

**LICENSING SUB – COMMITTEE**

28 August 2013

Report of the Head of Licensing

Contact Officer: John Myall. Tel No: 01962 848443

Application: Premises Licence

Premises: Unit A & B 28 Jewry Street, Winchester

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**Part A.****1. Application****Applicant:** Kechni Limited**Premises:** Unit A & B 28 Jewry Street, Winchester

- 1.1 This application is for a premises licence to be granted under Section 17 of the Licensing act 2003 for the premises known as Unit A & B, 28 Jewry Street, Winchester.
- 1.2 The purpose of the application is to establish a café.
- 1.3 The application is to allow the sale of alcohol for consumption on and off the premises and regulated entertainment by way of recorded music.
- 1.4 The Operating Schedule, copied at Appendix 1, proposes the Relevant Licensable Activities.
- 1.5 Notice of the application was displayed outside of the premises for a period of 28 days until 5 August 2013, and advertised in the Hampshire Chronicle on 11 July 2013.
- 1.6 No representations were received from any of the Responsible Authorities, however some conditions relating to the Crime and Disorder, and the Protection of Children licensing objectives, were agreed between the applicant and the Police.
- 1.7 On representation was received from a nearby resident relating to the crime and Disorder and Public Nuisance licensing objectives.

1.8

**Designated Premises Supervisor**

**Josephine Latouf**

**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 Other Persons**

Miss C Hall, Flat 3, 3 Exchange Square, Jewry Street, Winchester.

#### **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.

#### **Special Saturation Policy - Cumulative Impact Area**

The Sub Committee should take account of Section 2.23 of the Council's Licensing Policy. This states that whereby new applications (or variations involving significant changes to premises e.g. increased capacity) for premises licences or club premises certificates would normally be refused, if relevant representations are made to that effect, unless it can be demonstrated that the operation of the premises involved will not add to the cumulative impact already being experienced.

#### **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 operating schedule and the representation.

(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 relating to the premises having regard to the operating.

(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 relating to the premises having regard to the operating schedule and the representation.

(Licensing Policy Part 4, Section C)

### Protection of Children

The Sub-Committee should consider any necessary conditions for the Protection of Children relating to the premises 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

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

### Operating Hours

1. Recorded Music – Indoors Only
  - (i) **Monday to Saturday**      **0700 to 2200 each day**
  - (ii) **Sunday**                      **0900 to 1600**
  
2. Sale of Alcohol for consumption on and off the premises
  - (i) **Monday to Saturday**      **1000 to 2200 each day**
  - (ii) **Sunday**                      **1000 to 1600**
  
4. The hours the premises may open for other than Licensable Activities shall be:
  - (i) **Monday to Saturday**      **0700 to 2200 each day**
  - (ii) **Sunday**                      **0900 to 1600**

### Mandatory Conditions

These conditions are attached to the 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.



5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
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.
10. The responsible person shall ensure that—
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) customers are made aware of the availability of these measures.

### **All Licensing Objectives**

1. Alcohol shall only be consumed on the premises with the consumption of food, indoors only.
2. A suitable and sufficient CCTV camera system linked to a suitable recording facility shall, so far as is reasonably practicable, be operational at the premises during any period in which licensable activities are permitted.
  - (a) So far as is reasonably practicable, the CCTV system must be maintained in good working order at all times.
  - (b) CCTV recordings and footage must be retained for a minimum period of 28 days and be made available for review by the Police upon request (subject to the requirements of the Data Protection legislation in force at the time).
  - (c) The CCTV system shall incorporate a camera covering the entrance door and any area(s) where alcohol is displayed.

3. Anyone authorised to sell alcohol at the premises shall be suitably trained and supervised in respect of the following matters to a level commensurate with their duties and responsibilities:-
  - (a) the refusal of the sale of alcohol to those who appear intoxicated;
  - (b) the steps to be taken where an individual appearing to be under the age of 21 attempts to purchase alcohol.
4. Anyone authorised to sell or supply alcohol at the premises shall request and ensure sight of suitable identification, for proof of age, of any person appearing to them to be under the age of 21 (twenty-one) and who is attempting to purchase alcohol for consumption off the premises

## **6. Other Considerations**

### **Corporate Strategy (Relevance To:)**

This report covers issues which affect the principles of “safer and more inclusive communities” and “safeguarding our high quality environment for the future.”

