

**AGENDA**  
**LICENSING PANEL**

**Date:** Friday, 2 December 2016

**Time:** 1.00 pm

**Venue:** Collingwood Room - Civic Offices

**Members:**

Councillor T M Cartwright, MBE (Chairman)

Councillors M J Ford, JP  
Mrs C Heneghan



**1. Licensing Act 2003 - Application for Premises Licence - Oasis Convenience Store, 152A West Street, Fareham PO16 0EH (Pages 3 - 44)**

To consider a report by the Licensing Officer regarding an application for premises licence for the Oasis Convenience Store, 152A West Street, Fareham PO16 0EL.

P GRIMWOOD  
Chief Executive Officer

[www.fareham.gov.uk](http://www.fareham.gov.uk)  
24 November 2016

**For further information please contact:  
Democratic Services, Civic Offices, Fareham, PO16 7AZ  
Tel:01329 236100  
[democraticservices@fareham.gov.uk](mailto:democraticservices@fareham.gov.uk)**

# FAREHAM

## BOROUGH COUNCIL

### Report to Licensing Panel

**Date:** 02 December 2016

**Report of:** Licensing Officer

**Subject:** LICENSING ACT 2003 – APPLICATION FOR NEW PREMISES  
LICENCE: OASIS CONVENIENCE STORE, 152A WEST STREET,  
FAREHAM PO16 0EH

#### SUMMARY

This report advises Members of the Panel of the relevant representation received from a member of the Public regarding a Premises Application in respect of Oasis Convenience Store, 152A West Street, Fareham, PO16 0EH.

#### RECOMMENDATION

That the Panel decides whether the representations are relevant to the new application, and if it is decided that the representations are relevant, the Panel determines the application having regard to the provisions of the Licencing Act 2003 and associated regulations, the Council's Licensing Policy and the representation received.

## **BACKGROUND**

1. The Licensing Act 2003 specifically restricts the grounds on which the Council, as Licensing Authority (LA), may refuse an application for a New Premises Licence, or impose conditions. Where relevant representations are made, the LA may refuse on the grounds that the licensing objectives are not met or the operating schedule is inadequate. Equally, conditions may be imposed where appropriate. The LA may also refuse an application in part and thereby only permit some of the licensable activities sought.
2. The decision making committee, in considering an application, must have regard to the adopted Statement of Licensing Policy and any relevant representations made.
3. An applicant applying for a new premises licence, whose application has been refused, or who is aggrieved by conditions imposed, may appeal against the decision to the Magistrates' Court.
4. In considering this application the Panel will sit in a quasi-judicial capacity and is thus obliged to consider applications in accordance with both the Licensing Act 2003 (Hearings) Regulations 2005, and amending secondary legislation and the rules of natural justice. The practical effect of this is that the Panel must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision. The Panel must also have regard to:-

### **Crime and Disorder Act 1998**

Section 17 of the Crime and Disorder Act 1998 places a Council 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.

### **Human Rights Act 1998**

The Act requires UK legislation in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a way that is incompatible with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon other persons' Human Rights must be no more onerous than is necessary in a democratic society. The matter set out in this report must be considered in light of the above obligations.

## **PROCEDURE FOR THE HEARING OF THE APPLICATION**

5. The standard procedure for the hearing of this licensing application can be seen as Appendix A.

## THE APPLICATION

6. This application is in respect of:-

Oasis Convenience Store, 152A West Street, Fareham, PO16 0EH

The application is for a new Premises Licence.

The applicant is: Mr Mehulkumar Shukal, Flat, Netherend Stores, Netherend, Woolaston, Lydney, GL15 6NN. The application was submitted on 13<sup>th</sup> October 2016.

The licence is for the sale of alcohol Monday to Sunday between 08:00 and 23:00. These are also the opening hours.

A copy of the application can be seen as Appendix B. The Premises Plan can be seen as Appendix C.

7. These premises previously held a licence under the same business name, from 03-02-2006 until 06-09-2016 when it was revoked.
8. This is a new premises licence application submitted by a new applicant.

## RELEVANT REPRESENTATIONS

9. Responsible Authorities

In respect of this new premises application we received representations from responsible authorities as follows:

Child Protection Services	No representation
Hampshire Fire and Rescue	No representation
FBC Health and Safety	No representation
FBC Pollution	No representation
FBC Planning	No representation
Police	No representation
Trading Standards	<b>Representation received</b>
Hampshire Public Health	No representation

The Trading Standards representation can be seen as Appendix D to this report.

