## **Public Document Pack**

## Licensing (Licensing and Gambling) Sub-Committee

Thursday, 28th July, 2011 at 11.00 am

PLEASE NOTE TIME OF MEETING

Committee Rooms 1 and 2 - Civic Centre

This meeting is open to the public **Members** 

Councillor Cunio Councillor Drake Councillor Parnell

#### **Contacts**

Democratic Support Officer Sharon Pearson Tel: 023 8083 4597

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### **PUBLIC INFORMATION**

#### **Terms of Reference**

The Sub-Committee deals with licences for which the Council is responsible under the Licensing Act, 2003 and Gambling Act 2005, including:-

- Personal licences for the sale of liquor Licensing Act 2003;
- Premises licences, various permits, variations and reviews (Licensing Act 2003 and Gambling Act 2005);
- Club certificates, variations and reviews Licensing Act 2003;
- Registration and deregistration of designated premises supervisors Licensing Act 2003;
- Determination of police objections to temporary event notices Licensing Act 2003

## **Relevant Representations**

Those who have made relevant representations may address the meeting about the matter in which they have an interest.

When dealing with Licensing Act matters the Sub-Committee can only take into account the following statutory Licensing Objectives:-

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

Likewise, when dealing with Gambling Act matters the Sub Committee can only take into account the statutory Licensing Objectives below:-

- Preventing gambling being a source of crime
- That gambling is conducted in a fair and open way
- To protect children and other vulnerable children from harm

### **Southampton City Council's Seven Priorities**

- More jobs for local people
- More local people who are well educated and skilled
- A better and safer place in which to live and invest
- Better protection for children and young people
- Support to the most vulnerable people and families
- Reducing health inequalities
- Reshaping the Council for the future

#### **Smoking policy**

The Council operates a no-smoking policy in all civic buildings.

#### Mobile Telephones -

Please turn off your mobile telephone whilst in the meeting.

#### Fire Procedure -

In the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

#### Access -

Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

## **Dates of Potential Meetings: Municipal Year** 2011/12

2011	3 NOVEMBER
19 MAY	17 NOVEMBER
2 JUNE	1 DECEMBER
16 JUNE	15 DECEMBER
30 JUNE	2012
14 JULY	5 JANUARY
28 JULY	12 JANUARY
11 AUGUST	9 FEBRUARY
24 AUGUST	23 FEBRUARY
8 SEPTEMBER	8 MARCH
22 SEPTEMBER	22 MARCH
6 OCTOBER	5 APRIL
20 OCTOBER	19 APRIL

## **CONDUCT OF MEETING**

#### **Terms of Reference**

#### Business to be discussed

The terms of reference are contained in the Council's Constitution.

Only those items listed on the attached agenda may be considered at this meeting.

#### **Rules of Procedure**

#### Quorum 3

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

#### **Disclosure of Interests**

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "personal" or "prejudicial" interests they may have in relation to matters for consideration on this Agenda.

#### **Personal Interests**

A Member must regard himself or herself as having a personal interest in any matter

- (i) if the matter relates to an interest in the Member's register of interests; or
- (ii) if a decision upon a matter might reasonably be regarded as affecting to a greater extent than other Council Tax payers, ratepayers and inhabitants of the District, the wellbeing or financial position of himself or herself, a relative or a friend or:-
  - (a) any employment or business carried on by such person;
  - (b) any person who employs or has appointed such a person, any firm in which such a person is a partner, or any company of which such a person is a director:
  - (c) any corporate body in which such a person has a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
  - (d) any body listed in Article 14(a) to (e) in which such a person holds a position of general control or management.

A Member must disclose a personal interest.

## **Prejudicial Interests**

Having identified a personal interest, a Member must consider whether a member of the public with knowledge of the relevant facts would reasonably think that the interest was so significant and particular that it could prejudice that Member's judgement of the public interest. If that is the case, the interest must be regarded as "prejudicial" and the Member must disclose the interest and withdraw from the meeting room during discussion on the item.