### **Resource Implications**

A licence fee of £190 has been received and an annual fee of £180 will be payable on the anniversary of the grant of the licence. It is anticipated that an appropriate level of officer attendance will be provided within the existing budget.

### **Appendices**

1. Application by Kechni Limited
2. Representations by other persons
3. Map of premises location.



# Winchester

City Council

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

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We KECHNI LIMITED

(Insert name(s) of applicant)

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

#### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Unit A and B 28 Jewry Street			
Post town	Winchester	Postcode	SO23 8RY

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£22750

#### Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |   |                                     |                             |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals *               | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual *          |                                     |                             |
| i. as a limited company                         | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership                            | <input type="checkbox"/>            | please complete section (B) |
| iii. as an unincorporated association or        | <input type="checkbox"/>            | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/>            | please complete section (B) |
| c) a recognised club                            | <input type="checkbox"/>            | please complete section (B) |

RJM 323 £190.  
5/8

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

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

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

<b>Name</b> KECHNI LIMITED
<b>Address</b> Registered Office: The Old Church Quicks Road Wimbledon London SW19 1EX
<b>Registered number (where applicable)</b> 07584966
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b> Company
<b>Telephone number (if any)</b> 07837 512291
<b>E-mail address (optional)</b> [REDACTED]

Part 3 - Operating Schedule

DD MM YYYY  
21 21 01 81 21 01 11 31

When do you want the premises licence to start?

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

DD MM YYYY  
1 1 1 1 1 1 1 1

Please give a general description of the premises (please read guidance note 1)  
New purpose built café on the ground floor at 28 Jewry Street Winchester shown on the attached plan

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

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

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

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

**F**

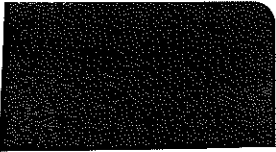
<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3) Un-amplified music (background)		
Mon	0700	2200			
Tue	0700	2200			
Wed	0700	2200	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4) None		
Thurs	0700	2200			
Fri	0700	2200			
Sat	0700	2200	<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5) None		
Sun	0900	1600			



J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) None		
Mon	1000	2200			
Tue	1000	2200			
Wed	1000	2200			
Thurs	1000	2200			
Fri	1000	2200			
Sat	1000	2200			
Sun	1000	1600			
			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5) None		

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

Name Mrs Josephine Latouf	
Address 	
Postcode	SO32 1DX
Personal licence number (if known) PERS 649	
Issuing licensing authority (if known) Winchester City Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

None

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4) None
Day	Start	Finish	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5) None
Mon	0700	2200	
Tue	0700	2200	
Wed	0700	2200	
Thurs	0700	2200	
Fri	0700	2200	
Sat	0700	2200	
Sun	0900	2200	
		1600	

## M

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

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

Creating the "Café Culture" where families will be welcome

**b) The prevention of crime and disorder**

By only serving alcohol for consumption off the premises and where served for consumption on the premises as ancillary to consumption of food

**c) Public safety**

1. Keeping forecourt/pavement clear at all times
2. Following all Health and Safety guidelines applicable to the premises
3. Where alcohol consumed on the premises ensuring it is served as ancillary to food and consumed inside the premises and not outside

**d) The prevention of public nuisance**

By restricting the sale of alcohol as ancillary to the consumption of food and monitoring the consumption of alcohol by customers so as to avoid drunkenness

**e) The protection of children from harm**

By ensuring that no young persons under the age of 18 are served with alcohol and so far as possible monitoring the behaviour of adult customers if young persons are on the premises

**Checklist:**


**Please tick to indicate agreement**

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

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

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

Signature	
Date	5 <sup>th</sup> July 2013
Capacity	Applicant's Solicitor

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent** (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

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

Mr R. Rixon  
Bramsdon & Childs  
141 Elm Grove  
Southsea

Post town	<b>Portsmouth</b>	Postcode	<b>PO5 1HR</b>
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Telephone number (if any)	02392 821251
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)  
rr@bramsdonandchilds.com