The applicant's response to the Trading Standards representation can be seen as Appendix D1.

10. The Police also requested the applicant apply conditions to the licence. These were very similar to the Trading Standards conditions so were combined and sent to both authorities for agreement. The Police confirmed they were happy with the conditions. No response was received by Trading Standards. These conditions can be seen as Appendix E.

## OTHER PERSONS REPRESENTATIONS

11. A representation was received from an 'other person'. This representation can be seen as Appendix F.
12. A map showing the premises and the location of "Other Persons" properties can be seen as Appendix G.

## CONCLUSION

13. Any decision made by the Panel must be in accordance with the four licensing objectives, the Council's licensing policy and the Section 182 guidance issued by the Secretary of State.
14. The Panel Members are asked to determine whether the representations made are relevant and if so the Panel Members are asked to review the information in this report and any additional evidence presented to them at the Hearing when determining the application.

### Background papers:

None.

**Enquiries:** For further information please contact Helen Spires, ext 4411.

Licensing, Fareham Borough Council, Civic Offices, Civic Way, Fareham, PO16 7AZ  
[www.fareham.gov.uk](http://www.fareham.gov.uk)

Hearings procedure as detailed at	APPENDIX A
New Premises Application	<a href="#">APPENDIX B</a>
Premises Plan	<a href="#">APPENDIX C</a>
Representation from Trading Standards	<a href="#">APPENDIX D</a>
Email agreement of Conditions	<a href="#">APPENDIX D1</a>
Conditions agreed by Trading Standards, Police, Applicant	<a href="#">APPENDIX E</a>
Representation from 'Other Person'	<a href="#">APPENDIX F</a>
Map showing premises and "Other Persons" proximity	<a href="#">APPENDIX G</a>

# FAREHAM

## BOROUGH COUNCIL

### PROCEDURE FOR HEARINGS BY THE LICENSING PANEL

#### GENERAL

- 1 This procedure will be followed for hearings held by the Licensing Panel to determine :-
  - Applications for grant, variation or review of a premises licence under the provisions of the Licensing Act 2003 where representations have been made by any of the responsible authorities or other persons (as defined by the Licensing Act 2003);
  - Applications for grant or renewal of a personal licence under the provisions of the Licensing Act 2003 where representations have been made by any of the responsible authorities or other persons (as defined by the Licensing Act 2003);
  - Applications for grant or renewal of a public entertainments licence which is not otherwise determined by officers;
  - Such other licensing matter as may be referred by the Licensing Officer or the Licensing and Regulatory Affairs Committee from time to time.
- 2 Hearings shall be held in public unless the Panel considers that the greater public interest is served by excluding the public from the meeting in accordance with Schedule 12A of the Local Government Act 1972. Circumstances when it may be appropriate to do so include where there is a likelihood of disclosing exempt information relating to the applicant.
- 3 Parties to the hearing will be the applicant and any responsible authority or other person party making representations. The parties to the hearing may be accompanied by a representative, who may present the case on their behalf.
- 4 The Licensing Officer will not be a party to the hearing but will facilitate proceedings by conducting such pre-decision discussions as may be required and by presenting at the hearing a summary report of the application and any representations, together with the Officer's comments as to how these relate to the relevant legislation and the appropriate licensing policy.
- 5 Where any party intends to produce documents in support of his/her case they shall have been asked to do so in advance of the date of hearing. In the event that a document is submitted for consideration for the first time at the hearing, the Chairman may adjourn the hearing to a later time or date. It is expected that such adjournments will only be used in exceptional circumstances. The Chairman may in any event adjourn the hearing at any time before the Panel reaches its decision for any other reason he/she considers appropriate.
- 6 Each party when asked will present details of any witnesses to be called.

