

# Licensing (Licensing and Gambling) Sub-Committee

Wednesday, 6th November,  
2024  
at 4.00 pm

**PLEASE NOTE TIME OF MEETING**

Virtual Meeting

This meeting is open to the public

## **Members**

Three Members drawn from the Licensing Committee

## **Contacts**

Democratic Support Officer  
Joni Goodman  
Email: [Joni.Goodman@southampton.gov.uk](mailto:Joni.Goodman@southampton.gov.uk)

Executive Director Resident Services  
Debbie Ward  
Email: [Debbie.Ward@southampton.gov.uk](mailto:Debbie.Ward@southampton.gov.uk)

## **PUBLIC INFORMATION**

The Members of the Licensing Committee are Councillors M Bunday, Mrs Blatchford, Cooper, Cox, Kenny, Laurent, Moulton, Noon, Whitbread and Windle.

### **Role of the Sub-Committee**

The Sub-Committee deals with licences for which the Council is responsible under the Licensing Act 2003 and Gambling Act 2005, including:-

- Determination of applications for review of premises licences and club premises certificates;
- Determination of representations to applications for premises licences and club premises certificates, variations and various permits;
- Determination of police objections to applications for:
  - Variation of designated premises supervisors
  - Transfer of premises licences
  - Personal licences for the sale of alcohol
- Determination of objections to temporary event notices.

### **Relevant Representations**

Those who have made relevant representations may address the meeting about the matter in which they have an interest. New matters, not raised within a written representation, can not be relied upon at the hearing.

**When dealing with Licensing Act matters the Sub-Committee must only take into account the following statutory Licensing Objectives:-**

- prevention of crime and disorder
- public safety
- prevention of public nuisance
- protection of children from harm

**Likewise, when dealing with Gambling Act matters the Sub Committee must only take into account the statutory Licensing Objectives below:-**

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way, and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

**Southampton: Corporate Plan 2022-2030** sets out the four key goals:

- **Strong Foundations for Life.**- For people to access and maximise opportunities to truly thrive, Southampton will focus on ensuring residents of all ages and backgrounds have strong foundations for life
- **A proud and resilient city** - Southampton's greatest assets are our people. Enriched lives lead to thriving communities, which in turn create places where people want to live, work and study
- **A prosperous city** - Southampton will focus on growing our local economy and bringing investment into our city.
- **A successful, sustainable organisation** - The successful delivery of the outcomes in this plan will be rooted in the culture of our organisation and becoming an effective and efficient council.

**Fire Procedure:-** In the event of a fire or other emergency a continuous alarm will sound, and you will be advised by Council officers what action to take.

**Access:-** Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

**Smoking policy:-** The Council operates a no-smoking policy in all civic buildings.

**Mobile Telephones:-** Please switch your mobile telephones to silent whilst in the meeting

**Use of Social Media:-** The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting. By entering the meeting room, you are consenting to being recorded and to the use of those images and recordings for broadcasting and or/training purposes. The meeting may be recorded by the press or members of the public. Any person or organisation filming, recording or broadcasting any meeting of the Council is responsible for any claims or other liability resulting from them doing so. Details of the Council's Guidance on the recording of meetings is available on the Council's website.

**Dates of Potential Meetings for the Municipal Year**  
Meetings are scheduled on a weekly basis usually at 4pm on a Wednesday evening.

## **CONDUCT OF MEETING**

### **Terms of Reference**

The terms of reference are contained in the Council's Constitution.

### **Business to be discussed**

Only those items listed on the attached agenda may be considered at this meeting.

### **Rules of Procedure**

The meeting is governed by the Licensing Act 2003 (Hearings) Regulations 2005 and the Council Procedure Rules as set out in Part 4 of the Constitution, so far as it is applicable.

### **Quorum 3**

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

## **DISCLOSURE OF INTERESTS**

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Pecuniary Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

### **DISCLOSABLE PECUNIARY INTERESTS**

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

(i) Any employment, office, trade, profession or vocation carried on for profit or gain.

(ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

(iii) Any contract which is made between you / your spouse etc (or a body in which you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

(iv) Any beneficial interest in land which is within the area of Southampton.

