

## Notice of Meeting

# Licensing Sub-Committee

**Date:** Wednesday 5 August 2020  
**Time:** 10.00 am  
**Venue:** Being held virtually by Microsoft Teams

**For further information or enquiries please contact:**  
Sally Prior - 01264 368024  
sprior@testvalley.gov.uk

**Legal and Democratic Service**  
Test Valley Borough Council,  
Beech Hurst, Weyhill Road,  
Andover, Hampshire,  
SP10 3AJ  
[www.testvalley.gov.uk](http://www.testvalley.gov.uk)

The recommendations contained in the Agenda are made by the Officers and these recommendations may or may not be accepted by the Committee.

**Membership of Licensing Sub-Committee**

**MEMBER**

**WARD**

Councillor G Bailey

Blackwater;

Councillor T Burley

Andover Harroway

Councillor A Johnston

Mid Test;

In the event of a member selected becoming unavailable, the Head of Legal and Democratic Services is authorised to select a replacement from the membership of the Licensing Committee.

**Licensing Sub-Committee**

Wednesday 5 August 2020

**AGENDA**

**The order of these items may change as a result of members  
of the public wishing to speak**

- 1 Appointment of Chairman**
- 2 Apologies**
- 3 Declarations of Interest**
- 4 Licensing Procedure Rules** **4 - 6**  
  
Procedure Rules for Licensing Sub-Committee
- 5 Application for the Variation of a Premises Licence -  
The SP Bar, 34 Bridge Street, Andover SP10 1BW** **7 - 38**

To determine an application for a variation of an existing  
Premises Licence for The SP Bar, Bridge Street, Andover.

## **ITEM 4**

### **Licensing Procedure Rules - Licensing Sub-Committee**

#### **Application**

These Procedure Rules shall apply to all hearings of applications and other matters pursuant to the Licensing Act 2003 and subordinate legislation and any amendments thereto, and the Gambling Act 2005 and subordinate legislation and any amendments thereto.

#### **Terms of Reference of the Licensing Sub-Committee:**

1. Ward Members will have no involvement in the decision making process.

#### **Procedure for hearing licensing applications:**

1. The Council's Scheme of Public Participation will not apply.
2. At the start of the hearing the Chairman will explain the procedure to all those present.
3. The Hearing shall take place in public. The Sub-Committee may exclude the public from all or part of the hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.
4. A party to whom notice has been given may attend the hearing and may be assisted or represented by a person whether or not that person is legally qualified.
5. The hearing shall take the form of a discussion led by the Sub-Committee.
6. Cross-examination will not be permitted unless the Sub-Committee considers it is required for it to consider the representations, application or notice as the case may require.
7. The Sub-Committee may impose a maximum period of time for each party to address the Sub-Committee.
8. To facilitate the discussion the following procedure will be followed in all cases except for reviews when 8(b) shall apply and interim steps hearings for expedited summary reviews when 8(c) shall apply:
  - (a) (i) The Licensing Manager of the Council or their representative will present the facts of the application and action taken, to the Sub-Committee.
  - (ii) The Applicant or their representative may address the Sub-Committee.

- (iii) Other parties may address the Sub-Committee in the following order:
      - Responsible authorities
      - Other parties
  - (b)
    - (i) The Licensing Manager of the Council or their representative will present the facts of the review, and action taken, to the Sub-Committee.
    - (ii) The person requesting the review may address the Sub-Committee.
    - (iii) The licence holder may address the Sub-Committee.
    - (iv) Other parties may address the Sub-Committee in the following order:
      - Responsible authorities
      - Other parties
  - (c)
    - (i) The Licensing Manager of the Council or his representative will present the facts giving rise to the review, and will outline any action taken, to the Sub-Committee.
    - (ii) The Police officer requesting the review or his representative may address the Sub-Committee.
    - (iii) The licence holder or their representative may address the Sub-Committee.
9. The Sub-Committee may permit the applicant or any party to question any other party.
10. The members of the Sub-Committee may ask any questions of the Licensing Manager or their representative, or of any party or other person appearing at the hearing.
11. Documentary or other evidence may be produced at the hearing with the consent of all the parties.
12. Where a party fails to attend or be represented and the Sub-Committee considers it necessary in the public interest it may adjourn the hearing to a specified date or hold the hearing in a party's absence.
13. The Sub-Committee may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and refuse to permit that person to return or permit them to return only on such conditions as the Sub-Committee may specify. Any such person may submit to the Sub-Committee in writing before the end of the hearing any information which they would have been entitled to give orally had they not been required to leave.

