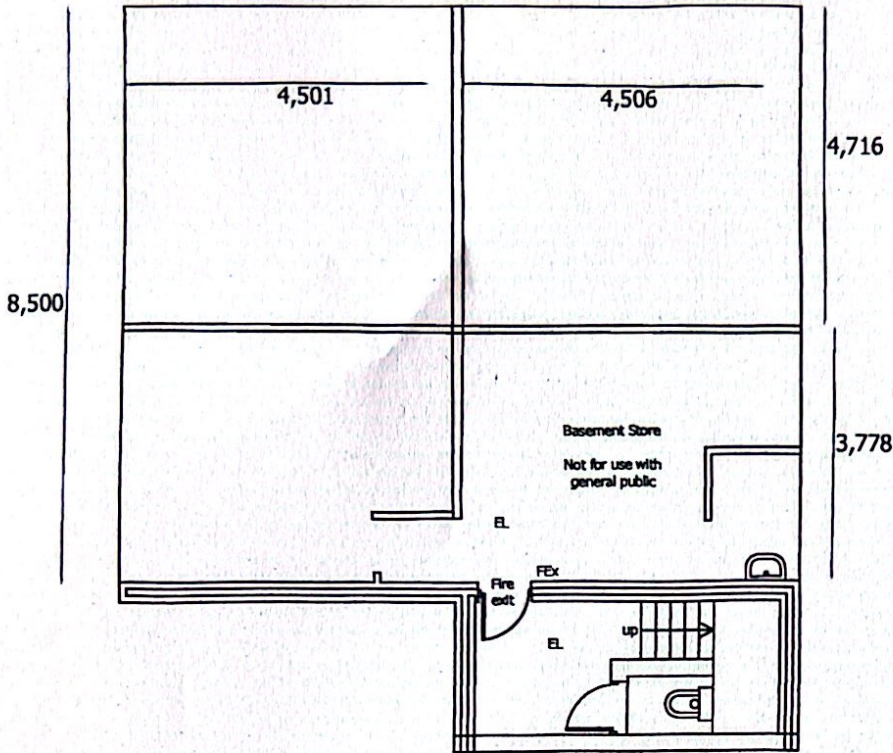
| | |
|---|---|
| Premises address or location | 19 Onslow Road, Southampton, SO14 0JD |
| UPRN | 100062500660 |
| Local Authority: | Southampton |
| Telephone number of the premises | ██████████ |
| Which band/rateable value best describes your premises? | Band B: £4301 - £33000 |
| Non-domestic rateable value of premises (£) | 7400 |
| <u>Applicant type</u> | |
| Applying as | A limited company/limited liability partnership |
| Additional option | I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities |
| <u>Details of applicant 1</u> | |
| Name | Afro Heights Ltd |
| Address | 19 Onslow Road, Southampton, SO14 0JD |
| Registered number (where applicable) | 15904460 |
| Description of applicant | Afro Heights Ltd is a retail outlet that is about to start selling Afro-Caribbean and international food to its community. In addition, the shop will sell a small amount of alcohol hence, the licence application. |
| Email address | ██████████ |
| Phone number | ██████████ |
| <u>Operating schedule</u> | |
| When do you want the licence to start? | 10/10/2024 |
| Details of the premises | 19 Onslow Road is a standard retail shop size which Afro Heights Ltd is about to use to sell Afro-Caribbean and international food to its customers. There will be a small amount of alcoholic beverages being sold to customers but they are not to be consumed on the premises. |
| Are 5,000 or more people expected to attend the premises at any one time | No |
| What licensable activities do you intend to carry out from the premises? | Supply of alcohol |
| <u>Licensable activities</u> | |

| | |
|--|--|
| | <p>recognising suspicious behaviour. Establish Clear Policies: Develop and enforce policies for managing incidents of crime, such as protocols for dealing with disorderly conduct, reporting crimes, and cooperating with law enforcement. Engage with Local Authorities:</p> <p>Collaborate with local police and other relevant agencies to stay informed about crime trends and to receive guidance on improving safety measures. Promote Responsible Behavior:</p> <p>Ensure that staff understand the importance of maintaining a safe environment and are empowered to responsibly manage potential conflicts or illegal activities.</p> |
| <p>2. Public safety</p> | <p>Maintain Health and Safety Standards:</p> <p>Ensure that our premises comply with health and safety regulations, including fire safety, first aid, and hygiene standards. Conduct Regular Inspections:</p> <p>Perform routine checks of the premises to identify and rectify any hazards or maintenance issues that could pose a risk to public safety. Implement Safe Capacity Limits:</p> <p>Monitor and manage the capacity of our shop to prevent overcrowding and ensure that emergency exits are accessible and marked. Provide Adequate Training:</p> <p>Train staff in emergency procedures, including evacuation plans and first aid, to ensure they can respond effectively in a crisis. Promote Safe Practices:</p> <p>Encourage patrons to follow safety guidelines, such as not engaging in risky behaviour and reporting any safety concerns.</p> |
| <p>3. The prevention of public nuisance</p> | <p>Manage Noise Levels:</p> <p>to implement measures to control noise, such as soundproofing, limiting hours of operation, and ensuring that noise levels do not exceed acceptable levels for surrounding areas. Control Waste and Litter:</p> <p>the shop will provide adequate waste disposal facilities and ensure regular collection and cleaning of litter around the premises. Address Anti-Social Behavior:</p> <p>Monitor and manage the behaviour of patrons to prevent disturbances. Implement policies to handle complaints from neighbours and address issues promptly. Communicate with the Community:</p> <p>Maintain open lines of communication with residents and businesses to address concerns and provide updates on measures taken to reduce nuisances. Enforce Rules and Regulations:</p> <p>Ensure that all patrons and staff adhere to the rules designed to prevent public nuisance, including restrictions on the use of outdoor areas and behaviour policies.</p> |

