

LICENSING SUB – COMMITTEE

11 April 2013

Report of the Head of Legal Services

Contact Officer: John Myall. Tel No: 01962 848443

Application: New premises Licence

Premises: 3 De Lunn Buildings
Jewry Street
Winchester

Part A. Report Buff

- 1 Application**
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Part A.**1. Application**

Applicant: Mr Bulent Ekinici

Premises: 3 De Lunn Buildings, Jewry Street, Winchester

- 1.1 This application is for a premises licence under Section 17 of the Licensing Act 2003 for a an off licence at 3 De Lunn Buildings, Jewry Street, Winchester.
- 1.2 The Operating Schedule, copied at Appendix 1, proposes the Relevant Licensable Activities.
- 1.3 The purpose of the application is to sell alcohol for consumption off the premises.
- 1.4 The application was for 0800 to 0100 Mondays to Saturdays and 0900 to 2300 on Sundays, however, the applicant amended the application to 0800 to 2300 Mondays to Sundays.
- 1.5 Notice of the application was displayed outside of the premises for a period of 28 days until 27 March 2013, and advertised in the Hampshire Chronicle on 28 February 2013.
- 1.6 Copies of the application were sent to all of the responsible authorities.
- 1.7 The Chief Officer of Police made a representation on the grounds of crime and disorder and public nuisance. This representation was withdrawn when the applicant changed the hours.
- 1.8 The applicant agreed to the inclusion of the conditions supplied by the Police.
- 1.9 No representations were received from any of the other responsible authorities.
- 1.10 Representations were received from 2 other persons. These representations were concerned predominately with public nuisance. One of these representations was withdrawn following the amended application. Appendix 2.

Designated Premises Supervisor

Bulent Ekinici

Steps to promote the Licensing Objectives

Please see Section Q Appendix 1

Relevant Representations

2. Responsible Authorities

All of the Responsible Authorities have been served with a copy of the application. The representations received are as follows:

Head of Environment

No representations received.

Hampshire Constabulary

No representations received.

Hampshire Fire and Rescue Service

No representations received.

Child Protection Team

No representations received.

Head of Building Control

No representations received.

Head of Safety Standards

No representations received.

Public Health Manager

No representations received.

Licensing Authority

No representations received.

3. **Representations from Any Other Persons**

Mr W Sclater 58 Parchment Winchester
Street

4. Observations

The Sub-Committee is obliged to determine this application with a view to promoting the Licensing Objectives:

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

In making its decision, the Sub-Committee is also obliged to have regard to the National Guidance and the Council's Licensing Policy.

The Sub-Committee must have regard to all of the representations.

The Sub-Committee must take such of the following steps it considers necessary to promote the Licensing Objectives:

1. Grant the licence subject to conditions in accordance with the operating schedule (modified to such extent as the authority considers necessary for the promotion of the licensing objectives) and the mandatory conditions;
2. exclude from the scope of the licence any of the licensable activities to which the application relates;
3. refuse to specify a person in the licence as the premises supervisor;
4. reject the application.

Terminal hours

The Sub-Committee should take account of the National Guidance and the Council's Licensing Policy with regard to terminal hours and take such steps as it considers necessary to promote the Licensing Objectives.

(Licensing Policy Part 4, A8)

Licensing Objectives.

Crime and Disorder

The Sub-Committee should consider any necessary conditions to prevent crime and public disorder relating to the premises having regard to the observations of the persons making representations and the operating schedule.

(Licensing Policy 1.6, 2.11, 2.17)

Public Safety

The Sub-Committee should consider any necessary conditions relating to public safety having regard to the operating schedule.

(Licensing Policy Part 4, B3, B4)

Public Nuisance

The Sub-Committee should consider any necessary conditions to prevent public nuisance caused by noise and light pollution from the premises having regard to the observations of the persons making representations and the operating schedule.

(Licensing Policy Part 4, Section C)

Protection of Children

The Sub-Committee should consider any necessary conditions for the Protection of Children having regard to the operating schedule.

(Licensing Policy Part 4, D6, D7)

Human Rights

It is considered that Articles 6 (right to a fair trial) 8 (right to respect for private and family life) and Article 1 of the First Protocol (right to peaceable enjoyment of possessions) may be relevant. As there is a right of appeal to the Magistrates' Court, it is considered that there would be no infringement of Article 6. Article 8 is relevant, insofar as the nearby residents could claim that this right would be infringed by disturbance from customers. This should be balanced against the applicants' right to use of their premises under Article 1 of the First Protocol. Interference with these rights is permitted, where this interference is lawful, necessary in a democratic society, and proportionate. Likewise, the residents may argue that their rights under Article 1 of the First Protocol would be infringed. If conditions are imposed, there should be no interference with any convention rights. To the extent that any interference may occur, it would be justifiable in a democratic society, and proportionate.