14. The Sub-Committee may ask questions of its legal adviser.
15. The Sub-Committee will deliberate in private.
16. The Sub-Committee may request advice in private of its legal adviser regarding the drafting of reasons.
17. In the case of a hearing under the sections and circumstances set out in Regulation 26(1) of the Licensing Act 2003 (Hearings) Regulations 2005 (or any amending legislation), the Sub-Committee will make its determination at the conclusion of the hearing.

In any other case, the Sub-Committee will make its determination either at the conclusion of the hearing or within the period of five working days beginning with the day or the last day on which the hearing was held.

18. A record of the hearing will be taken in a permanent and intelligible form.

## **ITEM 5      Application for the variation of a Premises Licence – The SP Bar, 34 Bridge Street, Andover SP10 1BW**

### **1      The application**

- 1.1      The application is by R&SP Limited for the variation of the existing Premises Licence in respect of premises known as The SP Bar, 34 Bridge Street, Andover SP10 1BW. The application is to increase the existing trading hours, add regulated entertainment and late night refreshment, add the sale of alcohol for consumption off the premises and increase the time that children are allowed on the premises to 2100 hours (currently to 1800 hours). The application has attracted a representation objecting to the application which necessitates it being determined at a hearing. A copy of the application is attached as Annex 1 to this report.

### **2      Background**

- 2.1      The premises are an existing small bar located at the edge of the immediate Andover town centre. The premises have been licensed since 2013 although the present owners have been in charge since June 2019. Prior to 2013 the premises were a café with bed and breakfast accommodation. A copy of the existing licence is attached as Annex 2 to this report.

### **3      Promotion of the Licensing Objectives**

- 3.1      The applicant makes the following comments in relation to the steps taken to promote the four licensing objectives. These comments are taken directly as entered in the application:
- a) General – The SP Bar is a cocktail bar offering table service with tapas style food about to begin. CCTV is installed on all entrances and inside. No outside area and only one main entrance so it is easy to control numbers and as we only offer seating areas we are limited to entry to ensure smooth running. People on entry wait to be seated. All on one floor and aimed at working professionals and has a relaxed environment.
  - b) The prevention of crime and disorder – we have one door supervisor licensed on Friday and Saturday nights from 9pm – close and all bank holidays or events when needed. We have CCTV in operation. Part of Pubwatch and attend meetings. Many tables are booked online and via app.
  - c) Public safety – at occupancy no further people will be allowed entry. Bins outside entry points. Licence holder will be responsible to train staff on social and legal obligations and responsibilities with regards to the sale of alcohol. Taxi company available to book direct and main office is two minutes from the bar. All appliance tested and documented. All health and safety regulations applied to – all staff to receive training on fire safety, health and safety, induction. Smoking area arranged with ashtrays. Cleaners in place. Signs to leave quietly.

- d) The prevention of public nuisance – no glasses will be able to be removed from the premises. Proof of age policy is enforced and training to all staff is given – Challenge 25. Doors and windows closed during performance. Acoustic seals around doors and windows. Signs for people to be quiet and respectful on exit. Door supervisor to ensure people are leaving quietly and remind them to do so. New double glazing windows are being installed. Speakers positioned at angles away from outside into rooms. Level of noise is able to be controlled and limited sound checks would be carried out with a maximum level clearly displayed.
- e) The protection of children from harm – no children under 18 allowed on the premises after 6pm without an adult. Proof of age policy is enforced.

The measures to promote the licensing objectives are of relevance when considering the representations received.

#### **4 Relevant Representations – Responsible Authorities**

- 4.1 **TVBC Housing and Environmental Health Service** – The Environmental Protection Team has raised an objection which is attached as Annex 3 to the application.
- 4.2 **Hampshire Fire and Rescue Service** – Having examined the application the Fire Service does not wish to make any representation.
- 4.3 **Hampshire Constabulary** – the application as submitted asked for an extension to the hours for supply of alcohol which for Friday and Saturday evenings was until 0230 hours the following morning (plus 30 minutes drinking up time). The Police requested and the applicant has agreed to amend the application to reduce these times by 30 minutes. In addition the applicant has agreed that the conditions proposed by the Police set out in Annex 4 be attached to the licence. Consequently the Police have no objection to the application.

