

Reference: 2008/02382/01SPRV

Hearing:

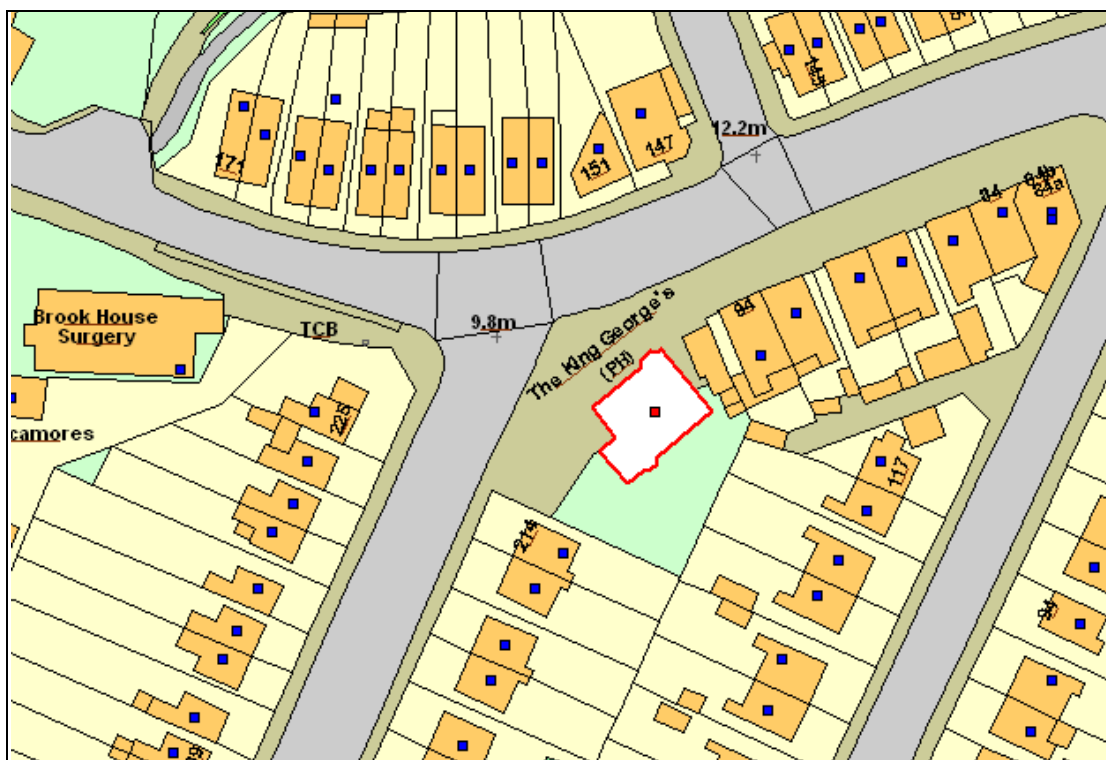
6th November 2008

**APPLICATION TO VARY A PREMISES LICENCE**

Premises Name: King George  
Premises Address: 96 Oakley Road  
Southampton  
SO16 4LJ

Application Date: 21st August 2008  
Application Received Date: 17th September 2008

Application Valid Date: 17th September 2008



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***Representations From Responsible Authorities***

Responsible Authority	Satisfactory?	Comments
Child Protection Services - Licensing	No Response Received	
Hampshire Fire Service - Licensing	No Response Received	

Environmental Health Service - Licensing	No	
Planning & Sustainability - Building Control - Licensing	No Response Received	
Planning & Sustainability - Development Control - Licensing	Yes	
Hampshire Constabulary - Licensing	Yes	
Trading Standards - Licensing	Yes	

### ***Other Representations***

<b>Name</b>	<b>Address</b>	<b>Contributor Type</b>
Mr. Gerry Smyth	159 Oakley Road Shirley Southampton SO16 4LL	Resident - Support
Mr. Mike Harbut	63 Prince Of Wales Avenue Regents Park Southampton SO15 4LT	Resident - Support
Mr. Paul Crocker	5 Trearnan Close Southampton Hampshire SO16 4NH	Resident - Support
Mrs Annette Conroy	11 Prince Of Wales Avenue Regents Park Southampton SO15 4LS	Resident - Support

Mrs. J. Fowler	64 Vaudrey Close Shirley Southampton SO15 5PZ	Resident - Support
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## ***Legal Implications***

1. The Licensing Act 2003 specifically restricts the grounds on which the Council, as Licensing Authority (LA), may refuse an application for a major variation of a 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 relevant and necessary. 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 by those directly affected.
3. An applicant for a variation, 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 committee 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 committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.