(v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

(vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council, and the tenant is a body in which you / your spouse etc has a beneficial interests.

(vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

- a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
- b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

## **Other Interests**

A Member must regard himself or herself as having an 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

## **Principles of Decision Making**

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision-making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

## AGENDA

### 1 **ELECTION OF CHAIR**

To appoint a Chair for the purposes of this meeting.

### 2 **DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS**

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

### 3 **STATEMENT FROM THE CHAIR**

### 4 **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)** (Pages 1 - 4)

To approve and sign as a correct record the Minutes of the meeting held on 2 October 2024 and to deal with any matters arising, attached.

### 5 **EXCLUSION OF THE PRESS AND PUBLIC - LEGAL ADVICE**

At a predetermined point during the consideration of all items the Sub-Committee may move into private session in order to receive legal advice when determining issues. The parties to the hearing, press and public, unless otherwise excluded by the Licensing Act 2003 (Hearings) Regulations 2005, will be invited to return immediately following that private session at which time the matter will be determined and the decision of the Sub-Committee will be announced.

### 6 **LICENSING SUB- COMMITTEE- APPLICATION FOR A LICENCE- AFRO HEIGHTS** (Pages 5 - 28)

Tuesday, 29 October 2024

Executive Director Communities, Culture & Homes

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SOUTHAMPTON CITY COUNCIL  
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 2 OCTOBER 2024

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Present: Councillors M Bunday, Cooper and Windle

Apologies: Councillors

20. **ELECTION OF CHAIR**

RESOLVED that Councillor M Bunday as Chair of the Licensing Committee would be Chair for the purposes of this meeting.

21. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

The Minutes of the meetings held on 14 August 2024 and 21 August were approved as an accurate record.

22. **EXCLUSION OF THE PRESS AND PUBLIC - LEGAL ADVICE**

Resolved that the Sub-Committee move into private session in order to receive legal advice when determining issues, the parties to the hearing, press and public unless otherwise excluded by the Licensing Act 2003 (Hearing Regulations 2005), would be invited to return immediately following that private session at which time the matter would be determined and decision of the subcommittee announced.

23. **APPLICATION FOR A NEW PREMISES LICENCE - BURGER KING 234-238 BURGESS ROAD SO16 3AU**

All parties received formal written confirmation of the decision and reasons. This hearing was held as a virtual meeting using Microsoft Teams.

The Sub-Committee has considered very carefully the application for grant of a premises licence for the provision of late-night refreshment at **BURGER KING 234-238 BURGESS ROAD SO16 3AU**.

It has given due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted statement of Licensing Policy. The Human Rights Act 1998, The Equality Act 2010 and The Crime and Disorder Act 1998 Section 17.

The Sub-Committee made its decision based on all the evidence submitted, both in writing and given orally at the Hearing.

The Sub-Committee heard from Applicant and 2 objectors orally. The sub-committee also considered written representation from Cllr Lorna Fielker.

The Sub-Committee noted that Environmental Health and Planning (Responsible Authorities) attended the Hearing,

Having considered all of the above the Sub-Committee agreed to grant the licence in accordance with the application covering the supply during the following hours:

Provision of late-night refreshment during the following hours of operation.

Monday 23:00 – 00:00  
Tuesday 23:00 - 00:00  
Wednesday 23:00 - 00:00  
Thursday 23:00 - 02:00  
Friday 23:00 - 02:00  
Saturday 23:00 - 02:00  
Sunday 23:00 - 00:00

In addition, the licence will be subject to the following conditions:

1. A CCTV system shall be installed at the premises.
  - a. CCTV shall be maintained in good order and recordings shall be retained for at least 31 days.
  - b. The correct time and date will be generated onto both the recording and the real time image screen
  - c. The footage will be made available for inspection by authorised officers of the Licensing Authority and the Police upon request.
  - d. There shall be signs displayed in the customer area to advise that CCTV is in operation.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
4. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
5. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any visit by a relevant authority or emergency service.
6. The Premises Licence Holder or nominated person shall ensure that all relevant members of staff receive training in their responsibilities under the Licensing Act 2003. Such training shall be documented, and records made available upon request from the Police or an authorised officer of the Licensing Authority.