5. Conditions

Mandatory Conditions

These conditions are imposed on a premises licence in any case.

1. No supply of alcohol may be made under the Premises Licence (a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence, or (b) at a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.
3. Where individuals are required on premises to carry out security activities, they must be licensed by the Security Industry Authority.
4. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
8. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
9. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Possible Conditions

If the application is granted, the Sub-Committee may wish to consider the following conditions to reflect the Operating Schedule:

Operating Hours

1. The hours the premises may be used for the sale of alcohol shall be:
 - (i) Monday to Sunday 0800 to 2300

For consumption off the premises.

All Licensing Objectives

[Dealt with in relevant sections below].

Crime and Disorder

Part A

Section 5 –Conditions

1. The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system will be able to cope with all levels of illumination throughout the premises as well as outside areas.
2. CCTV warning signs shall be fitted in public places.
3. The CCTV system shall be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.
4. The recording system shall be able to capture a minimum of 4 frames per second and all recorded footage shall be securely retained for a minimum of 28 days.
5. Records shall be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.
6. The DPS or premises manager shall be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.
7. There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered shall be in a viewable format on either disc or VHS. Footage supplied in a digital format on CD or DVD shall also have a copy of the CCTV system software enabled on the disc to allow playback.
8. In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS shall report the failure to the Police Licensing Unit within 24 hours

Public Safety

None

Public Nuisance

None

Protection of Children

1. A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the store manager/manageress.
2. The refusals log shall be kept and maintained at the premises and shall be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority.
3. The record of refusals shall be retained for 12 months.
4. There shall 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.
(See Mandatory Conditions 8 and 9)
5. Acceptable identification for the purposes of age verification shall include a driving licence, passport or photographic identification bearing the "PASS" logo and the person's date of birth.
6. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol shall be made to or for that person.
7. 'Challenge 25' posters shall be displayed in prominent positions at the premises.
8. Staff shall be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records shall be kept of such training which must be signed and dated by the member of staff who has received that training.
9. All staff shall receive refresher training every six months as a minimum and records shall be kept of this refresher training which shall be signed and dated by the member of staff who received that training.

6. Other Considerations

Corporate Strategy (Relevance To:)

This report covers issues which affect the principles of a Prosperous Economy.

Resource Implications

A licence fee of £190 has been received. It is anticipated that an appropriate level of officer attendance will be provided within the existing budget.

Appendices

1. Application by Bulent Ekinci.
2. Representations by Any Other Persons
3. Map of premises location.



Winchester
Application for a premises licence
Licensing Act 2003

For help contact
info@winchester.gov.uk
 Telephone: 01962 840222

* required information

Section 1 of 19

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

System reference

Not Currently In Use

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

Your reference

3 De Lunn Buildings

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

First name

Bulent

Family name

~~Ekinci~~ EKINCI

E-mail address

info@northpointuk.co.uk

Main telephone number

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

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

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

630
 1/1/3.

Address

Building number or name	3 De Lunn Buildings
Street	Jewry Street
District	
City or town	Wichester
County or administrative area	
Postcode	SO23 8SA
Country	United Kingdom

Agent Details

First name	Halit
Family name	Ertas
E-mail address	info@northpointuk.co.uk
Main telephone number	0044 7886 442304
Other telephone number	

Include country code.

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

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Your Address

Address official correspondence should be sent to.

Building number or name	8
Street	Risborough Close
District	Muswell Hill
City or town	London
County or administrative area	
Postcode	N10 3PL
Country	United Kingdom

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name	3 De Lunn Building,
Street	Jewry Street,
District	
City or town	Winchester
County or administrative area	
Postcode	SO23 8SA
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	6900

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 19

INDIVIDUAL APPLICANT DETAILS

Applicant Name

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

- Yes No

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

First name

Bulent

Family name

Ekinçi EKINCI

Is the applicant 18 years of age or older?

- Yes No

Applicant Postal Address

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

Yes

No

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

Building number or name	<input type="text" value="3 De Lunn Buildings"/>
Street	<input type="text" value="Jewry Street"/>
District	<input type="text"/>
City or town	<input type="text" value="Wichester"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="SO23 8SA"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

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

Yes

No

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

E-mail	<input type="text" value="info@northpointuk.co.uk"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
<input type="button" value="Add another applicant"/>	

Section 5 of 19

OPERATING SCHEDULE

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

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

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Premises will be a off-licence store retailing alcohol and wine products.