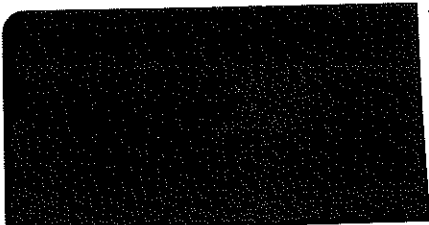


Licensing Department  
City Offices  
Colebrook Street  
Winchester  
SO23 9LJ

**Consent of individual to being specified as premises supervisor**  
**JOSEPHINE LATOUF**

I  
-----  
*[full name of prospective premises supervisor]*

of



-----  
*[home address of prospective premises supervisor]*

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

A new premises licence

-----  
*[type of application]*

by

KECHNI LIMITED

-----  
*[name of applicant]*

relating to a premises licence *[number of existing licence, if any]*

for

"BLACK WHITE RED" Unit A & B 28 Jewry Street Winchester SO23 8RY

-----  
*[name and address of premises to which the application relates]*

and any premises licence to be granted or varied in respect of this application made by

Kechni limited

-----  
*[name of applicant]*

concerning the supply of alcohol at

① "BLACK <sup>WHITE</sup>~~WHITE~~ RED" Unit A & B 28 Jewry Street Winchester SO23 8RY

-----  
*[name and address of premises to which application relates]*

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

PERS 649

-----  
*[insert personal licence number, if any]*

Personal licence issuing authority

Winchester City Council

-----  
*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed

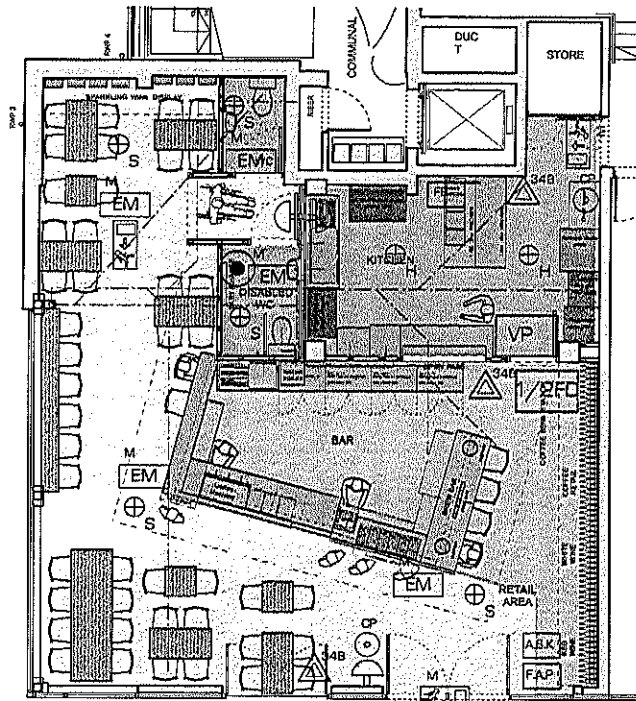


Name (please print)


















Josephine Latouf

Date

5<sup>th</sup> July 2013



### EMERGENCY EQUIPMENT KEY

-  Fire alarm call point
-  34B rated carbon dioxide extinguisher
-  Fire Blanket
-  Fire alarm bell
-  Fire alarm heat detector
-  Fire alarm smoke detector
-  Fire Alarm Panel
-  Alarm setting keypad
-  Ceiling Emergency Light Maintained / Non Maintained
-  Wall mounted Emergency Light Maintained / Non Maintained
-  MAINTAINED / NON MAINTAINED  
FIRE EXIT SIGN  
CEILING HUNG  
(With appropriate arrow)
-  MAINTAINED / NON MAINTAINED  
FIRE EXIT SIGN  
BULK-HEAD  
(With appropriate arrow)
-  DIRECTIONAL SIGN ONLY NON ILLUMINATED  
(With appropriate arrow)
-  1/2FD
-  1FD
-  VP
-  Disabled pull cord alarm