It should be noted that a prejudicial interest may apply to part or the whole of an item.

Where there are a series of inter-related financial or resource matters, with a limited resource available, under consideration a prejudicial interest in one matter relating to that resource may lead to a member being excluded from considering the other matters relating to that same limited resource.

There are some limited exceptions.

<u>Note:</u> Members are encouraged to seek advice from the Monitoring Officer or his staff in Democratic Services if they have any problems or concerns in relation to the above.

## **Principles of Decision Making**

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- · setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

### **AGENDA**

Agendas and papers are available via the Council's website.

## 1 **ELECTION OF CHAIR**

To appoint a Chair for the purposes of this meeting.

## 2 APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)

To note any changes in the membership of the Sub-Committee made in accordance with the Licensing Act 2003.

## 3 DISCLOSURE OF PERSONAL AND PREJUDICIAL INTERESTS

In accordance with the Local Government Act 2000, and the Council's Code of Conduct adopted on 16th May 2007, Members to disclose any personal or prejudicial interests in any matter included on the agenda for this meeting.

NOTE: Members are reminded that, where applicable, they must complete the appropriate form recording details of any such interests and hand it to the Democratic Support Officer prior to the commencement of this meeting.

#### 4 STATEMENT FROM THE CHAIR

### 5 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)

To approve and sign as a correct record the Minutes of the meeting held on 2<sup>nd</sup> June 2011 and to deal with any matters arising, attached.

## 6 EXCLUSION OF THE PRESS AND PUBLIC

At a predetermined point during the consideration of all items the Sub-Committee may move into private session in order to receive legal advice when determining issues. The press and the public, unless otherwise excluded by the Licensing Act 2003 (Hearings) Regulations 2005, will be invited to return immediately following that private session at which time the matter will be determined and the decision of the Sub-Committee will be announced.

# 7 <u>APPLICATION TO VARY A PREMISES LICENCE - REVOLUTION, 28A BEDFORD PLACE, SOUTHAMPTON, SO15 2DB</u>

Report of the Head of Legal and Democratic Services, detailing an application for a variation of a premises licence in respect of Revolution, 28A Bedford Place, Polygon, Southampton, SO15 2DB, attached.

Wednesday, 20 July 2011

HEAD OF LEGAL AND DEMOCRATIC SERVICES

# LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE MINUTES OF THE MEETING HELD ON 2 June 2011

Present: Councillors Drake, Parnell and Osmond

<u>Apologies:</u> Councillor Carol Cunio

## 6. **ELECTION OF CHAIR**

**RESOLVED** that Councillor Parnell be appointed Chair for the purposes of the meeting.

## 7. APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)

The Panel noted that Councillor Osmond was in attendance as a nominated substitute for Councillor Cunio in accordance with Council Procedure Rule 4.3.

# 8. MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)

**RESOLVED** that the minutes of the meetings held on 21April 2011 and 19<sup>th</sup> May 2011 be signed as a correct record. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

## 9. **EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED** that in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 that the press and public be excluded at a pre-determined point whilst the Sub-Committee reach its decisions.

# 10. <u>APPLICATION FOR A REVIEW OF A PREMISES LICENCE - GUAVA BAR</u> (PREVIOUSLY KNOWN AS HAMPTONS), 180-182 ABOVE BAR STREET, SOUTHAMPTON, SO14 7DW

The Sub-Committee considered the application by Hampshire Constabulary for a review of a premises licence in respect of Guava Bar (previously known as Hamptons), 180-182 Above Bar Street, Bargate, Southampton, SO14 7DW. (Copy of report circulated with agenda and appended to signed minutes).

Mr N Stone, Proprietor, PC N Prior and PC H Channel, Hampshire Constabulary were present, and with the consent of the Chair, addressed the meeting.

The Sub-Committee considered the decision in confidential session in accordance with Licensing Act 2003 (Hearings) Regulations 2005.