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

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

- Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

- Yes No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

- Yes No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

- Yes No

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

- Yes No

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

- Yes No

Section 13 of 19

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

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

- Yes No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

 Yes No**Section 15 of 19****SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

 Yes No**Standard Days And Timings**

MONDAY

Start 08:00

End 01:00

Start

End

TUESDAY

Start 08:00

End 01:00

Start

End

WEDNESDAY

Start 08:00

End 01:00

Start

End

THURSDAY

Start 08:00

End 01:00

Start

End

FRIDAY

Start 08:00

End 01:00

Start

End

SATURDAY

Start 08:00

End 01:00

Start

End

SUNDAY

Start 09:00

End 23:00

Start

End

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

Will the sale of alcohol be for consumption:

 On the premises Off the premises Both

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

State any seasonal variations

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

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

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

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

Name

First name

Bulent

Family name

Ekinci

Enter the contact's address

Building number or name

3 De Lunn Buildings

Street

Jewry Street

District

City or town

Wichester

County or administrative area

Postcode

SO23 8SA

Country

United Kingdom

Personal Licence number
(if known)

to be provided later

Issuing licensing authority
(if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 19

ADULT ENTERTAINMENT

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

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

N/A

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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

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

Section 18 of 19

LICENSING OBJECTIVES

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

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

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

Zero tolerance to anti-social behavior and ensuring no harm to children.
All four licensing objectives to be in place and to be implemented to protect public nuisance and children from harm

b) The prevention of crime and disorder

To liaise with local police
To install CCTV cameras
Display clear signs that anti-social behaviour will not be tolerated
Training of staff on regular basis
Not to sale alcohol to drunk or under age people.

c) Public safety

To meet all health&safety objectives
Liaise with local police
Training of staff on regular basis to insure public safety.
There shall be no self service of spirit on the premises.

d) The prevention of public nuisance

Keep delivery of good time at afternoon times(Delivery times to be not very early or late) -Keeping noise to minimum at all times.

e) The protection of children from harm

No alcohol or cigarette to be sold to persons under the age of 18 and clear signs to be displayed, asking for ID if persons appear to be under-age

Clear signs displayed to warn families to keep children with them at all times.

Keep sharp and flammable object away from children.

Section 19 of 19

PAYMENT DETAILS

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

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

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

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

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

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

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

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

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

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

Fee amount (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

DECLARATION

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

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

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

Full name

Capacity

Date (dd/mm/yyyy)







Add another signatory

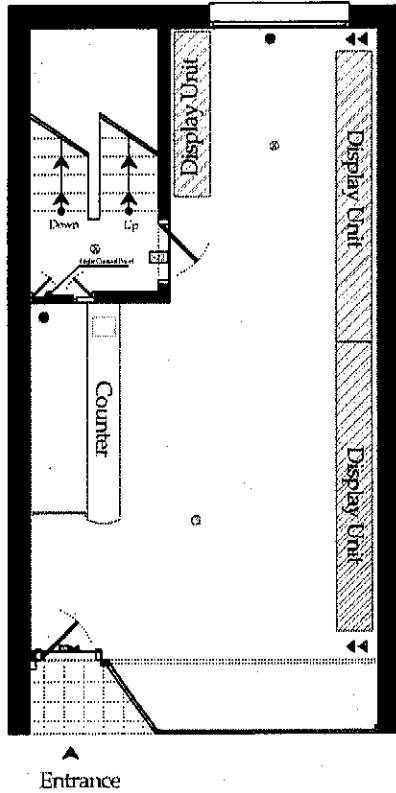
One you're finished you need to do the following:

1. Save this form to your computer by clicking to file/save as...
2. Go back to [https://www.gov.uk/apply-for-a-licence/premises-licence/winchester/Application for a premises licence-1](https://www.gov.uk/apply-for-a-licence/premises-licence/winchester/Application%20for%20a%20premises%20licence-1) to upload this file and continue with your application

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

REF 012021
paid £190.00
10/2/13

-  Fire Exit
-  Carbon Dioxide fire extinguisher
-  Water fire extinguisher
-  Smoke Detectors
-  CCTV
-  Emergency Light

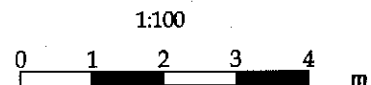


-Licensing area is highlighted in Red .

-All doors are minimum 30 minute fire resistance, fastened with self closers and smoke seals.