The committee must also have regard to:-

5. *Crime and Disorder Act 1998*  
Section 17 of the Crime and Disorder Act 1998 places the 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.
6. *Human Rights Act 1998*  
The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon another person's Human Rights must be taken having regard to the principle of Proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the Council which affects another's 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.

## Southampton City 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 WAYNE JOHNSTON & ROSEANUE JOHNSTON  
 (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	2007/02374/01SPRO.
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#### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
96 OAKLEY ROAD SHIRLEY (THE KING GEORGE)			
Post town	SOUTHAMPTON	Post code	SO164LJ

Telephone number at premises (if any)	02380 363164
Non-domestic rateable value of premises	£ 22,500

#### Part 2 – Applicant details

Daytime contact telephone number	02380 363164
E-mail address (optional)	.com
Current postal address if different from premises address	—
Post Town	Postcode

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day Month Year

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

TO EXTEND OPENING TIMES  
I SPOKE WITH ONE OF THE LICENSING  
TEAM WHO SAID BECAUSE WE ARE  
ONLY LOOKING TO EXTEND OUR HOURS  
WE DID NOT HAVE TO SEND A  
SCALE PLAN. YOU HAVE ONE ALREADY  
  
THANKS

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

—
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**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 yes**

- 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 entertainment facilities:**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

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

**In all cases complete boxes N, O and P**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of a play 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"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)		
Wed					
Thur					
			<b><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></b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Tue					
			<b>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</b> (please read guidance note 5)		
Wed					
Thur					
Fri					
Sat					
Sun					



**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Tue			
Wed			
Thur			<b><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></b> (please read guidance note 5)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)		
Tue					
			<b>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</b> (please read guidance note 5)		
Wed					
Thur					
Fri					
Sat					
Sun					

E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	10.00	1.00	<b>Please give further details here</b> (please read guidance note 3) DUETS & SMALL BANDS NO LOUD OR HEAVY ROCK TYPE BANDS!		
Tue	10.00	<del>01.00</del> 01.00			
Wed	10.00	01.00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur	10.00	01.00			
Fri	10.00	01.00	<b>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</b> (please read guidance note 5) CHRISTMAS EVE 10.00 - 02.00 NEW YEARS EVE 10.00 - 02.00		
Sat	10.00	01.00			
Sun	12.00	01.00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10.00	01.00	<u>Please give further details here</u> (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	10.00	01.00			
Wed	10.00	01.00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur	10.00	01.00			
Fri	10.00	01.00	<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)  CHRISTMAS EVE 10.00-02.00  NEW YEARS EVE 10.00-02.00		
Sat	10.00	01.00			
Sun	12.00	01.00			

**G**

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10.00	01.00	Please give further details here (please read guidance note 3)  DISCO / KARAOKE  OR TO LIVE MUSIC	Both	<input checked="" type="checkbox"/>
Tue	10.00	01.00			
Wed	10.00	01.00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	10.00	01.00			
Fri	10.00	01.00	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 (please read guidance note 5)		
Sat	10.00	01.00			
Sun	12.00	01.00			

CHRISTMAS EVE 10.00-02.00  
NEW YEARS EVE 10.00-02.00

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the facilities for making music you will be providing</u></b>  <p style="text-align: center;">DISCO KARAOKE</p>		
			<b><u>Will the facilities for making music be indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors
			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)		
Mon	10.00	01.00			
Tue	10.00	01.00	<b><u>State any seasonal variations for the provision of facilities for making music</u></b> (please read guidance note 4)		
Wed	10.00	01.00			
Thur	10.00	01.00	<b><u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Fri	10.00	01.00			
Sat	10.00	01.00	CHRISTMAS EVE 10.00 - 02.00 NEW YEARS EVE 10.00 - 02.00		
Sun	12.00	01.00			