**AT A HEARING in accordance with THE LICENSING ACT 2003**

- 1 **The Chairman of the Licensing Panel** will outline the procedure to be observed and may invite any Other Persons to appoint a spokesperson<sup>2</sup>.
- 2 **The Chairman** will ask the applicant whether any modification is to be made to the application or operating schedule submitted.
- 3 **The Licensing Officer** will present a summary of the application and of any representations received and will comment upon their relevance to the Licensing Act 2003 and the Council's licensing policy.
- 4 **The Applicant** may comment on the application and on representations made addressing the four licensing objectives<sup>3</sup>.
- 5 **The Panel** may seek clarification of points.
- 6 **The responsible authorities** in turn shall make their representations relating to one or more of the licensing objectives<sup>3</sup> and may be questioned by members of the Licensing Panel and/or applicant.
- 7 **Other Persons**<sup>1</sup> in turn shall make their representations relating to one or more of the licensing objectives<sup>3</sup> and may be questioned by members of the Licensing Panel and/or applicant.
- 8 **The responsible authorities** in turn may make a closing statement.
- 9 **The Other Persons** in turn may make a closing statement.
- 10 **The Applicant** may make a closing statement.
- 11 **The Licensing Panel** will then withdraw from the hearing to deliberate in private. In the event of uncertainty on any of the evidence, all parties will be recalled to the hearing whilst the point in question is clarified. In the event that the Licensing Panel has sought advice on points of law, the legal adviser shall explain to all parties what advice was given.
- 12 **All parties** shall be invited to return to the hearing when the Licensing Panel has completed its deliberations.
- 13 **The Chairman** shall announce the Panel's decision.

---

<sup>1</sup> : i.e. those other than responsible Authorities who have submitted representations;

<sup>2</sup> : this is most likely where there are a number of persons making representations upon the same point. The fact that the Panel does not hear from all Other Persons will not mean that their representations are not taken into account, but rather that the strength of feeling is understood and the case will not gain weight through repetition;

<sup>3</sup>. the four licensing objectives are:- (i) The prevention of crime and disorder; (ii) Public Safety; (iii) The prevention of public nuisance; (iv) The protection of children from harm.



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

Your reference  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

\* Family name

**You must enter a valid e-mail address**

\* E-mail

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.

Continued from previous page...

### Address

* Building number or name	FLAT, NETHEREND STORES
* Street	NETHEREND
District	WOOLASTON
* City or town	LYDNEY
County or administrative area	
* Postcode	GL15 6NN
* Country	United Kingdom

### Agent Details

* First name	MANPREET
* Family name	KAPOOR
* E-mail	
Main telephone number	
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.

### Agent Business

* Is your business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
* Registration number	07320290	
* Business name	PERSONAL LICENCE CORSES LTD	
* VAT number	GB	132201477
* Legal status	Private Limited Company	
* Your position in the business	EMPLOYEE	
Home country	United Kingdom	

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

Continued from previous page...

**Agent Registered Address**

Address registered with Companies House.

* Building number or name	INFOTREE HOUSE
* Street	NEWPORT ROAD
District	
* City or town	HAYES
County or administrative area	
* Postcode	UB4 8JX
* Country	United Kingdom

**Section 2 of 19**

**PREMISES DETAILS**

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	OASIS CONVENIENCE STORE
Street	152 WEST STREET
District	
City or town	FAREHAM
County or administrative area	
Postcode	PO16 0EH
Country	United Kingdom

**Further Details**

Telephone number	
Non-domestic rateable value of premises (£)	13,500

**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

MEHULKUMAR R

Family name

SHUKAL

Is the applicant 18 years of age or older?

- Yes                       No



Continued from previous page...

### Applicant Postal Address

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

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.

Yes  No

Building number or name	FLAT, NETHEREND STORES
Street	NETHEREND
District	WOOLASTON
City or town	LYDNEY
County or administrative area	
Postcode	GL15 6NN
Country	United Kingdom

### Applicant Contact Details

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

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.

Yes  No

**You must enter a valid email address**

E-mail	NONE
Telephone number	07568220248
Other telephone number	

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.

OFF LICENCE AND CONVENIENCE STORE

*Continued from previous page...*

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

Continued from previous page...

**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

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

Continued from previous page...

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.

NONE

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.

NONE

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

**Name**

First name

Family name

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)



Continued from previous page...

### 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.

NONE

### 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

Continued from previous page...

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

NONE

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.

NONE

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.