-Ceiling are minimum 1 hour fire proofed and sound proofed

Ground Floor Plan



	Proposal : Application of a Premises Licence	Date: 01/02/2013	Drawn: H.E	Scale: 1:100
Project: 3 De Lunn Buildings, Jewry St. S023 8SA	Drawing Title: Proposed Ground Floor Plan	Drawing no : NPFEB13-001		



www.northpointuk.co.uk

07886 44 23 04
info@northpointuk.co.uk

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*Print @ A4

John Myall

From: northpointuk@hotmail.co.uk on behalf of NorthPoint Planning and Licensing
[info@northpointuk.co.uk]
Sent: 28 March 2013 13:36
To: Licensing
Subject: Site: 3 De Lunn Buildings, Jewry Street, Winchester

Dear Mr Myall,

Site: 3 De Lunn Buildings, Jewry Street, Winchester

Following our telephone conversation today I can confirm that applicant has agreed to reduce the sale of alcohol hours for this application to Monday-Sunday 08:00-2300.

Kind Regards

Halit Ertas

 email:info@northpointuk.co.uk

NorthPointUK Planning & Licensing • 8 Risborough Close, Muswell Hill • N10 3PL London • Phone: 0044 7886 442 304 • www.northpointuk.co.uk

Click [here](#) to report this email as spam.

-----Original Message-----

From: wsclater

To: jmyall <jmyall@winchester.gov.uk>

Sent: Sun, 10 Mar 2013 21:30

Subject: 3 De Lunn Buildings

John

I have just heard about the above licensing application ie for an alcohol licence for an off licence to 1am for the 3 De Lunn Buildings Jewry Street premises.

I (and for instance other members of the Parchment and Upper Brooks Street Residents Association) really hope it will not be granted this licence, and not least because:

(i) As we know Jewry Street is part of a special saturation policy in the Winchester City Council January 2011 Licensing Policy document.

As paragraph 2.23 in that Licensing Policy states licensing applications for new licensed premises will be refused unless it can be shown that this premises' use is not going to add to the cumulative impact of the licensed premises already being experienced on Jewry Street

•
 II (ii) Allowing this licence and its sale of alcohol until 1am is going to add to the cumulative impact.

This includes of course the fact that this premises would be next to takeaways and so bring late night alcohol into contact with takeaways and inevitably leading to more fights, noise nuisance and trouble around the centre.

Just behind Brasserie Blanc (and so just off Jewry Street) is also a night shelter whose residents/guests include those with alcohol addiction. An off licence just round the corner on Jewry Street in this 3 De Lunn Buildings location open until 1am is also going to be a bad combination (and further generator of nuisance/disorder issues).

Paragraph 2.22 acknowledges that already there have been problems on Jewry Street with noise nuisance and crime and disorder much of which is attributable to customers leaving and moving between the various late night premises on the Street. Paragraph 2.23 then goes onto say that this is why this saturation policy has been brought ie to make sure that this is not made worse by allowing a new licensed premises. Clearly allowing this premises and its sale of alcohol to 1am next to takeaways is going to make the problem very much worse and this is a clear example of the type of new licence this paragraph 2.23 special saturation policy is there to stop

•
 • This premises is just up from the residential development just opposite the library, and just over the road from the residential development next to Brasserie Blanc, and is going to cause nuisance for those residents. The late night sale of alcohol to take away is also going to cause nuisance to residents generally in the area. Paragraph 2.19 in the Licensing Policy acknowledges this.

•
 (iii) Paragraph 1.4 in the Licensing Policy states that the premises has to have planning permission for its use before an application for a license can be made. It is not believed that this premises has planning permission for this sale of alcohol use. This premises (ie 3 De Lunn Buildings) was previously a professional photographers premises. This is class A2. Planning permission is required to change it to another use including for alcohol. It is not believed that such a use has been obtained. So on that basis Paragraph 1.4 in the Licensing Policy confirms that this licence can be refused on that ground alone.

Regards

William Sclater

58 Parchment Street Winchester SO23 8BA

John Myall

From: [REDACTED]
Sent: 27 March 2013 15:58
To: John Myall
Subject: Re: 3 De Lunn Buildings

John

Have just walked past this building and seen a blue notice in the window with a reference to a comments by 27 March 2013 date and an 11pm time.

You have kindly confirmed that the applicant has not amended their application or put in a new application. Thus, and as I understand that an application has to be lodged simultaneously (or before) a blue notice going up, this blue notice cannot be valid. To the extent that it was ever found to be valid in anyway, and to the extent also of any application being for an 11pm closing (and as we know the only application has been for a 1am closing), the objection points in my 10 March 2013 email (copy below) apply as much to an application for a 11pm closing as to an application for a 1am closing.