7. A direct telephone number for the manager at the premises shall always be publicly available the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

8. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

9. The sales of hot food & drink are to be via the drive-thru facility only from 23:00 and the internal restaurant will be closed from this time.

10. The Applicant will ensure that the external seating area is not available for use by any person after 23:00.

11. The car park will have reduced capacity in agreement with Environmental health officers.

**Reasons:**

The Sub-Committee has noted the concerns of the responsible authorities regarding the impact of late-night nuisance and impact on the amenity.

In particular the Sub-committee noted the concerns about the gathering of delivery drivers and patrons in the car park and vicinity which is in a highly residential area. However, the sub-committee noted that the applicant had suggested a number of conditions in order to mitigate against the adverse effects of late-night refreshments being sold and the sub-committee were satisfied that the applicant was working openly and cooperatively with the responsible authorities.

The sub-committee considered the impact of additional noise created from the extended opening hours but were satisfied that the conditions above will mitigate against this impact, with the applicant assuring the doors and windows, save for when taking orders and handing over food, will be kept closed during the late night opening. The sub-committee noted that the applicant had offered to reduce the opening hours sought and this was considered appropriate given the location of the site.

It was also noted that no local residents made any representations against the application.

The Sub-Committee received legal advice that the legislation provides for a presumption of grant of an application for a premises licence, and an application should only be refused if conditions on the licence could not address issues raised. In this case additional conditions had been agreed with the Police and Environmental Health which dealt with those issues satisfactorily.

Advice was also given that in accordance with the Statutory Guidance the Police are deemed experts on crime and disorder and Environmental Health are regarded as experts on noise and public nuisance.

Finally, the Sub-Committee was advised that it is not entitled to take into account speculation as to what might occur if the licence was granted. Members of the public should be assured that there is a general right to review a premises licence which can be brought by residents or responsible authorities, where

there is evidence that the objectives are not being met. In the event that the premises causes issues of concern the licence, in its entirety, can be considered at that stage where the evidence supports it.

There is a right of appeal for any party to the Magistrates' Court. All parties will receive written notification of the decision with reasons which will set out that right in full.

# Agenda Item 6

**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

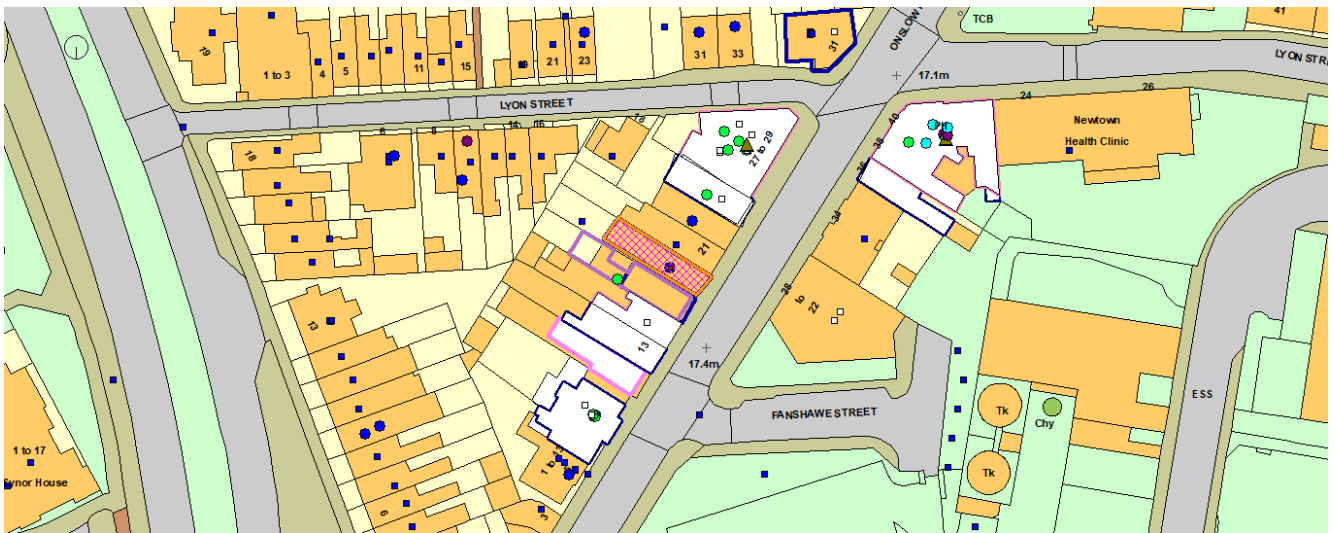
**DATE OF HEARING** 6th November 2024 at 16.00 hrs