1. Strict implementation of challenge 25 policy
2. CCTV to be installed and 31 days recoding system
3. All staff to be trained in responsible alcohol retailing
4. Training manual will be available at the premises

b) The prevention of crime and disorder

1. The premise license holder shall ensure that CCTV camera and recorders are installed at the premises and are of a standard acceptable to and approved by the police
2. The system shall be maintained in good working order and at all times the premise is open to the public, be fully operational covering both internal and external areas of the premises to which the public have access. All images should be stored for a minimum of 31 days
3. The CCTV views are not to be obstructed, at least one CCTV camera is to be placed near to the exit in order to capture clear facial images of all persons leaving the premise.
4. A suitable trained staff member will be able to show and provide police or council licensing officers recent data footage with the minimum delay when requested.
5. All goods, including those subject to duty payments i.e. alcohol and tobacco products will be brought from cash and carries only an invoices will be available upon request. No alcoholic drinks or tobacco will be purchased by the premises

Continued from previous page...

from unannounced sellers calling at the premises

c) Public safety

1. Installation of appropriate safety equipment
2. Fire exit signs displayed
3. To comply with all current, fire, health and safety laws
4. CCTV working at all times

d) The prevention of public nuisance

1. Notice displayed asking customers to leave quietly from premises also customers will be told in person to leave quietly and not to disturb the local neighborhood
2. Strict policy in place to tell all staff not to serve alcohol to drunks at all
3. Appropriate signage will be displayed, in prominent position informing customers they are being recorded on CCTV

e) The protection of children from harm

1. A challenge 25 policy will be in force, where any person looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. Challenge 25 posters displayed where alcohol is sold.
2. The only acceptable ID will be those with photographic identification documents; including passport, photo-card, driving license or proof of age card bearing the PASS hologram.
3. An incident/refusal log shall be kept at the premises, and made available for inspection on request to an authorized officer of the council of the police which will record the following;
  - a) All crimes reported at the venue
  - b) Any complaints received, any faults in the CCTV system
  - c) Any refusal of the sale of alcohol, any visit by a relevant authority
4. The licensee will ensure that staff are trained regularly as appropriate in respect to the Licensing Act 2003 legislation, staff to be trained regularly in underage sales prevention.

**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](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 £87000	£315.00
Band D - £87001 to £125000	£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

Continued from previous page...

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 30000-39999	£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 (£)

### 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

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/fareham/apply-1> to upload this file and continue with your application.

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

**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**

OFFICE USE ONLY

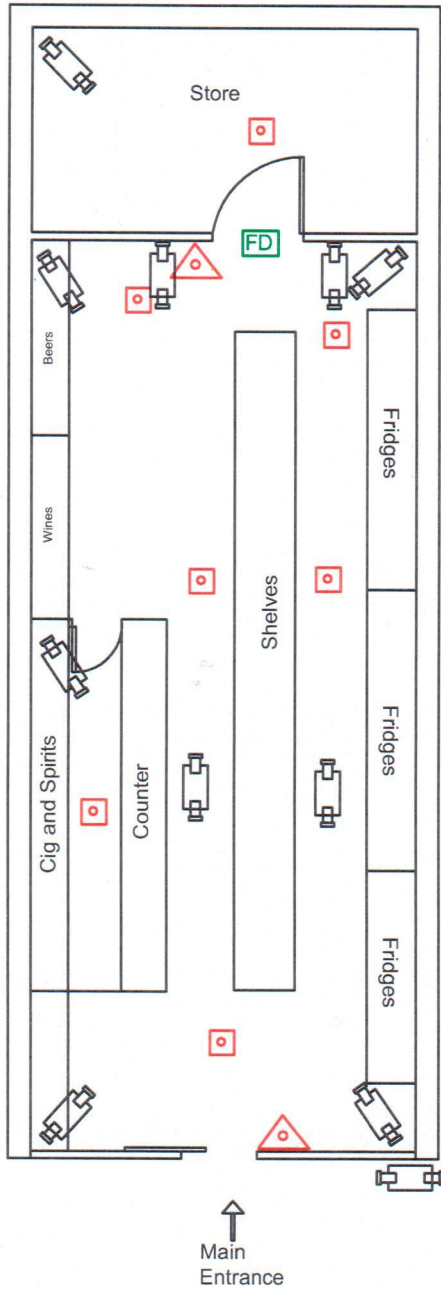
Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[< Previous](#) [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [Next >](#)





# Proposed Licence Plan



Property Address:  
Oasis Convenience Store

Drawing no: P/HBS/74		Date: 1st Oct 2016	
Key		Scale:1:100 Paper: A4	
		FIRE EXTINGUISHER	
		FIRE EXIT SIGNS	
		EMERGENCY LIGHTING	
		Fire Checkl Door	
		CCTV CAMERAS	
CCTV RECORDING 31 DAYS			
SHUTTERS PROVIDED			
ALARM SYSTEM TO AOISPEC OR SIMILAR FITTED			