#### **5 Relevant Representations – Other Persons**

- 5.1 Andover BID – the Andover Business Improvement District Manager has submitted a representation in support of the application which is attached as Annex 5 to this report.

#### **6 Policy Considerations**

- 6.1 Whilst the representations raise concerns relating to aspects of three of the four licensing objectives the primary concern is in respect of the objective of prevention of public nuisance. It is therefore considered that the following extracts from the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 (April 2018 edition) are relevant.

2.15-2.21 – Public nuisance

8.41-8.49 – Steps to promote the licensing objectives

8.74-8.77 – Variations



9.1, 9.3, 9.31-9.44 – Determining applications  
10.1-10.10, 10.13-10.15 – Conditions

A copy of the Secretary of State's Guidance will be provided at the meeting for Members of the Sub Committee. Additional copies can be obtained from the GOV.UK website.

- 6.2 It is considered that the following extracts from the Licensing Authority's own Statement of Licensing Policy are relevant to this application:

Section C Prevention of Public Nuisance

The Statement of Licensing Policy has either previously been provided for Members of the Sub Committee or will be provided at the hearing. Copies can also be obtained from the Licensing Section of the Legal and Democratic Service or downloaded from the Council's website.

## **7 Observations**

- 7.1 The Committee is obliged to determine this application with a view to promoting the four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm. In making its decision, the Committee is also obliged to have regard to the national Guidance and the Council's own Statement of Licensing Policy. The Committee must also have regard to all of the representations made and the evidence it hears. The Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- a) Grant the application as requested
- b) Modify the conditions of the licence, by altering or omitting or adding to them. (The Committee may where appropriate attach different conditions to different parts of the premises concerned and/or to different licensable activities).
- c) Reject the whole or part of the application (for example by allowing only some of the licensable activities or permitting them to take place at times other than those requested).

The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote one or more of the four licensing objectives:

- a. Prevention of crime and disorder
- b. Public safety
- c. Prevention of public nuisance
- d. Protection of children from harm

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
Premises Licence application for The SP Bar, Andover.			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	5		
Author:	Michael White	Ext:	8013
File Ref:	PREM/13/0454		
Report to:	Licensing Sub-Committee	Date:	5 August 2020

*Test Valley Borough Council*

**Application to vary a premises licence 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** R&SP Ltd

*(Insert name(s) of applicant)*

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

**Premises licence number**

PREM/13/0454

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description  
34 BRIDGE STREET  
ANDOVER

Post town	HAMPSHIRE	Postcode	SP10 1BW
-----------	-----------	----------	----------

Telephone number at premises (if any)	01264361110
---------------------------------------	-------------

Non-domestic rateable value of premises	£15570
---	--------

**Part 2 – Applicant details**

Daytime contact telephone number	
----------------------------------	--

E-mail address (optional)	
---------------------------	--

Current postal address if different from premises address	18 MONTGOMERY ROAD ENHAM ALAMEIN
---	-------------------------------------

Post town	ANDOVER	Postcode	SP11 6HB
-----------	---------	----------	----------

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

**Please describe briefly the nature of the proposed variation** (Please see guidance note 1)

INCREASE OPENING HOURS

INCREASE TIMES CHILDREN ARE ALLOWED ON THE PREMISES

OFF LICENSE FOR TAKEAWAY

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

--

**Part 4 Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment**

**Please tick all 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)

**Sale by retail of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) FILM NIGHTS OR THEMED NIGHTS FILM CLUB NIGHTS		
Mon	10:00	2300			
Tue	10:00	23:00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed	10:00	23:00			
Thur	10:00	23:00	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	10:00	23:00			
Sat	10:00	23:00			
Sun	10:00	22:00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			



D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	23:00	<u>Please give further details here</u> (please read guidance note 3) Live Music We have asked for earlier due to doing Brunch and we may want events alongside our brunch to contain live music Doors and windows closed during performance Acoustic seals around doors and windows Signs for people to be quiet and respectful on exit Door supervisor to ensure people are leaving quietly and remind them to do so New double glazing windows are being installed Speakers positioned at angles away from outside into rooms Level of noise is able to be controlled and limited sound checks would be carried out with a maximum level clearly displayed		
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	00:00			
Fri	11:00	00:00			
Sat	11:00	00:00			
Sun	10:00	23:00			
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) 11:00 – 01:00 New Years Eve Bank Holiday Sundays Bank Holiday Thursdays		
			<u>Non standard timings. Where you intend to use the premises for the                      performance of live music at different times to those listed in the                      column on the left, please list</u> (please read guidance note 5)		