 Kitchen

 Toilets

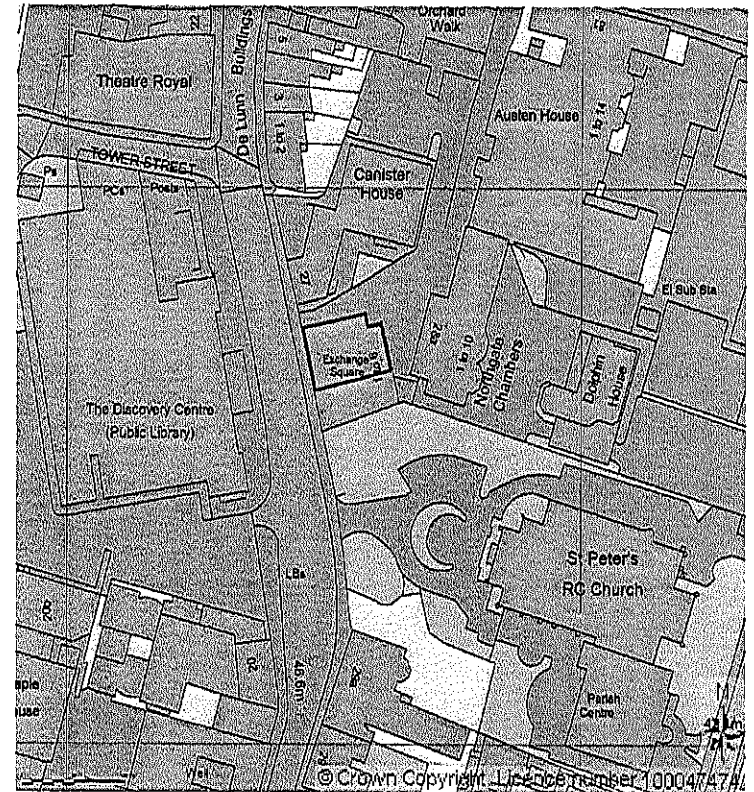
 Bar

 Customer

### LICENSING PLAN

scale 1:100

### LOCATION PLAN @1:1250



### SITE ADDRESS

Unit A&B  
28 Jewry Street  
Winchester  
Hampshire  
SO23 8RY

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Client: Kechri  
Project: Black, white, red, 28 Jewry St, Winchester  
Description: Licensing Plan  
Date: 0.2013  
Drawn by: CW  
Scale: 1:100 & 1:1250  
Checked by: 07-01  
Job no: 1128  
Revision: F

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27<sup>th</sup> July 2013

Licensing Section  
Winchester City Council  
City Offices,  
Colebrook Street  
Winchester SO23 9LJ



Dear Sir/ Madam

**Objections and observations related to the licensing application and recorded music application submitted by Kechni Ltd for 28 Jewry Street Winchester SO23 8RY.**

My objections relate to three of the four licensing objectives:

- **The prevention of crime and disorder**
- **Public safety**
- **The prevention of public nuisance**

**Context:**

The building over the top of this proposed '*coffee shop/ wine bar/ wine shop/ café*', 3 Exchange Square, provides six residential flats.

I reside in Flat number 3 of 3 Exchange Square, the flat is directly above the proposed licensed '*coffee shop/ wine bar/ wine shop/ café*'.

The residents of the flats are already subject to significant noise nuisance and drunken behaviour outside the front of the building, and the Exchange Square alleyway. The noise nuisance and drunken behaviour is particularly dreadful on Thursday, Friday and Saturday nights.

Complaints have been made to Winchester City Council Elected Members and the police about the levels of noise associated with drunken behaviour outside our building- vomiting outside the



building and library opposite, people urinating in both places and the adjacent church, the volume of discarded food packaging, and the uninhibited shouting, screaming and fighting characteristic of drunkards.

The Kebab Shop, and the taxi rank outside 28 Jewry Street, are the foci for those people who are either embarking on their evening drinking activity or have exited from the night clubs and the many other licensed facilities in Jewry Street and the High Street.