#### RESOLVED

- that the current DPS be changed within 6 months of the date of this decision and the new DPS shall have completed a nationally recognised Level 2 DPS course and shall only manage these premises; and
- (ii) that the following additional conditions as set out below be attached to the licence:-

#### 1. CCTV

- The premises shall have sufficient CCTV cameras located within the premises to cover all public areas and additionally cameras shall be located outside covering the entrance and exit areas of the premises.
- The CCTV system installed must be able to operate satisfactorily when strobe lighting is used, and in any level of illumination, throughout the premises and in the area outside the premises as above.
- The CCTV system shall be in operation at all times whilst the premises are open for any licensable activity.
- All CCTV equipment shall have a constant and accurate time and generation.
- All CCTV recordings must be kept for a minimum of 28 days.
- Records must be made on a weekly basis and kept for inspection to show that the CCTV system is functioning correctly and that data is being securely retained.
- There shall be sufficient members of trained staff available during the operating hours of the premises to be able to provide viewable copies of the CCTV recording at the request of the Police or authorised officer.
- Any images recovered must be in a format that can be readily taken away and viewed on any computer operating on any windows based program acceptable to the Police, or upon a DVD player, without the requirement for additional software to be installed.

- CCTV warning signs shall be fitted and maintained in all public areas.
- The DPS or premises manager must be able to demonstrate upon request by the police or authorised officer that the CCTV system has measures in place to prevent recordings being tampered with i.e. is password protected.
- All CCTV systems, signage, hardware and procedures are to be installed and implemented to the reasonable satisfaction of Hampshire Constabulary and approved in writing.

#### 2. **INCIDENT BOOK**

 An incident book will be provided and maintained at the premises and there will be a daily debrief of door staff by the premises management at the close of business to the reasonable satisfaction of Hampshire Constabulary and approved in writing.

#### 3. LICENCE LINK/PUB WATCH

 The premises licence holder or his nominated representative will maintain membership of any existing Barwatch scheme or join any future scheme that is approved/supported by the police.
 S/he will ensure co-operation on the part of the premises with the relevant scheme, abide by any rules and ensure that the meetings are regularly attended on behalf of the premises.

#### 4 POLYCARBONATE

• From 22h00 until close of business every day, all "glasses" used at the premises will be of polycarbonate, and the contents of all glass bottles will be decanted into polycarbonate glasses with the exception of the contents of wine and champagne bottles consumed in the seating area within the premises, and the wine and champagne glasses used in that area. The contents of all bottles of beer, lager and alcohol pops that are not made of PET or aluminium will always be decanted into polycarbonate glasses.

#### 5 **CHALLENGE 25**

• There will be a Challenge 25 policy operated at the premises. Challenge 25 meaning that the holder of the premises licence shall ensure that every individual who appears to be under 25 years of age seeking to purchase or be supplied with alcohol at or form the premises shall produce means of identification acceptable to the licensing authority proving that individual to be 18 years of age or older. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol is to be made to or for that person.

#### 6 TRAINING

- All Staff must be adequately trained regarding appropriate precautions to be taken to prevent the sale of alcohol to persons under the age of 18, including full training on the Challenge 25 Policy and Procedure.
- All staff must receive refresher training of such precautions every six months as a minimum
- Records must be made and kept of all such training and shall be signed and dated by the member of staff who has received the training.
- Records must be available for inspection by Hampshire Constabulary and the Licensing Authority upon request and within 24 hours.

### **REASONS FOR THE DECISION**

The Sub-Committee considered the application for the review of the premises licence and gave regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted Statement of Licensing Policy and representations made, both written and given orally by all parties

The Sub-Committee accepted that the incident referred to in the police evidence and the lack of proper managerial control evidenced by it was serious.

However, in the light of the specific circumstances of the premises and the work already undertaken to rectify the situation as detailed on behalf of the premises and the police, the Sub-Committee felt that the problems could be dealt with satisfactorily by the imposition of appropriate conditions and the change to the DPS requested by the Police and agreed by the current DPS/Premises Management.