J

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			<b>Will the facilities for dancing be indoors or outdoors or both – please tick</b> (see guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
			<b>Please give a description of the facilities for dancing you will be providing</b>	
			DISCO KARAOKE LIVE MUSIC	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)	
Mon	10.00	01.00		
Tue	10.00	01.00		
Wed	10.00	01.00	<b>State any seasonal variations for providing dancing facilities</b> (please read guidance note 4)	
Thur	10.00	01.00		
Fri	10.00	01.00	<b>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</b> (please read guidance note 5)	
Sat	10.00	01.00	CHRISTMAS EVE 10.00-02.00 NEW YEARS EVE 10.00-02.00	
Sun	12.00	01.00		

K

<b>Provision of facilities for entertainment of a similar description to that falling within i or j</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment facility you will be providing</b> DISCO KARAOKE LIVE MUSIC		
Day	Start	Finish	<b>Will the entertainment facility be indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon	10.00	01.00		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	10.00	01.00	<b>Please give further details here</b> (please read guidance note 3)		
Wed	10.00	01.00			
Thur	10.00	01.00	<b>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</b> (please read guidance note 4)		
Fri	10.00	01.00			
Sat	10.00	01.00	<b>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</b> (please read guidance note 5) CHRISTMAS EVE 10.00-02.00 NEW YEARS EVE 10.00-02.00		
Sun	12.00	01.00			



L

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)	
Mon	01.00	01.30		
Tue	01.00	01.30		
Wed	01.00	01.30	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)	
Thur	01.00	01.30		
Fri	01.00	01.30		
Sat	01.00	01.30	<b>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</b> (please read guidance note 5)	
Sun	01.00	01.30	CHRISTMAS EVE 02.00-02.30 NEW YEARS EVE 02.00-02.30	

**M**

<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 box) (please read guidance note 7)</b>	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)	
Mon	10.00	01.00		
Tue	10.00	01.00		
Wed	10.00	01.00		
Thur	10.00	01.00		
Fri	10.00	01.00		
Sat	10.00	01.00		
Sun	12.00	01.00		
			<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)	
			CHRISTMAS EVE 10.00 - 02.00 NEW YEARS EVE 10.00 - 02.00	

**N**

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

2 GAMING MACHINES  
CHILDREN NOT PERMITTED TO  
USE.

0

<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)
Day	Start	Finish	
Mon	10.00	01.00	<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)  CHRISTMAS EVE 10.00 - 02.00 NEW YEARS EVE 10.00 - 02.00
Tue	10.00	01.00	
Wed	10.00	01.00	
Thur	10.00	01.00	
Fri	10.00	01.00	
Sat	10.00	01.00	
Sun	12.00	01.00	

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

↗

Please tick yes

- 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 failed to enclose the premises licence or relevant part of premises licence

**P** 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,e) (please read guidance note 9)**

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

WE RUN AN OVER 21'S POLICY  
TO PREVENT THE YOUNG ELEMENT  
& ANY TROUBLE

**c) Public safety**

WE ALWAYS ENSURE THE  
SAFETY OF OUR CUSTOMERS

**d) The prevention of public nuisance**

WE HAVE A SOUND MONITOR  
IN PLACE TO PREVENT ANY AMPLIFIED  
MUSIC FROM BEING TOO LOUD  
& WINDOWS D. GLAZED AT REAR OF PREMISES

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

CHILDREN ONLY ALLOWED IN  
EITHER BAR UNTIL 7PM.