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	23:30	<u>Please give further details here</u> (please read guidance note 3) This would be a DJ Doors and windows closed during performance Acoustic seals around doors and windows Signs for people to be quiet and respectful on exit Door supervisor to ensure people are leaving quietly and remind them to do so New double glazing windows are being installed Speakers positioned at angles away from outside into rooms Level of noise is able to be controlled and limited sound checks would be carried out with a maximum level clearly displayed		
Tue	1100	23:30			
Wed	1100	23:30	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4) Valentines Day The day before a Bank Holiday :Thursday /Sunday New Years Eve Christmas Eve 1100-0230		
Thur	1100	0000			
Fri	1100	02:30	<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> (please read guidance note 5)		
Sat	1100	02:30			
Sun	1100	2300			

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3) We would like to offer takeaways to go along with the food service which will be opening		
Mon	1000	2330			
Tue	1000	2330	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4) New Years Eve Bank Holidays i.e Sunday / Thursday 1000-0230		
Wed	1000	2330			
Thur	1000	0000	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Fri	1000	0230			
Sat	0900	0230			
Sun					

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"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) Bank Holiday New Years Eve Christmas Eve 1000-0230		
Mon	1000	2330	<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) Bank Holiday New Years Eve Christmas Eve 1000-0230		
Tue	1000	2330			
Wed	1000	2330			
Thur	1000	0030			
Fri	1000	0230			
Sat	1000	0230			
Sun	1000	2300			

K

<p><b>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</b> (please read guidance note 8).</p>
---

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) We would request to extend the opening hours to 0300 Bank holidays New Years Eve Christmas Eve Boxing Day
Day	Start	Finish	
Mon	0800	0000	
Tue	0800	0000	<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) We would for the premises to be able to open until 0300 on the dates listed above
Wed	0800	0000	
Thur	0800	0100	
Fri	0800	0300	
Sat	0800	0300	
Sun	0900	2330	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- 1.Children being allowed on the premises times could be extended until 9pm due to serving food



Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.  
I have applied online due to the offices not yet being opened- I can send across a scanned copy of the license or post the current license

## **M**

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

The SP Bar is a cocktail bar offering table service with tapas style food about to begin.  
CCTV is installed on all entrances and inside  
No outside area and only 1 main entrance so it is easy to control numbers and as we only offer seating areas we are limited to entry to ensure smooth running  
People on entry wait to be seated  
All on 1 floor and aimed at working professionals and has a relaxed environment

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

We have 1 door supervisor licensed on Friday and Saturday Nights from 9pm – close and all Bank holidays or events when needed.  
We have CCTV in operation  
Part of Pubwatch and attend meetings  
Many tables are booked on line via app

### **c) Public safety**

At occupancy no further people will be allowed entry  
Bins outside entry points  
License holder will be responsible to train staff on social and legal obligations and responsibilities with regards to the sale of alcohol.  
Taxi company available to book direct and main office is 2 minutes from the bar  
All appliance tested and documented  
All health and safety regulations applied to – All staff to receive training on Fire Safety, Health and Safety , Induction  
Smoking area arranged with ashtrays  
Cleaners in place  
Signs to leave quietly

### **d) The prevention of public nuisance**

No glasses will be able to be removed from the premises  
Proof of age policy is enforced and training to all staff is given – Challenge 25 ]  
Doors and windows closed during performance  
Acoustic seals around doors and windows  
Signs for people to be quiet and respectful on exit  
Door supervisor to ensure people are leaving quietly and remind them to do so  
New double glazing windows are being installed  
Speakers positioned at angles away from outside into rooms  
Level of noise is able to be controlled and limited sound checks would be carried out with a maximum level clearly displayed

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

No children under 18 allowed on the premises after 6pm without an adult  
 Proof of age policy is enforced

Checklist:

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- 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 5 – Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	09/06/2020
Capacity	Director Owner of R& SP ltd

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd 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	

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 13) Ricky Pledge			
<b>Post town</b>		<b>Post code</b>	
<b>Telephone number (if any)</b>			
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b> Email –			