**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	
<b>Other Representations</b>		
<b>Name</b>	<b>Address</b>	<b>Contributor Type</b>
Mr Shores Yosefnejad	Flat 5 23A Onslow Road Southampton SO14 0JD	<b>Resident</b>

## ***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.

<b>Applicant</b>	Afro Heights Ltd.
<b>Designated Premises Supervisor</b>	Kofi Aमेvor

### **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

<b>Application reference:</b>	XGN652H2
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#### Before you begin

<b>I confirm that I have read and understood</b>	True
--	------

#### About the premises



<b>Premises address or location</b>	19 Onslow Road, Southampton, SO14 0JD
<b>UPRN</b>	100062500660
<b>Local Authority:</b>	Southampton
<b>Telephone number of the premises</b>	██████████
<b>Which band/rateable value best describes your premises?</b>	Band B: £4301 - £33000
<b>Non-domestic rateable value of premises (£)</b>	7400
<b><u>Applicant type</u></b>	
<b>Applying as</b>	A limited company/limited liability partnership
<b>Additional option</b>	I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
<b><u>Details of applicant 1</u></b>	
<b>Name</b>	Afro Heights Ltd
<b>Address</b>	19 Onslow Road, Southampton, SO14 0JD
<b>Registered number (where applicable)</b>	15904460
<b>Description of applicant</b>	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.
<b>Email address</b>	██████████
<b>Phone number</b>	██████████
<b><u>Operating schedule</u></b>	
<b>When do you want the licence to start?</b>	10/10/2024
<b>Details of the premises</b>	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.
<b>Are 5,000 or more people expected to attend the premises at any one time</b>	No
<b>What licensable activities do you intend to carry out from the premises?</b>	Supply of alcohol
<b><u>Licensable activities</u></b>	