Please tick yes

- 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 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**

**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	21-8-08.
Capacity	LICENCEE

**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	21-8-08
Capacity	Licencee / DPS.

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

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Environmental Health – Food Safety Service

Application to vary a premises licence no. 2007/02374/01SPRD

Premises: The King George, 96, Oakley Road, Shirley, Southampton

Applicants: Mr. Wayne & Mrs Roseanne Johnston

Current hours and entertainments: Refer to licence

Variation: Refer to application

Recommendation by Tim Rains (Environmental Health Officer)

- **Representation be made to licensing services**

### Reason for representation

The King George public house is a detached 1930s building situated in a predominantly residential location on Oakley Road, Shirley, Southampton. The adjacent residential roads include; King George's Avenue, Oakley Road, Percy Road and King Edward Avenue. (see photographs and area plan attached)

We in Environmental Health are concerned that the granting of the variation will increase the likelihood of noise nuisance complaints from the occupiers of residential properties in the area, caused by the extended hours for regulated entertainments, dispersal noise of persons leaving the pub, and noise from persons occupying the pub garden.

A breakdown of our concerns relating to the increased potential for noise problems is as follows:-

- (i) There is a history of noise nuisance problems emanating from this pub. In 1998, the then occupiers of the pub were prosecuted for breaching the requirements of a noise abatement notice served by environmental health, for amplified sound. The statutory noise nuisance was witnessed from a nearby residential property at hours earlier than those now being requested.
- (ii) In May 2006, a noise abatement notice was served by environmental health on the then occupier of the pub, for causing a statutory noise nuisance comprising amplified music, and the amplified voice of a compere. The nuisance was witnessed from within a neighbouring residential property.
- (iii) No acoustic scheme specifying the measures needed to soundproof the pub has been submitted by the applicants in support of their application.
- (iv) The applicants have stated that they are not intending to undertake works to sound proof the premises, or to commission an acoustic consultant's scheme to prescribe any such works.
- (v) The existing (1930s) structure of the premises, in our opinion, is not adequately attenuated to prevent sound from the regulated entertainments breaking out and causing a disturbance to the occupiers of residential properties. For example; The premises is single glazed except for 1 window, there is no acoustic lobby to prevent sound breaking out when persons enter and exit the building, the building is not equipped with an air conditioning system, and therefore, by the applicant's own omission, open windows are deemed necessary to provide adequate ventilation. There is an open chimney flue in the room in which the



entertainments are held. The chimney flue is also a potential noise breakout point.

- (vi) Given that this is a predominantly residential area, with houses in close proximity to the pub, Environmental Health feel that local residents are more likely to be disturbed by those persons leaving the pub at the later hours requested. As such, even if the pub were properly sound attenuated, noise problems would not cease to be an issue.
- (vii) The pub's back garden is surrounded by residential properties. Noise from persons occupying the garden at later hours could cause a disturbance to the occupiers of these properties.
- (viii) Whilst the applicant has stated in section D of the application (The prevention of Public Nuisance) that "*a sound monitor is in place to prevent any amplified music from being too loud*", there is nothing to verify that the device has been set up by an acoustic consultant to minimise the impact of noise to the occupiers of nearby residential properties. These devices tend to work in conjunction with sound proofing measures and are set up in accordance with an acoustic scheme. Furthermore, the device at the premises works retrospectively, and as such, power is only cut when levels have been exceeded for a given time period. The sound cut out device fitted at the premises may not be suitable for live bands – which may trigger the cut out too easily.
- (ix) Whilst we have had no noise complaints about the entertainments at the pub under the management of the current leaseholders, they have occupied the premises for less than 12 months, and, live bands are currently restricted to 23:00 hours. Furthermore, this application relates to the Premises Licence and therefore, we need to consider all eventualities, not simply the current licensees.
- (x) The licence application states that late night refreshment is to be served until 01:30 hours 7 days a week, yet the closing times at the pub are stated to be 01:00 hours 7 days a week. There is clearly an error here which needs to be clarified by the applicants, in writing. Furthermore, the applicants say that the hours requested on the application may now be different to those that they actually require. Written confirmation of the hours required have not been received by Environmental Health.

## Conclusion

For the aforementioned reasons, Environmental Health (Food Safety Services) do not feel that it is appropriate to extend the hours of The King George public house for any of the licensable activities / regulated entertainments, beyond the current permitted hours. We therefore submit this representation to licensing services.