Regards

William

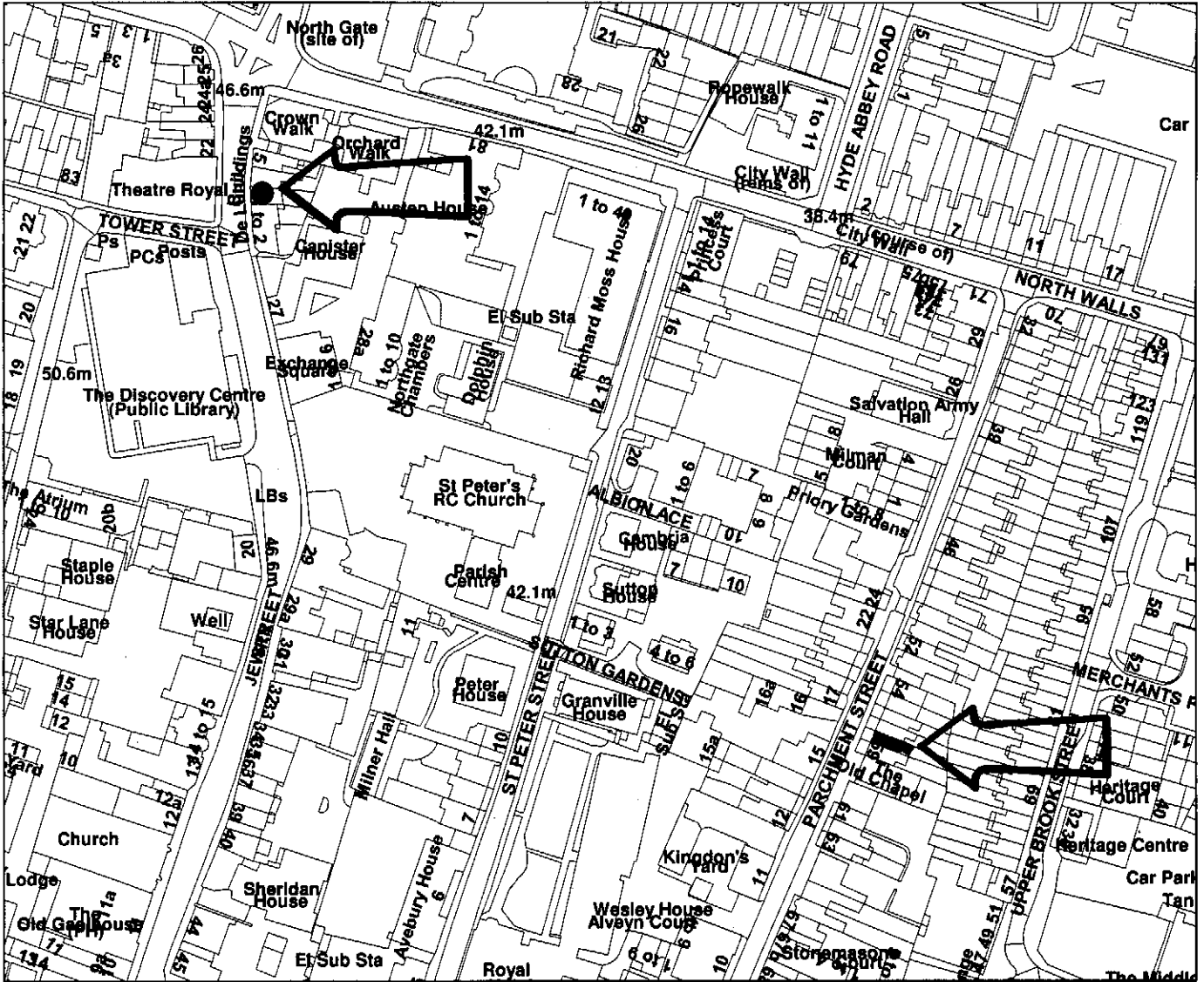
03/04/2013

Appendix 3

3 De Lunn Buildings

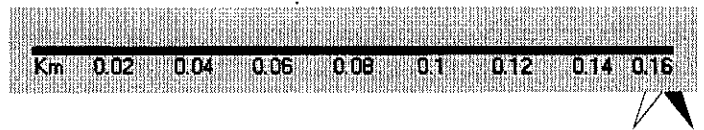


Winchester
City Council



Legend

Scale:



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Department	Licensing
Comments	
Date	03 April 2013
SLA Number	100019531