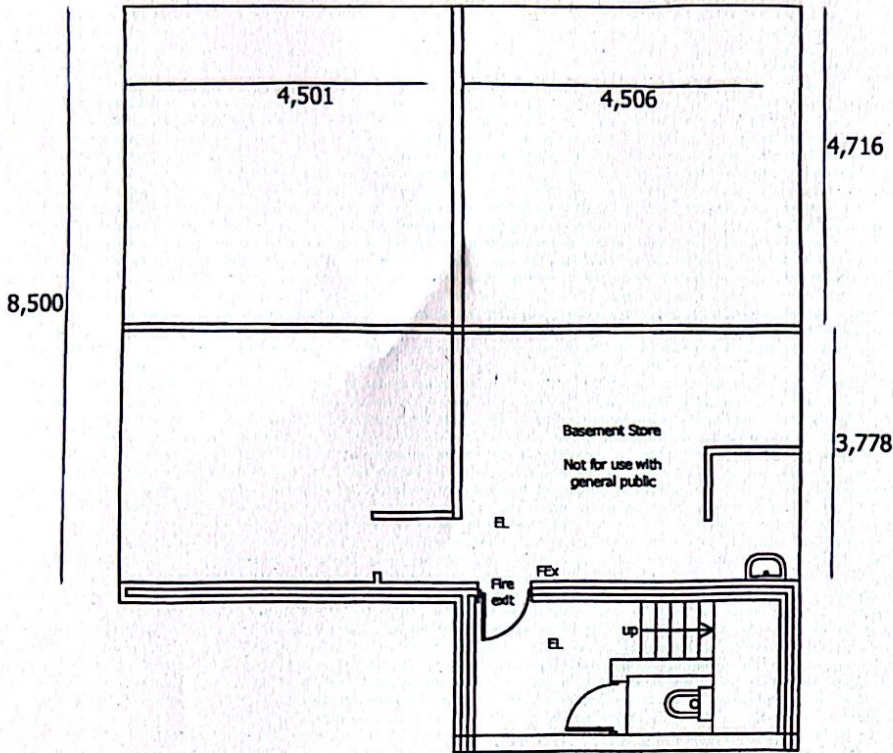


	<p>recognising suspicious behaviour.  Establish Clear Policies:  Develop and enforce policies for managing incidents of crime, such as protocols for dealing with disorderly conduct, reporting crimes, and cooperating with law enforcement.  Engage with Local Authorities:</p> <p>Collaborate with local police 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><b>2. Public safety</b></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><b>3. The prevention of public nuisance</b></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 page 16 staff adhere to the rules designed to prevent public nuisance, including restrictions on the use of outdoor areas and behaviour policies.</p>

<p><b>4. The protection of children from harm</b></p>	<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>
<p><b>General steps taken to achieve all four objectives</b></p>	<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>
<p><b><u>Supporting documents</u></b></p>	
<p><b>Total file uploads</b></p>	
<p><b><u>Checklist</u></b></p>	
<p><b>Please check which of the following you have completed</b></p>	<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>
<p><b><u>Contact details</u></b></p>	
<p><b>Contact name</b></p>	<p>KOFI AMEVOR</p>
<p><b>Address</b></p>	<p>[REDACTED]</p>
<p><b>Contact email</b></p>	<p>[REDACTED]</p>
<p><b>Contact phone number</b></p>	<p>[REDACTED]</p>
<p><b><u>Fee exemption</u></b></p>	
<p><b>Believes exempt to fees under legislation</b></p>	<p>No</p>

## Declaration

<b>I hereby agree to abide by the statements set out above</b>	True
<b>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</b>	Yes
<b>Are you signing on behalf of the applicant(s)</b>	Yes
<b>Name of person signing/notifier</b>	Mr Kofi Amevor
<b>Capacity you are signing on behalf</b>	Company Director



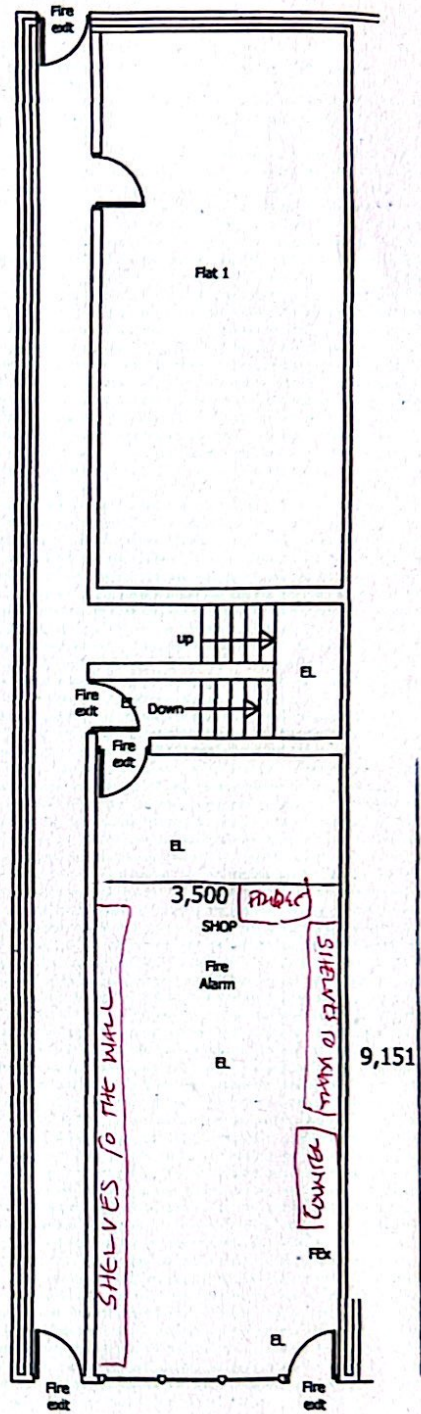
EL = Emergency light  
in ceiling

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

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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