Tim Rains (Environmental Health Officer)  
25<sup>th</sup> September 2008



24/9/2008 13:23



24/9/2008 13:24



24/9/2008 13:24

**McGuinness, Ian**

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**From:** W Johnston [w.johnston@sky.com]  
**Sent:** 08 October 2008 14:08  
**To:** Licensing  
**Subject:** Fwd: The King George. 96, Oakley Road. Southampton. Variation of Premises Licence.  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

To whom it may concern,

We agree to the conditions outline in the e-mail sent to us from P C Sue Tait dated 08/10/08

WAYNE & ROSEANNE JOHNSTON  
 02380 363164

----- Forwarded message -----

**From:** **W Johnston** <[w.johnston@sky.com](mailto:w.johnston@sky.com)>  
**Date:** Oct 8, 2008 2:01 PM  
**Subject:** Re: FW: The King George. 96, Oakley Road. Southampton. Variation of Premises Licence.  
**To:** "[susan.tait@hampshire.pnn.police.uk](mailto:susan.tait@hampshire.pnn.police.uk)" <[susan.tait@hampshire.pnn.police.uk](mailto:susan.tait@hampshire.pnn.police.uk)>

We agree to the condtions as outlined in the e-mail sent by P C Sue Tait on 08/10/08

WAYNE & ROSEANNE JOHNSTON  
 02380 363164

On 10/8/08, [susan.tait@hampshire.pnn.police.uk](mailto:susan.tait@hampshire.pnn.police.uk) <[susan.tait@hampshire.pnn.police.uk](mailto:susan.tait@hampshire.pnn.police.uk)> wrote:

Sir,

The Police will object to this application under the Crime & Disorder objective.

However, discussions have taken place between the Applicant and the Police as a result of which the Applicant had agreed to amend the application as follows...

**Supply of Alcohol**

Sunday to Thursday inclusive... terminal hour **midnight**.  
 Friday & Saturday...terminal hour **0030 hours**.

The terminal hour for **Live Music, Performances of dance** and **anything similar**,  
**Provision of Facilities for making music** and **dancing** and **anything similar** will  
 correspond to the terminal hour for the sale of alcohol as stated above.

The terminal hour for **Recorded music** and **Late Night Refreshment** will correspond to the end of the daily Wind Down period as below.

Following the terminal hour for the sale of alcohol there will follow a daily Wind Down period of 30 minutes following cessation of the service of alcohol.

**Late night Refreshment** will commence at **2300 hours daily**.

Should the Applicant agree to these conditions then the Police will be of the opinion that a hearing is no longer necessary.

S. Tait  
Pc 21228

Licensing  
Southampton  
Tel. no 02380 674374

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111 PRINCE OF WALES AVE  
REGENTS PARK  
SOUTHAMPTON  
SO15 4LS  
(023) 80 785200