| | |
|---|---|
| 4. The protection of children from harm | <p>Steps to Promote:</p> <p>Enforce Age Restrictions:</p> <p>Age restrictions will be displayed to ensure that proof of age is required where applicable. Train staff to check identification and refuse service to minors as required.</p> <p>Design Safe Environments:</p> <p>Design and maintain areas to be safe for children, including secure play areas and facilities that are free from hazards.</p> <p>Implement Child Protection Policies:</p> <p>Develop and enforce policies to protect children from harm, including staff training on safeguarding and procedures for reporting concerns.</p> <p>Promote Responsible Activities:</p> <p>Ensure that any activities involving children are appropriate and supervised to prevent potential harm or exploitation.</p> <p>Coordinate with Child Protection Agencies:</p> <p>Work with local child protection agencies to stay informed about best practices and legal requirements related to safeguarding children. By taking these steps, you can effectively promote and support the licensing objectives, creating a safe and compliant environment that benefits both your business and the community.</p> |
| General steps taken to achieve all four objectives | <p>By taking the above steps and many more such as educating, we can effectively promote and support the licensing objectives, creating a safe and compliant environment that benefits both your business and the community.</p> |
| <u>Supporting documents</u> | |
| Total file uploads | |
| <u>Checklist</u> | |
| Please check which of the following you have completed | <p>Uploaded plan of the premises, Understood that a copy of this application will be sent to the relevant authorities, Understood I must advertise my application, Uploaded consent form completed by the individual I wish to be designated premises supervisor, Understood that if I do not comply with the above requirements my application will be rejected</p> |
| <u>Contact details</u> | |
| Contact name | KOFI AMEVOR |
| Address |  |
| Contact email |  |
| Contact phone number |  |
| <u>Fee exemption</u> | |
| Believes exempt to fees under legislation | No <div style="text-align: center; margin-top: 10px;">010</div> |

Declaration

| | |
|---|------------------|
| I hereby agree to abide by the statements set out above | True |
| The designated premises supervisor (DPS) named in this application is entitled to work in the UK (and is not subject to condition preventing them 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 checking service which confirmed their right to work | Yes |
| Are you signing on behalf of the applicant(s) | Yes |
| Name of person signing/notifier | Mr Kofi Amevor |
| Capacity you are signing on behalf | Company Director |