The Sub-Committee determined on the weight of the evidence that it was necessary to impose conditions rather than allowing a voluntary arrangement because of the seriousness of the incident and to ensure rigorous future management of the premises.

### RECOMMENDATION

For the avoidance of doubt the following is not a condition. The Sub-Committee recommends that until the new DPS is in post on every band night at the premises, the current DPS should be present.

# 11. <u>APPLICATION FOR A REVIEW OF A PREMISES LICENCE - OLD FAT CAT, 166 ABOVE BAR STREET, BARGATE, SO14 7DU</u>

The Sub-Committee considered the application by Hampshire Constabulary for a review of a premises licence in respect of Old Fat Cat, 166 Above Bar Street, Bargate, Southampton, SO14 7DU. (Copy of report circulated with the agenda and appended to signed minutes.

Mr B Bagwall, Operations Director, Greene King Brewing and Retailing Limited, Mr J Walton, Area Manager, Mr A Flett, Designated Premises Supervisor, Mr A Woods, Solicitor for Old Fat Cat, PC H Channell and PC N Prior were present and with the consent of the Chair, addressed the meeting.

The Sub-Committee considered the decision in confidential session in accordance with Licensing Act 2003 (Hearings) Regulations 2005.

#### RESOLVED

- (i) that the request for a suspension of 48 hours be refused; and
- (ii) that the following additional conditions agreed between the parties as set out below be attached to the licence:-

#### CHALLENGE 25

• There will be a Challenge 25 policy operated at the premises. Challenge 25 meaning that the holder of the premises licence shall ensure that every individual who appears to be under 25 years of age seeking to purchase or be supplied with alcohol at or from the premises shall produce means of identification acceptable to the licensing authority proving that individual to be 18 years of age or older. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol is to be made to or for that person.

#### 2. **STAFF TRAINING**

- All staff who sell alcohol at the premises shall be trained to APLH (Award for Personal Licence Holder) level. All sales of alcohol must be directly supervised by a personal licence holder until such staff have achieved training to APLH level.
- All Staff must be trained regarding appropriate precautions to be taken to prevent the sale of alcohol to persons under the age of 18.
- Records must be kept of such training which are signed and dated by the member of staff who has received the training. All staff must receive refresher training of such precautions every six months as a minimum and records of the training signed and dated by the member of staff must be kept. Records must be retained and be available for inspection by Hampshire Constabulary and the Licensing Authority upon request.
- The DPS (designated premises supervisor) must be trained to BIIAB Level 2.

#### 3. LICENCELINK/PUB WATCH

The premises licence holder or his nominated representative will
maintain membership of any existing Barwatch scheme or join
any future scheme that is approved/supported by the police.
S/he will ensure co-operation on the part of the premises with
the relevant scheme, abide by any rules and ensure that the
meetings are regularly attended on behalf of the premises.

#### 4 INCIDENT BOOK

 An incident book will be provided and maintained at the premises and The incident book must remain on the premises at all times and must be made available to the police for inspection upon request and there will be a daily debrief of door staff at the close of business to the reasonable satisfaction of Hampshire Constabulary and approved in writing.

# 5. CCTV (To replace point 5, Annex 2 currently on the premises licence

- The premises shall have sufficient CCTV cameras located within the premises to cover all public areas including outside of the premises covering the entrance/exit.
- The CCTV system must be able to cope with all levels of illumination throughout the premises as well as outside areas.