9/10/08

Dear SIR/ Madam

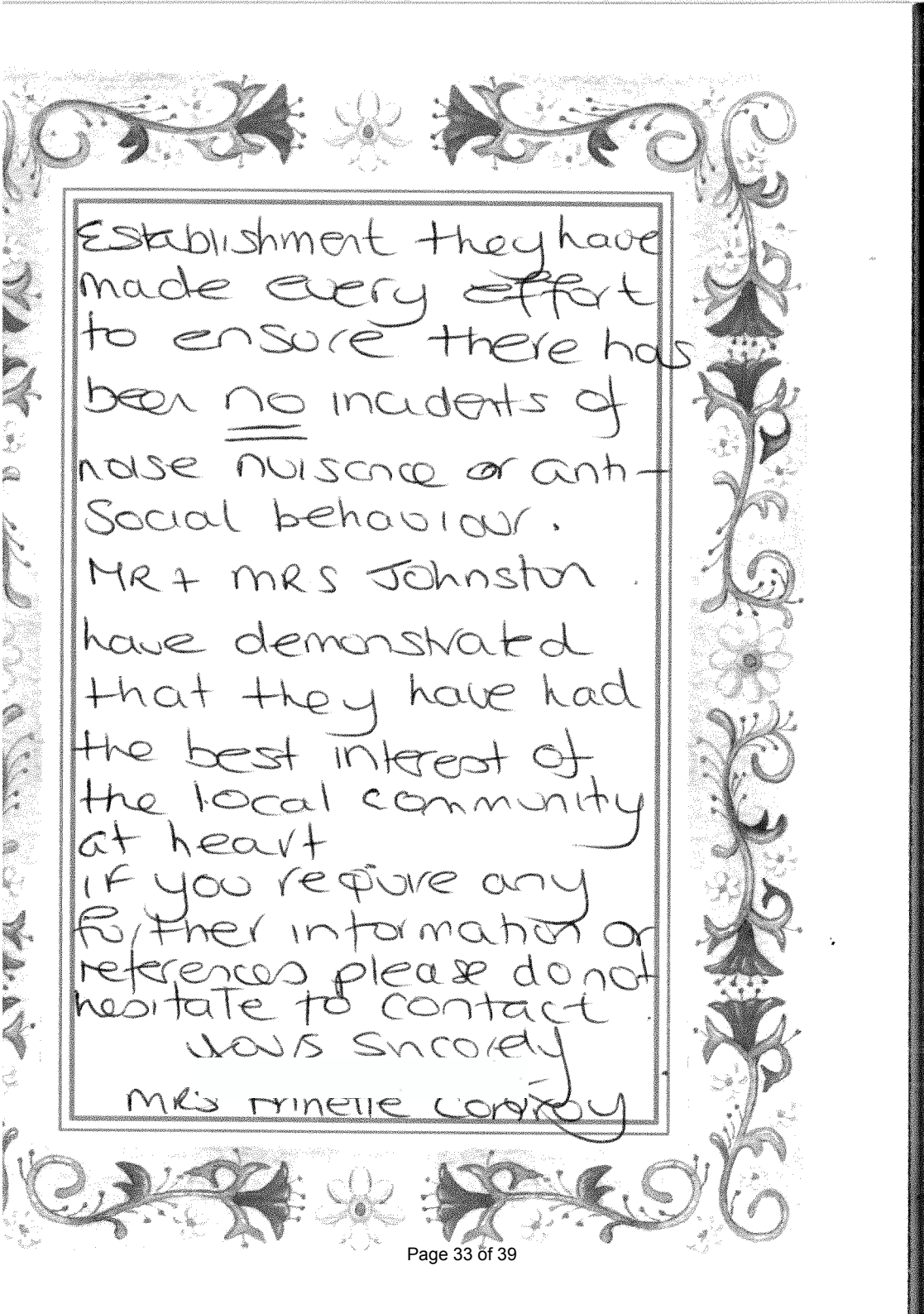
Re: KING GEORGE PUBLIC  
HOUSE, OAKLEY RD.  
SOUTHAMPTON - APPLICATION  
FOR AN EXTENDED LICENCE.

I am writing to  
inform you that my  
husband and I have  
no objection to the  
above application.

Since MR + MRS Johnston  
have taken over as  
Licencees of the above

RECEIVED





Establishment they have  
made every effort  
to ensure there has  
been no incidents of  
noise nuisance or anti-  
social behaviour.

MR + MRS JOHNSTON  
have demonstrated  
that they have had  
the best interest of  
the local community  
at heart

if you require any  
further information or  
references please do not  
hesitate to contact