**Hampshire County Council Trading Standards Service wish to make a representation**

**regarding the granting of a Premises Licence issued under the Licensing Act 2003, for :-**

**Oasis Wine Merchants  
152 West Street  
Fareham  
Hants  
PO16 0EH**

**We are a responsible authority.**

**(A) REPRESENTEE DETAILS** (fill in as applicable)

Mr  Mrs  Ms   
 Other title Miss (for example, Rev)

**Surname**

**First names**

**Are you over 18**  **Yes**

**Hampshire County Council**  
**Trading Standards Service**  
**Montgomery House**  
**Monarch Way**  
**Winchester, Hants**

**Post Town Postcode**

**Contact telephone number in working hours**

**Email address (optional)**

**This application to review relates to the following licensing objective(s)**

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

We do not believe that the operating schedule and suggested conditions by the business are sufficient, therefore Hampshire County Council (HCC) Trading Standards Service would like the following conditions applied to the licence :-

### **1) CCTV**

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

CCTV warning signs to be fitted in public places.

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

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

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

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

There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered must be in a viewable format on either disc or VHS. Footage supplied in a digital format on CD or DVD will also have a copy of the CCTV system software enabled on the disc to allow playback.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Police Licensing Unit within 24 hours.

### **2) Refusals book**

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.

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

The record of refusals will be retained for 12 months.

### **3) 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 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.

### **4) Training/Sales of Alcohol**

All sales of alcohol must be made by a Personal Licence Holder only, with the exception of Mr Pankaj Patel and Mr Ketan Pattni. Mr Pankaj Patel and Mr Ketan Pattni will not be allowed on the premises.

**Signature of representee or representee’s solicitor or other duly authorised agent. If signing on behalf of the representee, please state in what capacity.**

Signature.....

S. Lawford

.....

Date...13/10/16.....

.....

Capacity.....Trading Standards Officer

<b>Contact name (where not previously given) and address for correspondence associated with this representation (please read guidance note 5)</b>	
N/A	
<b>Post town</b>	<b>Post code</b>



[Redacted]

**From:** Manpreet Kapoor <[Redacted]>  
**Sent:** 26 October 2016 17:27  
**To:** 'Liquor Licensing'  
**Cc:** Spires, Helen  
**Subject:** RE: Document Management Case 156446-OASIS WINE MERCHANT, 152 WEST STREET, FAREHAM, PO16 0EH- NEW APPLICATION/VARIATION

Dear Steve,

I have discussed your posed conditions with the applicant, he is more than happy to agree to them all apart from the last one which should be amended to the following, " All sales of alcohol must be made by a Personal Licence Holder only, Mr Pankaj Patel and Mr Ketan Pattni will not have any involvement in any operations of the business and will not be employed by the applicant"

If your require any further info please do contact us.

Kind Regards

Mr Manpreet S Kapoor BA (Hons)  
Licensing Consultant

Tel: [Redacted]  
<https://emea01.safelinks.protection.outlook.com/?url=www.personallicencecourses.com&data=01%7C01%7Chspires%40fareham.gov.uk%7Cea4306b1c0824b9e56d208d3fdbcebf8%7C80e430e2e3a04d31b1e686d2e862a7a2%7C1&sdata=4450BqEqrKPAamazkJGfxhb0k9j3xTZVhoCHz1PvSWic%3D&reserved=0>

Consider our environment - please do not print this email unless absolutely necessary

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

**From:** Liquor Licensing [mailto:[Redacted]]  
**Sent:** 13 October 2016 17:38  
**To:** 'Spires, Helen' <[Redacted]>  
**Cc:** jason.pearce@hampshire.gov.uk  
'[Redacted]' <[Redacted]>  
**Subject:** RE: Document Management Case 156446-OASIS WINE MERCHANT, 152 WEST STREET, FAREHAM, PO16 0EH- NEW APPLICATION/VARIATION

Hi Helen

Please find our Representation attached.

Kind regards  
Steve Lawford  
Senior Trading Standards Officer

## Summary of Application

Off licence and convenience store

Please note Gemma and myself visited the premises today and there is no door on the store as shown on the plan. The plan shows a fire door.

You will be aware that the time limit to make representations for this application expires on 10th November 2016, however an earlier response to allow for any mediation would be appreciated.