### **Objections to Licensing Application, and Application to play Recorded Music:**

- **The licensing of 28 Jewry Street to sell alcohol for consumption off the premises and to serve alcohol on the premises will provide another facility for more people to get 'tanked up' earlier in the evening.**
- The building structure of 3 Exchange Square seems to carry noises extensively. I have noted that no sound insulation has been installed in the ceiling of the premises, 28 Jewry Street.
- As people drink more, research demonstrates, as does common sense, they become less inhibited, more animated and much noisier.
- The distress caused by drunkenness, and the noise levels generated by drunkenness are extremely distressing for those who are not drunk, and who are trying to relax or sleep, or concentrate at home. For the older people living in the building, and for those working shifts (e.g. doctors above my flat) when it is very noisy at night, they need to be able to nap/ sleep during the day. For those of us working during the day, drunken noise throughout the evening until as late as 0500 a.m. completely incapacitates you for the next day at work, (I am a Hampshire CC teacher, as is my flat mate).
- The part of the structure of the premises that will be used for cooking and preparing and serving drinks is directly below my sitting room and does not even have the benefit of a suspended ceiling.
- A noise source on the ground floor premises arising from the playing of recorded music from 0700 am to 2200 pm daily will undoubtedly be excessively distressing unless

adequate sound proofing is incorporated and confirmed as effective before operation of the premises. (It would need to be monitored subsequently to ensure adherence to any limits).

- **It is absolutely not acceptable for a license for music to be permitted commencing at 7.00 every day. The playing of music (given the sound proofing proviso above) should be limited to the 'proposed' licensed times of the premises 1000- 2200.**

#### **Licensing Policy/ Arguments:**

Winchester City Council Licensing Policy - January 2011 (paragraphs 2.20, 2.22, 2.23) indicates that Jewry Street is already a known problem area for significant drink related anti social behaviour. It states that further licenses will "normally" be refused to premises in Jewry Street.

*"The Council therefore considers that in the view of the nature and size of the street and the number of licensed premises in the street (together with the adjacent part of High Street from Jewry Street to the Westgate) a special saturation policy should be adopted for Jewry Street and High Street (from Jewry Street to the Westgate), Winchester, whereby new applications (or variations involving significant changes to premises e.g. increased capacity) for premises licenses or club premises certificates would normally be refused, if relevant representations are made to that effect, unless it can be demonstrated that the operation of the premises involved will not add to the cumulative impact already being experienced".*

(Para 2.23, Winchester City Council Licensing Policy 2011)

**I strongly argue that the granting of a license to sell alcohol at these premises open to 2200 hrs every night cannot but add to the cumulative impact already being experienced in Jewry Street of the over consumption of alcohol and its very detrimental effects on people's behaviour. It can only add more distress (caused by the sale and consumption of alcohol) to the residents of the flats above the premises in question.**

If the argument favoured by the proposer is *the premises will attract a different clientele, posing no cumulative impact*, this needs to be evidenced.

If the proposer for 28 Jewry Street is suggesting there is no facility for the purchase of bottles of wine in Jewry Street, this appears to have been remedied by the imminent opening of a new Off License at the top of Jewry Street, next door to the Kebab Shop.

**Summary:**

- **I strongly object to the provision of a license to sell alcohol for consumption on the premises for the reasons noted above. My objection is in line with Winchester City Council Licensing policy statements concerning saturation of Jewry Street, and the cumulative impact of licensed premises in Jewry Street.**
- **The need to sell alcohol for consumption off the premises will be adequately managed by the opening of the new Off License in Jewry Street**
- **Permission to be given to play recorded music softly and discretely between the 'proposed' licensed hours of the premises only (1000 to 2200) but absolutely dependent on adequate sound proofing measures being employed and tested before site final commissioning of the premises.**

Thank you for your attention. I await the outcomes of your deliberations.