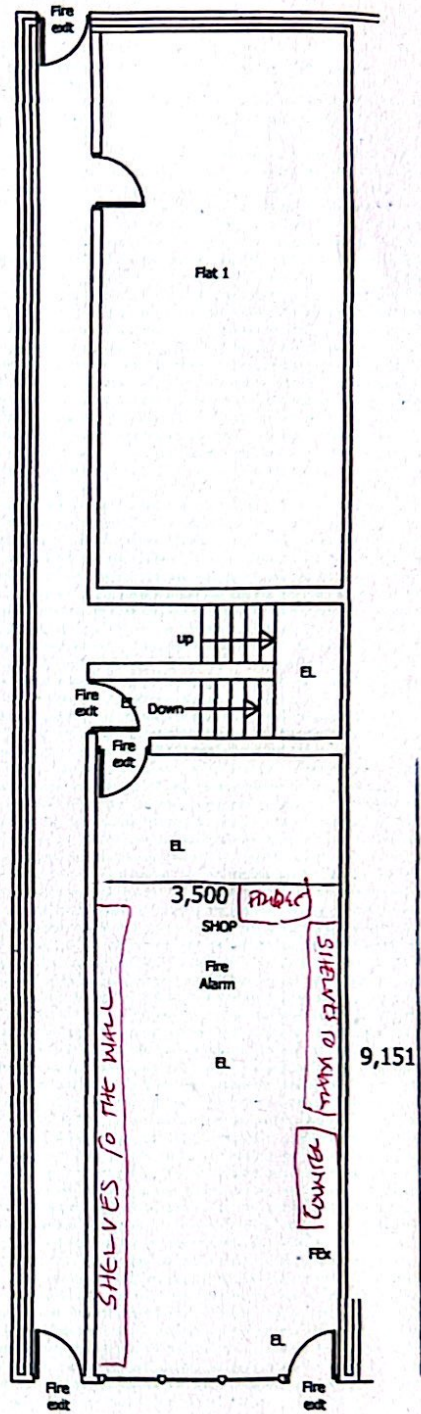
EL = Emergency light
in ceiling

Fire Alarm
located in ceiling
and connected to rest of the building

FEx = Fire Extinguisher
1: Water
2: Dry Powder

19 Onslow Rd

Basement Plan



19 Onslow Rd

Ground Floor Plan

From: [Scott, Lee](#) [REDACTED]
To: [Licensing](#)
Cc: [REDACTED]
Date: FW: Afro Heights premises licence application
25 September 2024 09:04:14

You don't often get email from [REDACTED] [Learn why this is important](#)

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Good morning Licensing,

I write to raise a representation with regards to Afro heights premises licence application, 19 Onslow Road. However given the agreement below and conditions agreed to appear under annex 2 on the licence upon it's grant, there is no need to go to hearing and no ongoing concern for this representation to go to a hearing.

Many thanks

PC Lee Scott

PC 25597

Lee Scott

Licensing & Alcohol Harm Reduction Team

Southampton Central Police Station

From: Kofi Amevor [REDACTED]
Sent: 24 September 2024 20:07
To: Scott, Lee (25597) [REDACTED]
Subject: Re: Afro Heights premises licence application

Dear Scott,

I write to agree with the below objectives.

Kind regards

Kofi Amevor

On Sep 24, 2024, at 16:39, Scott, Lee (25597) [REDACTED] wrote:

Good afternoon,

I have been asked to look at your premises licence application for Afro Heights, 19 Onslow Road. I have seen some measures referred within the operating schedule where you propose to uphold the licensing objectives.

Can I kindly request that you observe the below wording and consider accepting these to be added to your premises licence upon it's grant to assist in supporting the licensing objectives. The wording below generally reflects the measures you have listed but in a clear and unambiguous way.

If you agree to accept then please reply to this e-mail as such. Should you wish to discuss then please let me know and we can do so.

Kind regards

PC 25597

Lee Scott

CCTV

A colour recording CCTV system that captures images from the main public areas must be fully

operational whilst licensable activities are taking place.

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

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

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

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

The images produced shall be date and time stamped.

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

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

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

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

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

In the event of a technical failure of the CCTV equipment, the premises licence holder or DPS shall notify the police licensing department responsible for the area within 48 hours.

REFUSALS BOOK

A written or digital 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 venue 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. In the case of a digital log, a downloadable record must be made available for inspection or copy produced for inspection immediately upon request by responsible authorities.

The record of refusals will be retained on site for 12 months.

INCIDENT BOOK

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 on site for a period of 12 months.

STAFF TRAINING

Before commencing their duties all new staff must receive information and training concerning the sale of age-restricted products.

This training must cover their legal responsibilities and action to be taken in the event of suspicions being aroused that someone is purchasing or attempting to purchase an item under the legal age and regarding the signs and symptoms of intoxication to prevent sales to intoxicated persons.

All employees will sign a letter to acknowledge that they have completed this training and have understood their responsibilities on this area.

This training should be reviewed and updated at reasonable intervals but no less than every 12 months.

Training records will be kept on the licensed premises to which they relate and copies be made available for inspection upon request by responsible authorities.

CHALLENGE 25

There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.

Acceptable identification for the purposes of age verification will include a photo card driving licence, passport or photographic identification bearing the "PASS" logo and the persons date of birth.

If the person seeking alcohol is unable to produce acceptable means of identification, no sale or