**Notes for Guidance**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. Describe 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please 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.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please 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 or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

**ANNEX 2**

**Schedule 12**  
**Part A**  
**Premises Licence**

Regulation 33,34

<b>Current Premises Licence number</b>	PREM/13/0454
<b>Previous Premises Licence number (if any)</b>	

**Part 1 – Premises details**

<b>Postal address of premises, or if none, ordnance survey map reference or description,</b> The SP Bridge Street Andover Hampshire SP10 1BW
---

<b>Telephone number</b>
-------------------------

<b>Where the licence is time limited the dates -</b>
--

**Licensable activities authorised by the licence**

Supply by retail of alcohol

**The times the licence authorises the carrying out of licensable activities**

**Supply by retail of alcohol**

Standard timings Sunday 12:00 - 22:30

**Supply by retail of alcohol**

Standard timings Weekdays and Saturdays 11:00 - 23:30

**The opening hours of the premises**

Saturday 11:00 - 00:00

Sunday 12:00 - 23:00

Monday to Friday 11:00 - 00:00

**Where the licence authorises supplies of alcohol whether these are on and / or off supplies**

Alcohol is supplied for consumption on the premises

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

R&SP Ltd  
18 Montgomery Road  
Enham Alamein  
Andover  
Hampshire  
SP11 6HB

**Registered number of holder, for example company number, charity number (where applicable)**

11482357

**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Personal Licence Number: LBHIL2399  
Licensing Authority: London Borough Of Hillingdon

This premises licence is issued by Test Valley Borough Council as licensing authority under part 3 of the Licensing Act 2003 and regulations made thereunder

Date licence originally granted 20th day of June 2013  
Date this licence printed 10 July 2020

Test Valley Borough Council  
Beech Hurst  
Weyhill Road  
Andover  
Hampshire  
SP10 3AJ

## Annex 1 – Mandatory Conditions

1 Section 19 - Mandatory Conditions: Where licence authorises supply of alcohol

(1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.

(2) The first condition is that 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.

(3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

2 SCHEDULE - Mandatory Licensing Conditions

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or .

(ii) drink as much alcohol as possible (whether within a time limit or otherwise); .

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; .

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; .

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; .

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability). .

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) 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 either

(a) a holographic mark, or .

(b) an ultraviolet feature. .

4. The responsible person must 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; .
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and .
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

3 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.-(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

#### EXPLANATORY NOTE

(This note is not part of the Condition)

Sections 19A and 73A of the Licensing Act 2003 (as inserted by section 32 of and Schedule 4 to the Policing and Crime Act 2009) provide for the Secretary of State to prescribe by order up to nine mandatory conditions applicable to relevant premises licences and club premises certificates.

Relevant premises licences and relevant club premises certificates are those authorising the sale and supply of alcohol to the public in licensed premises or to members or guests of clubs in club premises. The Schedule to the Order sets out a mandatory condition which applies to relevant premises licences and club premises certificates.

Paragraph 1 provides that the condition requires a relevant person to ensure that no alcohol is supplied from the premises to which the licence or certificate relates at a price below the permitted price.

Paragraph 2 contains relevant definitions for the purposes of paragraph 1. The permitted price is defined as the aggregate of the duty chargeable in relation to the alcohol on the date of its sale or supply and the amount of that duty multiplied by a percentage which represents the rate of VAT chargeable in relation to the alcohol on the date of its sale or supply. A relevant person is defined as a premises licence holder, designated premises supervisor or personal licence holder (in relation to premises in respect of which there is a premises licence) and a member or officer of a club who is present and able to prevent a supply of alcohol (in relation to premises in respect of which there is a club premises certificate).

Paragraph 3 provides that the permitted price is rounded up to the nearest penny.

Paragraph 4 provides that a change to the permitted price which would apply as a result of a change to the rate of duty or VAT charged in relation to alcohol would not apply until the expiry of the period of



14 days beginning on the day on which the change in the rate of duty or VAT takes effect.

## **Annex 2 – Conditions consistent with the operating Schedule**

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 licence holder or the DPS. The refusals log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority. The record of refusals will be retained for 12 months.
2. 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.
3. Staff will 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 will be kept of such training which must be signed and dated by the member of staff who has received that training. All staff will receive refresher training every six months as a minimum and records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training. All training records will be made immediately available for inspection by Hampshire Constabulary and any responsible Authority upon request. Training records will be kept for a minimum period of two years. Training records will be kept on the licensed premises to which they relate to.