Yours sincerely

MRS PRINELLE CORRY

Licensing Dept

FROM: MRS CONROY THE NEIGHBOOR  
THAT MADE COMPLAINT IN 2000

---

RECEIVED  
10 OCT 2003

6-18-08

MR G. SMYTH  
159 OAKLEY ROAD  
SHIRLEY  
SOUTHAMPTON  
SO16 4LL

DEAR SIR OR MADAM

I HAVE USED THE KING GEORGE PUB FOR 16 YEARS EVEN SINCE I MOVED TO OAKLEY ROAD. OVER THAT PERIOD OF TIME I HAVE SEEN SEVERAL DIFFERENT PEOPLE RUN THE PUB SOME WERE GOOD AND SOME WERE VERY BAD. THE PUB HAS HAD A BAD NAME IN THE AREA. BUT SINCE WAYNE AND ROSE JOHNSON HAVE TAKEN OVER THE PUB, THE PUB IS VERY FRIENDLY NOW THERE IS NO TROUBLE BECAUSE THEY HAVE GOT RID THE RUCK WENT THAT USED USE THE PUB. THERE IS VERY LITTLE IF ANY NOISE AT CLOSING TIME NOW AND I SHOULD NOW BECAUSE I LIVE OPPOSITE THE PUB. THE KING GEORGE IS NOW A VERY CLEAN AND FRIENDLY PUB NOW THANKS TO ROSE AND WAYNE. IF YOU WOULD LIKE TO CONTACT ME FURTHER PLEASE DO.

YOURS

RECEIVED  
10 OCT 2008

63 Prince of Wales Avenue  
Regents Park  
Southampton  
SO15 4LT

To Whom It May Concern:

It is with a hearty welcome and thanks that Rose and Wayne (Mr & Mrs Johnston) have become landlord & landlady of the King George public house Oakley rd. We have lived in Prince of Wales Ave for nearly 20 years and have met and made many good friends of which many have used the pub.

During these years there have been many changes in ownership, some good, some bad, I also think that I would be right in saying that over recent times prior to Wayne & Rose, it had gone into decline with poor management and bad judgement, causing a lot of good and decent friends and neighbours to stop using the pub.

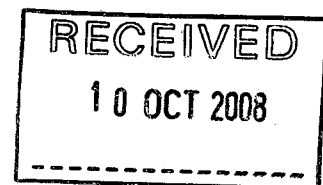
Myself and my wife (and I am sure a lot of other local friends & neighbours) are pleased and grateful in the way in which they have made the King George into a safe and pleasurable family place to meet and enjoy. Wayne and Rose have spent a considerable amount of effort, time and money, on the garden and décor for the benefit of their customers and they also have many creative ideas for the future which includes sporting and charity events which can only be a good thing.

Maggie and I will continue to support them in anything they do to keep the local area a safe and better place to live.

We wish them well.

Myself, my wife, my children, and all my nine grandchildren.

Mike Harbut. ^



TO WHOM IT MAY CONCERN

The King George Public House, Oakley Road, Southampton

I have lived in the Millbrook area of Southampton for 14 years. During that time I have been a customer of the "George" from time to time. It is fair to say that over that period there have been many landlords and landlady's, each of them having there own interpretation on how the business should be run. It is also fair to say that it has not always been a pleasant experience to use the pub. to the point where I would stop going there for periods of some months.

However during recent months, since the acquisition by Wayne and Rose, the "George" has been totally transformed and I now regard myself as a "regular" again.

It is a pleasure to see many of the old friends return to the "George", family people who want nothing more than a friendly atmosphere to enjoy the company of others over a drink.

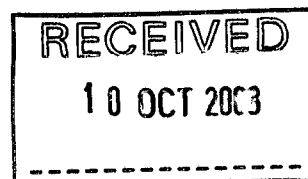
The "George" is now a clean, respectable licensed established which, in my opinion, is run on correct lines. So many are the changes to the pub that I now take my wife and family there at the weekends. Something I would never consider in the past. During our visits we are now able to enjoy good company without being subjected to unruly behaviour, bad language or the overt use of controlled drugs. All of these negative features of the old "George" have been eradicated by Wayne and Rose.

I have no doubt that whatever plans Wayne and Rose have for the business in the future they will be carried out with all due consideration and respect for the neighbourhood at large.

I wish them a long and successful future with the business.