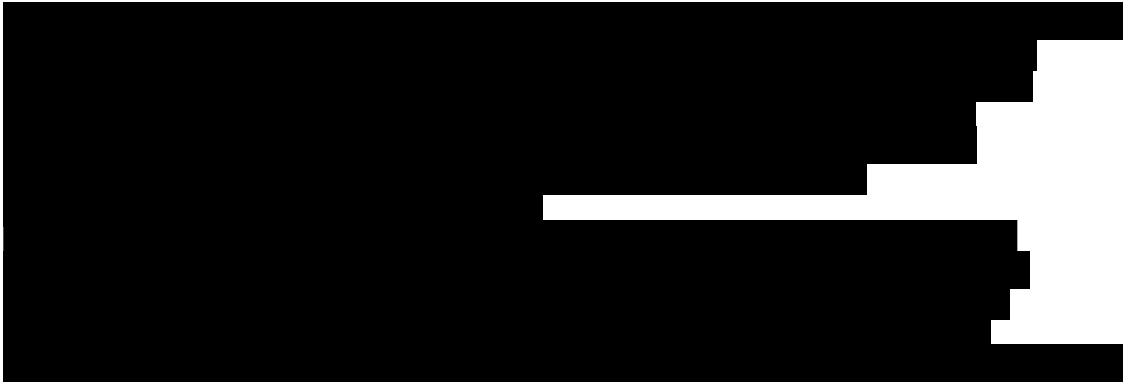
supply of alcohol will be made to or for that person.
'Challenge 25' posters shall be displayed in prominent positions at the premises.

PC 25597

Lee Scott

Licensing & Alcohol Harm Reduction Team

Southampton Central Police Station



From: [Young, Tricia](#) on behalf of [Licensing](#)
To: [Idox DMS Licensing](#)
Subject: FW: Application for premises licence: Afro Heights Ltd, 19 Onslow Road, Southampton - 2024/04166/01SPRN - EH Agreed Cond
Date: 20 September 2024 10:56:29

From: Barbera, Claudia [REDACTED]
Sent: Thursday, September 19, 2024 4:56 PM
To: Licensing <Licensing@southampton.gov.uk>
Subject: FW: Application for premises licence: Afro Heights Ltd, 19 Onslow Road, Southampton

Dear Licensing Team,

I write further to your consultation regarding application for a premises licence at the above address.

The applicant has agreed to have the following conditions included on their licence.

1. 'Ensure that any noise arising from the premises associated with activities covered by this premises licence does not cause a statutory noise nuisance to occupiers of any neighbouring residential property.'
2. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

Therefore we make representation on the application but based on the agreed amendments a hearing is not necessary.

Please see the email chain below for confirmation in this regard.

Kind regards,

[REDACTED]

Claudia Barbera
Environmental Health Officer
Directorate for Place
Southampton City Council
[REDACTED]
[REDACTED]

This email is confidential but may have to be disclosed under the Freedom of Information Act 2000, the Data Protection Act 1998 or the Environmental Information Regulations 2004. If you are not the person or organisation it was meant for, apologies, please ignore it, delete it and notify us. SCC does not make legally binding agreements or accept formal notices / proceedings by email. Email may be monitored.

From: Kofi Amevor [REDACTED] >
Sent: Thursday, September 19, 2024 4:20 PM
To: Barbera, Claudia <[REDACTED]>
Subject: Re: Application for premises licence: Afro Heights Ltd, 19 Onslow Road, Southampton

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Dear Barbara,
I write to confirm that I agree with the above condition.
Kind regards

Kofi Amevor

On Sep 19, 2024, at 16:12, Barbera, Claudia

[REDACTED]:

Dear Mr. Amevor,

Environmental Health have been consulted on your application for Afro Heights Ltd, 19 Onslow Road, Southampton.

Your application is for a premises licence to be granted under the Licensing Act 2003.

Therefore I want to ensure that adequate controls are documented on the licence that will help with the Prevention of Public Nuisance. I also note that you have provided wording on your application form that shows how you will prevent public nuisance however for clarity and enforcement purposes can I request the below conditions:-

- 'Ensure that any noise arising from the premises associated with activities covered by this premises licence does not cause a statutory noise nuisance to occupiers of any neighbouring residential property.'
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

If you agree to accept the additional conditions noted above please reply to

From: [Young, Tricia](#) on behalf of [Licensing](#)
To: [Idox DMS Licensing](#)
Subject: Afro Heights - 2024/04166/01SPRN - 3 Rep Shoresh Yosefnejad
Date: 19 September 2024 15:35:52

From: Shoresh Yosef nejad <[REDACTED]>
Sent: Thursday, September 19, 2024 12:39 PM
To: Licensing <Licensing@southampton.gov.uk>
Subject:

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

[Report Suspicious](#)



Mr. shoresh

flat 5 23a

Onslow road

Southampton

SO14 0jd



Hello Dear

I am writing to register my objection to the application for a premises licence by 19 onslow Road, SO14 0JD Southampton, The basis for this opposition is that granting a licence for this premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

Cumulative Impact Area, and enabling the premises to sell alcohol would be totally detrimental to its aims and objectives. The application proposes that alcohol will be sold for consumption off the premises Granting a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local neighbourhood.

I'll be really grateful if not give licence for number 19 onslow, because in my door

step already number 13 and number 25 , and opposite my home called best one shop selling alcohol.

Kindly regard My home called best one shop selling alcohol.

I would like to express my concern as a citizen of this area

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.