## **Annex 3 – Conditions attached after a hearing by the licensing authority**

### **Annex 4 – Plans**

Plan, if attached, not reproduced to scale.

If no plan attached, contact the Licensing Authority

**ANNEX 3**

Re Licence Variation

My comments and objection (as below) dated 30<sup>th</sup> June remain unchanged. The applicant has been in contact with me and raised questions regarding the hours for The Charcoal Grill and The Town Mills as examples of premises nearby which already operate later than I have suggested, but I am not convinced these are relevant examples. Whilst The Town Mills has later hours as a historic right – the full extent of their hours is not in use – they are also more remote from residential properties. The Charcoal Grill is a different form of more transient business and as such not a clear comparison.

This premises is on the periphery of the town centre and noise from this location would affect residents who live outside of the centre. The hours proposed are more in keeping with a night club and are not appropriate to the location.

Kind Regards  
Lorna Taylor  
Principal Environmental Health Officer

**From:** Taylor, Lorna  
**Sent:** 30 June 2020 19:40  
**To:** [licensing@hampshire.pnn.police.uk](mailto:licensing@hampshire.pnn.police.uk); Licensing <[Licensing@testvalley.gov.uk](mailto:Licensing@testvalley.gov.uk)>  
**Subject:** The SP Bar - 34 Bridge Street, Andover

Re: Licence Variation

Thank you for consulting the Environmental Protection Team of the Housing and Environmental Health Service. I object to the application for reasons of potential public nuisance, in particular noise from both people and loud music.

I appreciate that the applicants have made clear their intentions to do their best to manage noise but the very late hours proposed mean that people noise on leaving at the end of the night would stand out significantly in this otherwise quiet part of town as would breakout noise as people come and go from the premises (for example to smoke). This is irrespective of the ability of the building envelope to contain noise when well managed.

I am not suggesting that there is not scope for some extension, merely that the later elements of the request are cause for particular concern. It should be noted that this premises is situated away from the towns core night time economy activities in a quiet location with a number of residential premises nearby. As such would the applicant be willing to consider reducing the terminal hour to 1am for recorded music and last orders on Fridays and Saturdays – and removing the extended finish time and music on Thursdays.

Kind Regards  
Lorna Taylor  
Principal Environmental Health Officer

**ANNEX 4**

**From:** Licensing & Alcohol Harm Reduction Team Mailbox [<mailto:licensing@hampshire.pnn.police.uk>]  
**Sent:** 26 June 2020 16:04  
**To:** Licensing  
**Subject:** FW: SP Premises Licence Variation Application - Andover

Good afternoon,

Police have no objection to the above application provided the conditions in the email below, agreed with the applicant, are applied.

Kind regards,  
Colin POLLARD 16866  
Police Licensing Officer  
Licensing and Alcohol Harm Reduction Team  
Bishops Waltham Police Station  
Hoe Road  
Bishops Waltham  
SO32 1DS

**From:** Stephanie Pledge]  
**Sent:** 25 June 2020 20:39  
**To:** Licensing & Alcohol Harm Reduction Team Mailbox <[licensing@hampshire.pnn.police.uk](mailto:licensing@hampshire.pnn.police.uk)>  
**Subject:** Re: SP Premises Licence Variation Application - Andover

Good evening.

Apologies for not replying sooner.  
I have submitted the change to Mr White at Licensing so the new times are as we discussed, 0200sale of alcohol 0230 close.

***'I agree to the conditions in blue to be applied to my premises licence'***

Kind Regards  
Ricky Pledge  
The SP Bar

---

**From:** [licensing@hampshire.pnn.police.uk](mailto:licensing@hampshire.pnn.police.uk) <[licensing@hampshire.pnn.police.uk](mailto:licensing@hampshire.pnn.police.uk)>  
**Sent:** Wednesday, June 24, 2020 9:28:03 PM  
**To:** thebarsp@  
**Subject:** FW: SP Premises Licence Variation Application - Andover

Good evening both,

I hope you are well?

Could I ask you to respond to my email of the 16/06/2020, copy below?