Please reply to sender.

Thank you

Helen Spires

Licensing Manager

Fareham and Gosport Environmental Health Partnership This email (and its attachments) is intended only for the use of the person(s) to whom it is addressed and may contain information which is privileged and/or confidential. If it has come to you in error, you must take no action based on it nor must you copy or show it to anyone.

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. Emails may be monitored.



## **Annex 2 – Conditions consistent with operating schedule**

### **Prevention of Crime and Disorder**

4 The premises licence holder shall ensure that when licensable activity is taking place and a Personal Licence Holder is not present at the premise, a responsible person aged over 18 shall be present who has written authorisation from the DPS to sell alcohol. This authorisation should be available for immediate inspection by the Police and other Responsible Authorities. This person shall be trained in licensing matters and be competent to deal with all licensing issues that may arise within the premises. This persons training shall be documented and made available to the Police and other responsible authorities upon request.

5 The premises licence holder shall ensure that recordable CCTV is in place when licensable activity is taking place. This must be of a standard acceptable to the local Police Licensing department and shall operate at a minimum frame rate of six frames per second. There shall be sufficient cameras to cover the customers at the till point and also the shop entrance. Imagery obtained from the CCTV system must be retained for a minimum of 28 days on a rolling basis. This must be made available on DVD disc format that can be viewed by the Police and must be given to them and other Responsible Authorities immediately upon request. There shall always be a staff member on duty that is able to competently operate the CCTV system and be able to immediately provide the footage when required by the Police or other Responsible Authorities. All equipment shall have a constant and accurate time and date generation. In the event technical failure of the CCTV equipment, the DPS, Premises licence Holder or representative must report the failure to the local Police immediately.

6 An incident/refusal log shall be kept at the premises, and made available for inspection on request to an authorized officer of the council of the police which will record the following;

- a) All crimes reported at the venue
- b) Any complaints received, any faults in the CCTV system
- c) Any refusal of the sale of alcohol, any visit by a relevant authority

7 The premises licence holder shall ensure that a training package is in place in order for all staff involved with the sale or supply of alcohol to be sufficiently trained in licensing matters proportionate to their role and be aware of their responsibilities. This training shall include the refusal of service to drunks and age verification. Records shall be kept of this training, dated and signed by the staff member and trainer. Refresher training shall be completed at least every 6 months again with documented records made and to be available for inspection to Police and other responsible authorities.

A written record shall be retained at each bar to show the staff that have been authorised to sell alcohol. This shall be made available to the Police and other responsible authorities on request.

8 All sales of alcohol must be made by a Personal Licence Holder only, Mr Pankaj Patel and Mr Ketan Pattni will not have any involvement in any operations of the business and will not be employed by the applicant

9 All goods, including those subject to duty payments i.e. alcohol and tobacco products will be brought from cash and carries only an invoices will be available upon request. No alcoholic drinks or tobacco will be purchased by the premises from unannounced sellers calling at the premises.

10 The premises licence holder shall ensure that all cans and bottles of lager, beer and cider that are on display and available for sale at the shop are no higher in strength than 6.5% ABV.

11 The premises licence holder shall ensure the following: That cans of lager, beer and cider are only sold in multi packs of 4 or more. That bottles beer, lager and cider of 0.5 litres or below are only sold in multi packs of 4 or more.

12 The premises licence holder shall ensure that no item that encourages or promotes the taking of controlled drugs shall be sold at the premises.

### **Public Safety**

No conditions apply

### **The Prevention of Public Nuisance**

13 Notice displayed asking customers to leave quietly from premises also customers will be told in person to leave quietly and not to disturb the local neighbourhood.

14 Strict policy in place to tell all staff not to serve alcohol to drunks at all.

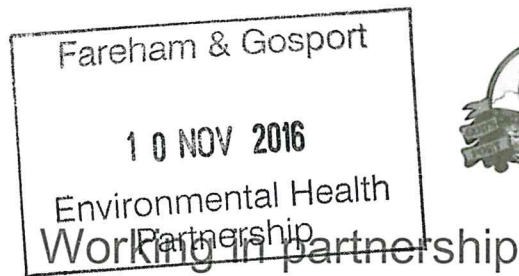
15 Appropriate signage will be displayed, in prominent position informing customers they are being recorded on CCTV.