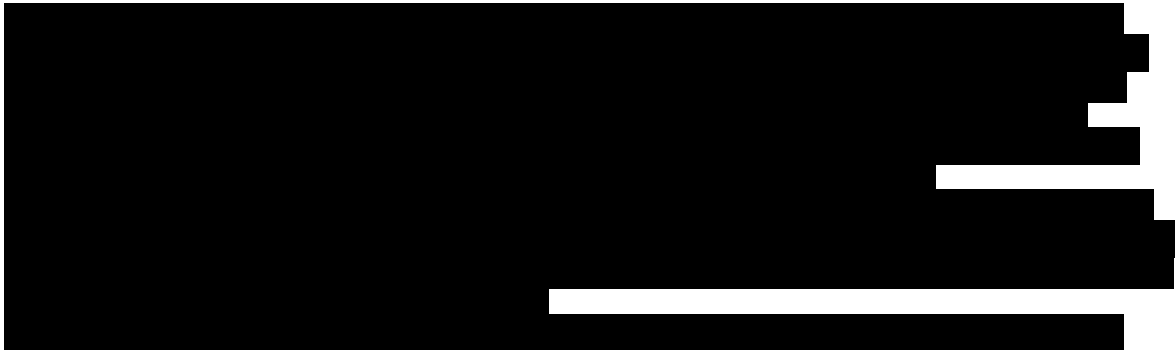
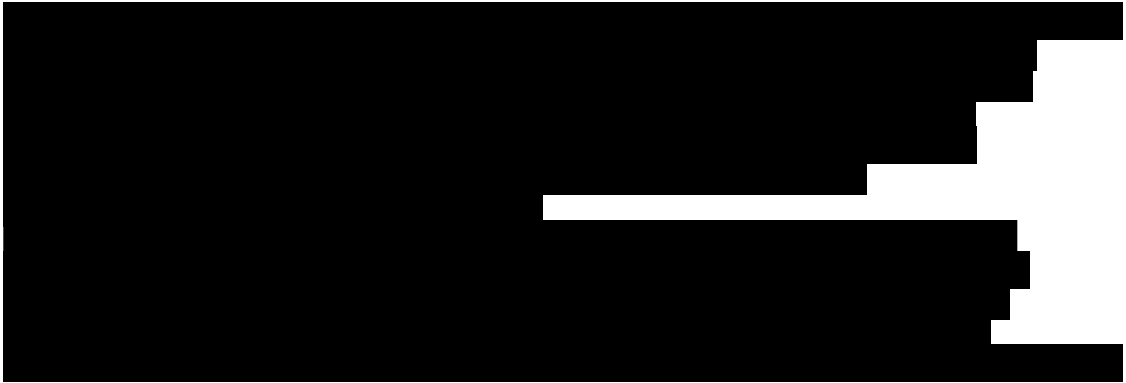
supply of alcohol will be made to or for that person.  
'Challenge 25' posters shall be displayed in prominent positions at the premises.

*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

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**From:** Barbera, Claudia [REDACTED]  
**Sent:** Thursday, September 19, 2024 4:56 PM  
**To:** Licensing <[Licensing@southampton.gov.uk](mailto: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.

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**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

me **within 7 days** and I will ask our licensing team to add these to your licence should the decision be to grant your licence.

If you would like to discuss the wording of the above condition please do not hesitate to contact me. It may be able to be amended providing it ensures adequate protection to local residents.

If you have any further queries please do not hesitate to contact me.

[Redacted]

Claudia Barbera  
Environmental Health Officer  
Directorate for Place  
Southampton City Council

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

**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

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**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**

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You have not previously corresponded with this sender.

Mr. shoresh

flat 5 23a

Onslow road

Southampton

SO14 0jd

[REDACTED]

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.