- The CCTV system must be operating at all times whilst the premises are open for any licensable activity.
- All CCTV equipment shall have a constant and accurate time and date generation.
- There shall be sufficient members of trained staff available during operating hours to be able to provide viewable copies at the request of the Police or authorised officer.
- Any images recovered must be in a format that can be readily taken away and viewed on any computer operating on any windows based programme acceptable to the police, or DVD player. This must be without the requirement for additional software to be installed.
- Records must be made on a weekly basis and kept for inspection to show that the CCTV system is functioning correctly and that data is being securely retained.
- CCTV warning signs shall be fitted in public places.
- Recordings shall be kept for a minimum of 28 days...
- The DPS or Premises Manager must be able to demonstrate the CCTV system has measures to prevent recordings being tampered with ie password protected.
- 6. A written record shall be kept at the premises of any persons that the DPS has authorised to supply alcohol. Further when the DPS is absent from the premises a list will be made available for inspection, stating who will be managing the venue.
- 7. To clarify point 3 (a) in Annex 2 on the current premises licence with regards to what is meant by "external background music" to state: "For the avoidance of doubt no music to be played outside the premises after 21:00 hours."

## **REASONS FOR DECISION**

The Sub-Committee considered the application for the review of the premises licence and gave regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted Statement of Licensing Policy and representations made, both written and given orally by all parties.

The Sub-Committee noted that the facts of the two failed test purchases and the circumstances pertaining thereto were not disputed between the police and the premises licence holder. It viewed these failures very seriously as the protection of children from harm was of paramount importance.

The Sub-Committee also noted the agreement between the police and the premises licence holder on the additional conditions that were to be imposed to promote this licensing objective and was pleased to include those conditions upon the licence as necessary and proportionate in the furtherance of the licensing objective of the protection of children from harm. Nonetheless, the sub-committee was very concerned that these matters were not satisfactorily in place so as to have prevented both failures, more especially the second failure.

The Sub-Committee considered very carefully the representation by the police that a short (48 hours) period of suspension of the premises licence should be imposed as a deterrent .

Whilst the Committee considered the representation on behalf of the premises licence holder that such a suspension would be in the nature of a punishment and not a deterrent, the Committee was satisfied that in appropriate circumstances it could impose a period of suspension as a deterrent.

The Sub-Committee determined that in all the particular circumstances of this case, especially that all the required additional training and additional controls requested by the police were in place and had been completed, thereby reducing the likely risk of issues reoccurring as far as possible, the suspension of the licence would be disproportionate.

# Agenda Item 7



Reference: 2011/01358/01SPRV 28th July 2011 Hearing:

## **APPLICATION TO VARY A PREMISES LICENCE**

Premises Name: Revolution Application Date: Premises Address: 28A Bedford Place Application

> Polygon Southampton SO15 2DB

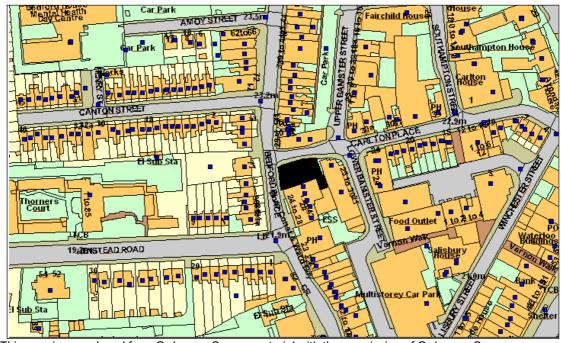
24th May 2011 25th May 2011

Received Date:

**Application Valid** 

Date:

25th May 2011



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## Representations From Responsible Authorities

Responsible Authority	Satisfactory?	Comments
Child Protection Services - Licensing	No Response Received	
Hampshire Fire And Rescue - Licensing	Yes	
Environmental Health - Licensing	No Response Received	
Planning & Sustainability - Building Control - Licensing	No Response Received	
Planning & Sustainability - Development Control - Licensing	No Response Received	
Hampshire Constabulary - Licensing	Yes	
Trading Standards - Licensing	Yes	