### **The Protection of Children from Harm**

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

17 The only acceptable ID will be those with photographic identification documents; including passport, photo-card, driving license or proof of age card bearing the PASS hologram.

B



**GOSPORT**  
Borough Council

**FORM FOR REPRESENTATIONS FROM RESPONSIBLE AUTHORITIES  
AND INTERESTED PARTIES**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

- Before completing this form please read the guidance notes on page 7.
- If you are completing this form by hand please write legibly inside the boxes in black ink and stay within the box provided.
- Once completed please send your representation form to The Licensing Officer at the relevant authority.

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

I/We SUZANNE FREEMAN, Development Manager,  
HOMEFAYRE HOUSE wish to make a representation(s)  
(Insert your name)

regarding the granting/variation/transfer/review of the Premises Licence issued under the Licensing Act 2003, for the premises described in Part 1 below.

**Part 1 - Premises or Club Premises Details**

Postal address of premises or club premises, if any, or if none Ordnance Survey map reference or description

OASIS  
152 WEST STREET.

Post town

FAREHAM

Post code

PO16 0EH.

Name of premises licence holder or club holding club premises certificate (if known)

OASIS, MR. MEHULKUMAR SHUKAL

Number of premises licence or club premises certificate (if known)

NOT KNOWN.

**Part 2 - Your Details**

I am

Please tick ✓

- 1) an interested party
  - a) a person living in the vicinity of the premises
  - b) a body representing persons living in the vicinity of the premises
  - c) a person involved in business in the vicinity of the premises
  - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority
- 3) a member of the club to which this application relates

**(A) REPRESENTEE DETAILS (fill in as applicable)**

Mr  Ms  **Mrs**  Miss   
(for Other title example, Rev)

**Surname** FREEMAN **First names** SUZANNE

Are you over 18  Yes

**Current address if different from premises address**  
Development Managers Office.  
Homefayne House,  
Western Road,  
Fareham Hants.

**Post Town** **Postcode** PO16 0LU.

**Contact telephone number in working hours**

**Email address (optional)**

**(B) BODY APPLICANT**

Name and address

**(C) AUTHORITY APPLICANT**

Name and address

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes ✓

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm



Please state the ground(s) for representation (please read guidance note 1)

The oasis premises has been the hub for local drunks/drug addicts to purchase cheap/strong alcohol.

The owners and staff appear to have no qualms whatsoever in selling alcohol to persons who are already well & truly intoxicated.

The effects of this are continued anti-social behaviour/public nuisance/crime and disorder.

These persons become verbally abusive shouting + swearing at each other and the general public.

They use the public area surrounding the oasis property as toilets, urinating and defecating for all to see. They fight amongst themselves, their actions leave people passing by feeling very vulnerable and distressed.

We know these people are buying alcohol from this premises because we have seen them being served. We have seen them leaving the premises with the bags from the shop with alcohol in them.

This behaviour/crime has been well documented over the last 18 months - 2 yrs with both Fareham Borough Council safety team and Fareham Police.

Please provide as much information as possible to support the representation (please read guidance note 2)

Since the Removal of the Alcohol licence to this Premises the instances of Anti social behaviour + public nuisance etc, in our area have dramatically reduced.

It may also be worth noting that we have not observed a change of staff in this Premises. So there appears to be little evidence to prove that we will not be returning to the problems that I have documented.


**If you have made representations before relating to this premises, please state what they were and when you made them**

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE [AMOUNT], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS REPRESENTATION**



**Part 3 - Signatures** (please read guidance note 3)

**Signature of representee or representee's solicitor or other duly authorised agent.** (please read guidance note 4). If signing on behalf of the representee, please state in what capacity.

Signature.....  .....

Date..... 9-11-16 .....

Capacity..... Development Manager Homefayre House .....

**Contact name (where not previously given) and address for correspondence associated with this representation** (please read guidance note 5)

**Post town**

**Post code**

**NOTES FOR GUIDANCE**

1. The ground(s) for representation must be based on one of the licensing objectives.
2. Please list any additional information or details, for example dates of problems which are included in the grounds for representation if available.
3. The representation form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

**DATA PROTECTION ACT 1998**

The personal information you have provided, or which has been obtained from other sources, will only be used for the purpose of the licensing function, and for auditing, monitoring, statistical and other research.

The information may be shared with other council departments and statutory bodies. The licence holder will also be provided with a copy of your representation.