Yours faithfully

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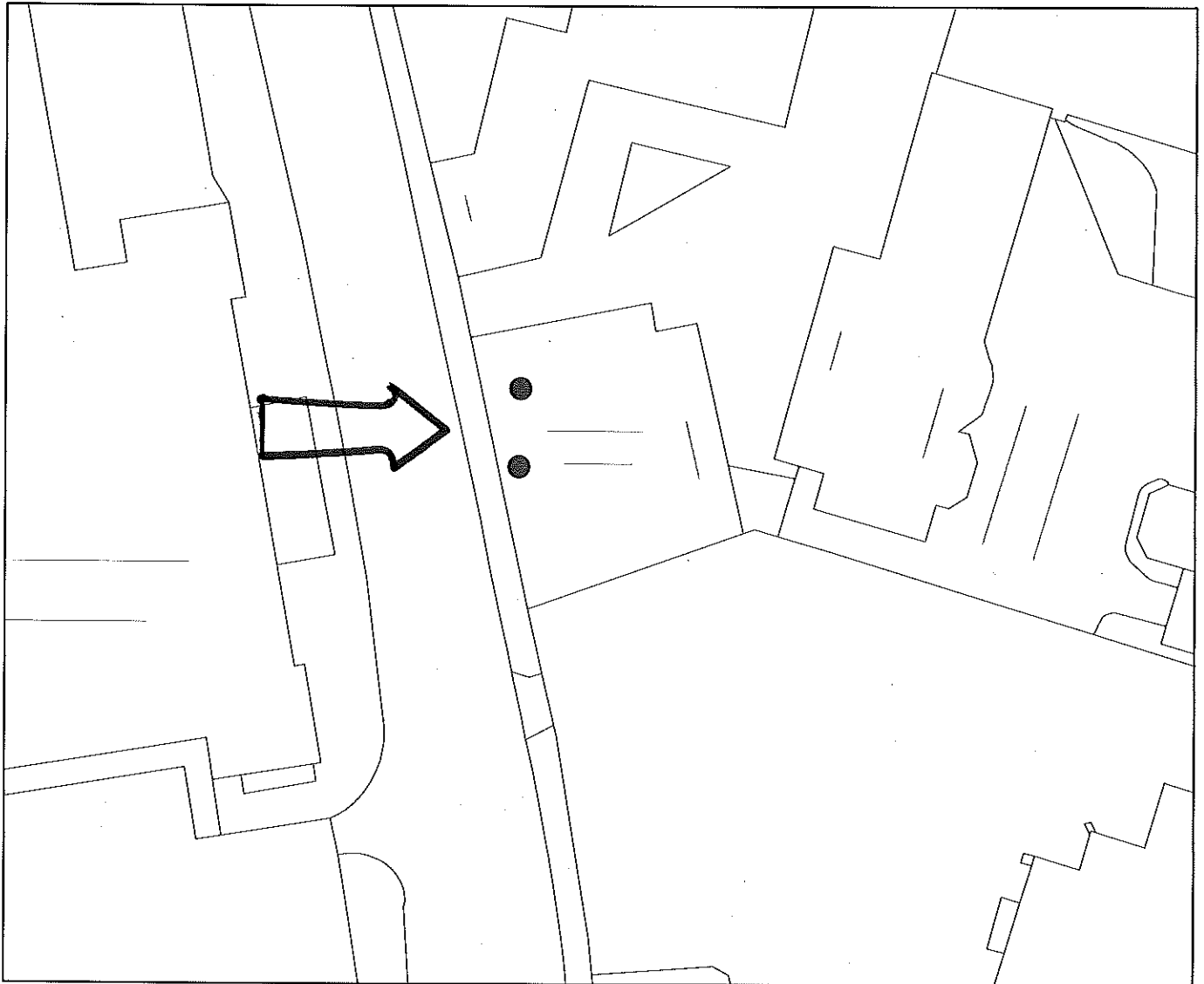
Chloe F Hall (Miss)

# Appendix 3

28 Jewry Street

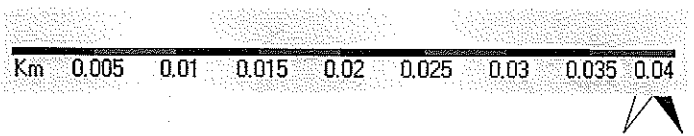


**Winchester**  
City Council



**Legend**

Scale:



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<b>Department</b>	Head of Licensing
<b>Comments</b>	Application for Premises Licence
<b>Date</b>	16 August 2013
<b>SLA Number</b>	100019531