## Other Representations

Name	Address	Contributor Type
Mr. Steve Eddy	Flat 7 Carlton Studios 22A Upper Banister Street Southampton SO15 2EE	Resident
Ms. Doris Chandler	13 Thorners Court Henstead Road Southampton SO15 2GW	Resident
Mrs. D. Locke	Flat 32 Thorners Court Henstead Road Southampton SO15 2GW	Resident
Mrs D. Smith	Flat 22 Thorners Court Henstead Road Southampton SO15 2GW	Resident
Mrs. Renee Bates	21 Thorners Court Henstead Road Southampton SO15 2GW	Resident
Sheila, Brian and Michael Hawkins	30 Henstead Road Southampton SO15 2DD	Resident
Mrs Wendy Hunt	Flat 37 Thorners Court Henstead Road Southampton SO15 2GW	Resident

## 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 makes its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching it's 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 persons 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 affect 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.

### 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 Inventive Leisure Services Limited

(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 2011/00104/01SPRD

#### Part 1 - Premises Details

Postal address Revolution 28A Bedford Polygon		ne, ordnance survey map reference or description
		SOUTH THE COUNCIL
Post town	Southampton	Post code SO15 2DB

AND ACCOUNTS AND ACCOUNTS	Telephone number at premises (if any)		
-	Non-domestic rateable value of premises	£131750	

#### Part 2 – Applicant details

Daytime contact telephone number				Marie de Caracteria de la Caracteria de Cara
E-mail address (optional)				
Current postal address if different from premises address		21 Old Street		
Post Town Ashton under Lyr		ne	Postcode	OL6 6LA

Part 3 - Variation
Do you want the proposed variation to have effect as soon as possible?
If not do you want the variation to take effect from
Please describe briefly the nature of the proposed variation (Please see guidance note 1)
To remove Condition 1 of Annex 2 in respect of the roof terrace.
To permit regulated entertainment on the roof terrace until 10.30pm daily.  To permit the sale of alcohol on the roof terrace until midnight daily.
The operators have discussed the proposed variation with Elaine Jeffrey, EHO, before lodging this application.
The application will not have the effect of increasing the capacity of the premises, nor will it extend the opening times of the premises in general.
Seven Temporary Event Notices have been used on the roof terrace over the last year without issue.
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.

Prov	vision 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) $$	
<u>Pro</u>	vision 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)	
Pro	vision of late night refreshment (if ticking yes, fill in box L)	
Sal	e by retail of alcohol (if ticking yes, fill in box M)	
In a	ill cases complete boxes N, O and P	

## Α

Plays Standard days and timings (please read			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	SOLONO PROPERTY AND ADMINISTRATION ADMINI
	guidance note 6)		(please read guidance note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gu	idance note 3)	
Tue					
Wed			State any seasonal variations for performing p guidance note 4)	<b>llays</b> (please re	ead
Thur					
Fri			Non standard timings. Where you intend to us for the performance of plays at different times the column on the left, please list (please read	to those liste	<u>d in</u>
Sat					
Sun					

Films Standard days and timings (please read			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
	(piease r ce note 6)		guidance note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gu	iidance note 3)	
Tue					
Wed			State any seasonal variations for the exhibition read guidance note 4)	n of films (ple	ase
Thur					
Fri			Non standard timings. Where you intend to use for the exhibition of films at different times to column on the left, please list (please read guide)	those listed in	es n the
Sat					
Sun					

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

D

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

## E

<b>Live music</b> Standard days and timings (please read		read	Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors			
guidan	guidance note 6)			Outdoors			
Day	Start	Finish		Both	$\boxtimes$		
Mon	11.00	03.00	Please give further details here (please read guidance note 3)				
			The hours listed to the left are as per the current μ	The hours listed to the left are as per the current premises licence,			
Tue	Tue 11.00 03.00		to take place indoors only. This application seeks to permit live music (in the	form of Dile) o	n		
			the roof terrace between 11am and 10.30pm daily		• •		
Wed	11.00	03.00	State any seasonal variations for the performance of live music				
			(please read guidance note 4)				
Thur	11.00	03.00					
Fri	11.00	03.00	Non standard timings. Where you intend to us				
			for the performance of live music at different t listed in the column on the left, please list (please list)				
Sat	11.00	03.00	note 5) As per the existing licence				
			7 to per the existing heerice				
Sun	11.00	03.00					