Paul Crocker

5, Trearnan Close, Southampton SO164NH



FROM MRS J. FOWLER 64, VAUDREY CLOSE, SHIRLEY, SOUTHAMPTON. SO15 5PZ

DEAR SIR/MADAM

I WAS THE MANAGER OF THE KING GEORGE PUB IN 2006 UNDER THE LICENCEES MR & MRS SELWAY AND UNDER MY MANAGEMENT THERE WAS SEVERAL REPORTED COMPLAINTS OF NOISE EMINATING FROM THE PREMISES TO WHICH THE ENVIRONMENTAL HEALTH DEPT CALLED OUT TO CHECK THE SOUND EQUIPMENT AND THE SECONDARY DOUBLE GLAZING AND DID AN ACCOUSTIC CHECK ON THE PRÉMISES AND FOUND ALL OF THE ABOVE TO BE ADEQUATE AND NO FURTHER ACTION WAS TAKEN.

I AM NOW A REGULAR OF THE PUB AND USE THE ESTABLISHMENT ON A FRIDAY OR SATURDAY NIGHT AND OCCASIONALLY ON A SUNDAY.

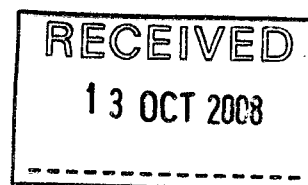
SINCE WAYNE AND ROSEANNE HAVE TAKEN OVER THE CUSTOMERS HAVE CHANGED IE; THEY HAVE AN OVER 21 RULING AND THEY DON'T HAVE YOUNG LOUD UNRULY IDIOTS SWEARING AND SHOUTING IN THE GARDEN THEY KEEP THE KARAOKE/DISCO AMPLIFIED MUSIC TO THE REQUIRED LEVEL LIKE I DID WITH THE SOUND MONITOR AND CONSTANTLY POLICE THE NOISE COMING FROM THE BUILDING BY DOING REGULAR CHECKS AT THE FRONT AND BACK OF THE BUILDING TO MAKE SURE THEY ARE NOT CAUSING A DISTURBANCE TO THE SURROUNDING NEIGHBOURS.

LAST FRIDAY NIGHT WAYNE ASKED ME TO WALK ACROSS THE ROAD WITH HIM TO THE OTHER SIDE OF KING GEORGES AVE TO LISTEN! WE COULD NOT HEAR ANY MUSIC OR SINGING EVEN FROM THERE. IN FACT A CAR AND A BUS WENT BY AND THEY MADE MORE NOISE THAN I COULD HEAR FROM THE PUB. THE ONLY TIME I HEARD MUSIC COMING FROM THE PUB WAS WHEN THE SIDE DOOR WAS OPENED BRIEFLY WHEN SOMEONE WAS LEAVING AND BY THE TIME I HEARD IT- IT HAD STOPPED! IT WAS A SPLIT SECOND!

WITH REGARD TO THE POINT ABOUT CUSTOMERS LEAVING THE PUB AT CLOSING TIME WETHER IT BE AT 11 O'CLOCK OR 12.30 - WE AS CUSTOMERS ARE FULLY AWARE THAT WAYNE AND ROSEANNE REQUIRE US TO RESPECT THE NEIGHBOURS AND ASK US TO LEAVE QUIETLY. THERE ARE SIGNS UP AT EVERY EXIT REQUESTING THAT WE DO THAT.

MOST OF US, MYSELF INCLUDED GET TAXIS THAT WAYNE AND ROSE CALL FOR US. I REMEMBER A TIME WHEN TAXI COMPANIES IN SOUTHAMPTON WOULDN'T EVEN PICK UP FROM THE KING GEORGE!

I DO NOT HAVE ANY OBJECTIONS TO THE PUB OPENING LATER, INFAC T IN MY OPINION PEOPLE DON'T COME OUT TILL LATER THESE DAYS AND I PERSONALLY FEEL A BIT PUT OUT WHEN I HAVE TO LEAVE THE PUB AT ELEVEN TO GO TO SHIRLEY OR THE PARK INN TO HAVE A DRINK BECAUSE THEY ARE STILL OPENED AND THEY ARE IN A FAR MORE RESIDENTIAL AREA.



**RESIDENTIAL AREA.**

THANK YOU FOR LETTING ME AIR MY VIEWS

J.FOWLER

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