Kind regards,

Colin POLLARD 16866  
Police Licensing Officer  
Licensing and Alcohol Harm Reduction Team  
Bishops Waltham Police Station  
Hoe Road  
Bishops Waltham  
SO32 1DS

**From:** Licensing & Alcohol Harm Reduction Team Mailbox  
**Sent:** 16 June 2020 23:40  
**To:** 'thebarsp@'  
**Subject:** SP Premises Licence Variation Application - Andover

Good evening Stephanie and Ricky,

Further to my meeting today with Stephanie to discuss your application, Hampshire Police would like to propose the conditions below to be applied to your Premises Licence should the Local Authority grant the variation.

Please confirm your intention to amend the requested terminal hour for the sale of alcohol on Fridays and Saturdays to 02:00 and the hours open to the public on those days to 02:30.

If you are in agreement for the proposed conditions, below in blue, to be applied to your premises licence please reply to this email stating '***I agree to the conditions in blue to be applied to my premises licence***' and I will forward this with the Police response to the Local Authority. Should you have any questions please feel free to get in touch.

**Proposed Conditions – In addition to those already included within the Premises Licence**

**CCTV**

The Premises Licence Holder will ensure that CCTV is in place and recording at all times licensable activity is taking place on the premises. This must be of a standard acceptable to the local Police Licensing dept. There shall be sufficient cameras to cover the primary customer areas which shall include cameras covering the entrance and exit area, any dance floor, bar area and external smoking area.

Footage from the CCTV system must be retained for a minimum of 28 days. This must be made available in a format that can be viewed by the Police and must be given to them and other responsible authorities on request. There must always be a staff member on duty that is able to competently operate the CCTV system and be able to provide footage when required by the Police or other responsible authorities. The system must have an accurate time and date display and will be working at all times when licensable activity is taking place. In the event of technical failure of the CCTV equipment the DPS, Premises Licence Holder or representative must report the failure to the local Police immediately.

### **SIA Provision**

The Premises Licence Holder will ensure that a minimum of one SIA registered Door Supervisor is on duty from 21:00 until the premises is closed on Fridays, Saturdays and any day the premises are opening past midnight. This provision will be risk assessed by the Premises Licence Holder and additional SIA registered Door Supervisors must be employed when required. This risk assessment will take into account any special events and/or any recent incidents of crime and disorder at the premises.

### **Children**

Children, under the age of 18, are only permitted on the premises when hot food is available for purchase and before 21:00 on any day. All children must be accompanied by a responsible adult.

### **Pubwatch**

The Premises Licence Holder shall ensure active membership of any local pubwatch that is in existence and recognised by the local Police. A representative will attend all pubwatch member meetings.

### **Town Centre Radio**

The premises licence holder shall ensure that the premises will participate in the Town Centre Radio Link when in operation.

We also discussed conditions relating to staff training, recording refusals and a challenge 25 age verification policy. These are already conditioned within the current premises licence.

I have attached some documents which you may find useful in assisting you with compliance with these conditions. Please feel free to adopt these as your own, amend them or use as a guide to assist you with creating your own, bespoke, versions.

If you have any questions or concerns, either now or in the future, please feel free to get in touch.

I look forward to hearing from you.

Kind regards,

Colin POLLARD 16866

Police Licensing Officer

Licensing and Alcohol Harm Reduction Team

Bishops Waltham Police Station

Hoe Road

Bishops Waltham

SO32 1DS

**ANNEX 5**

Hello Michael,

Following our phone conversation yesterday, Andover BID has decided to support the application by the SP Bar in Bridge street Andover to extend their licence until 2am.

Andover BID has worked closely with this establishment since before they opened and in our opinion, they operate a very efficient business and have established a niche market in Andover which is in demand and is not being fulfilled by other licensed premises. They have advised us that due to the current difficult market conditions, they need to adapt their business model with greater flexibility to be able to operate profitably. They also advise that they have taken all precautions to ensure that the bar is properly staffed with adequate CCTV, and security staff on duty to efficiently manage and operate safely and efficiently.

The location of the bar is behind commercial businesses and there is little residential other than flats across the other side of the ring road. The bar has a policy of low music levels, security staff at exit time to ensure a sound, proper and efficient dispersal policy to minimise any inconvenience to anyone at the Bridge St end of town.

Please let us know if you require any further information.

Thank you  
Kind regards  
Steve

Steve Godwin  
BID Manager



**ANDOVER BID**  
WORKING FOR YOU

<https://www.andoverbid.org>