Recorded music Standard days and		nd	Will the playing of recorded music take place indoors or outdoors or both – please tick	Indoors			
	timings (please read guidance note 6)		(please read guidance note 2)	Outdoors			
Day	Start	Finish		Both	$\boxtimes$		
Mon	11.00	03.00	Please give further details here (please read guidance note 3) The hours listed to the left are as per the current premises licence, to take place indoors only.				
Tue	11.00	03.00	This application seeks to permit recorded music ( on the roof terrace between 11am and 10.30pm of		OJs)		
Wed	11.00	03.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)				
Thur	11.00	03.00					
Fri	11.00	03.00	Non standard timings. Where you intend to u for the playing of recorded music at different listed in the column on the left, please list (please list)	<u>times to those</u>	<u> </u>		
Sat	11.00	03.00	note 5) As per the existing licence				
Sun	11.00	03.00					

G

Performances of dance Standard days and			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors		
timings (please read guidance note 6)		read	(picade read galdariee note 2)	Outdoors		
Day	Start	Finish		Both		
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to us for the performance of dance at different times the column on the left, please list (please read	s to those liste	ed in	
Sat						
Sun						

Anything of a similar			Please give a description of the type of enterta	<u>inment you w</u>	<u>'ill</u>		
description to that			be providing				
falling within (e), (f) or		), (f) or					
(g)	rd days a	nd					
	(please r						
	ce note 6)						
3		<u> </u>					
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read	Indoors			
Mon			quidance note 2)	Outdoors			
			galdanse note 2)	Both			
Tue			Please give further details here (please read gu	Please give further details here (please read guidance note 3)			
100			Tiedes give further details 11919				
Wed							
				-t -f - civilar			
Thur	Man and a state of the state of		State any seasonal variations for entertainment description to that falling within (e), (f) or (g)	nt of a similar			
			quidance note 4)	picascicad			
Agentation of the least of the			guidance note 4)				
Fri							
Sat			Non standard timings. Where you intend to u	se the premis	es		
		TO A PROPERTY OF THE PARTY OF T	for the entertainment of a similar description	to that falling			
			within (e), (f) or (g) at different times to those	listed in the			
Policia de la constitución de la		Service Control of the Control of th	column on the left, please list (please read guid	gance note 5)			
Sun							
TO CONTRACTOR OF THE CONTRACTO							

Provision of facilities for making music Standard days and timings (please read guidance note 6)		sic and read	Please give a description of the facilities for mwill be providing	aking music v	<u>you</u>	
			Will the facilities for making music be indoors or outdoors or both – please tick	Indoors		
			(please read guidance note 2)	Outdoors		
Day	Start	Finish		Both	$\boxtimes$	
Mon	11.00	03.00	<u>Please give further details here</u> (please read guidance note 3) The hours listed to the left are as per the current premises licence, to take place indoors only.			
Tue	11.00	03.00	This application seeks to permit the provision of famusix (in the form of DJs) on the roof terrace betw 10.30pm daily			
Wed	11.00	03.00	State any seasonal variations for the provision making music (please read guidance note 4)	of facilities f	or	
Thur	11.00	03.00				
Fri	11.00	03.00	Non standard timings. Where you intend to us for provision of facilities for making music at those listed in the column on the left, please li	<u>different times</u>	s to	
Sat	11.00	03.00	guidance note 5) As per the existing licence			
Sun	11.00	03.00				

for dan			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance	Indoors		
Standard days and timings (please read			note 2)	Outdoors		
	ce note 6)			Both		
			Please give a description of the facilities for deproviding	ancing you wi	ll be	
Day	Start	Finish	Discourse for their details here (please road at	idance note 3	١	
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed			State any seasonal variations for providing da (please read guidance note 4)	ancing facilitie	<u>es</u>	
Thur						
Fri			Non standard timings. Where you intend to u for the provision of facilities for dancing at dithose listed in the column on the left, please I	<u>fferent times t</u>	<u>:0</u>	
Sat			guidance note 5)			
Sun						

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)		ent of a tion to tin i or j and read	Please give a description of the type of enterta you will be providing	ainment facilit	У
Day	Start	Finish	Will the entertainment facility be indoors or	Indoors	
Mon			outdoors or both – please tick (please read guidance note 2)	Outdoors	
				Both	
Tue			Please give further details here (please read gu	uidance note 3)	
Wed					
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to us for the provision of facilities for entertainment description to that falling within i or j at different listed in the column on the left, please list (please 5)	of a similar ent times to th	<u>ose</u>
Sun					

.

Late night refreshment Standard days and timings (please read		nd	Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors		
	guidance note 6)		prease trox (produce road gardanes vieto 2)	Outdoors		
Day	Start	Finish		Both		
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use for the provision of late night refreshment at a those listed in the column on the left, please listed.	<u>lifferent times</u>	<u>, to</u>	
Sat			guidance note 5)			
Sun						

## M

Supply of alcohol Standard days and timings (please read		ınd	Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises		
	guidance note 6)		guidance note 7)	Off the premises	Approximately 1	
Day	Start	Finish		Both	$\boxtimes$	
Mon	11.00	03.00	State any seasonal variations for the supply of alcohol (please read guidance note 4) The hours listed to the left are as per the current premises licence,			
Tue	11.00	03.00	to take place indoors only. This application seeks to permit the sale of alcoholerrace between 11am and midnight daily		,	
Wed	11.00	03.00				
Thur	11.00	03.00	Non-standard timings. Where you intend to use for the supply of alcohol at different times to to column on the left, please list (please read guides)	hose listed in		
Fri	11.00	03.00	As per the existing licence	,		
Sat	11.00	03.00				
Sun	11.00	03.00				

## Ν

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)							

0

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)  As per the existing licence with regards New Year's Eve and the start of British Summer Time.
Day	Start	Finish	
Mon	11.00	03.30	
Tue	11.00	03.30	
Wed	11.00	03.30	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the
Thur	11.00	03.30	column on the left, please list (please read guidance note 5) The hours listed to the left are as per the current premises licence,
Fri	11.00	03.30	to take place indoors only. This application seeks to permit the use of the roof terrace until 00.30 daily
Sat	11.00	03.30	
Sun	11.00	03.30	

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

Condition 1 of Annex 2.

	Please tick yes			
<ul> <li>I have enclosed the premises licence</li> </ul>	$\boxtimes$			
<ul> <li>I have enclosed the relevant part of the premises licence</li> </ul>				
If you have not ticked one of these boxes please fill in reasons for not including part of it, below	the licence, or			
Reasons why I have failed to enclose the premises licence or relevant part of premises licence				
	AN A			
	Nesenanti nurei			
	Andreas			
	Automobilence			
	NAME OF THE PARTY			

<b>P</b> 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			
a) Bublic cafety			
c) Public safety			
d) The prevention of public nuisance			
The sale of alcohol on the roof terrace shall cease at midnight daily.			
2. The provision of regulated entertainment on the roof terrace shall cease at 10.30pm daily.  3. The sliding doors between the roof terrace and the premises shall be closed after 10pm,			
save for access and egress.  4. The safe capacity fof the roof terrace shall be set in conjunction with the Fire Authority.			
4. The sale capacity for the roof terrace shall be set in conjunction with the rife Authority.			
The protection of children from horm			
e) The protection of children from harm			

			Please tick	yes
<ul> <li>I have made</li> </ul>	e or enclosed payment of the fee			
	copies of this application and the plan to respon- re applicable	sible authoritie	es and	$\boxtimes$
• I understan	d that I must now advertise my application			$\boxtimes$
	osed the premises licence or relevant part of it or	explanation		$\boxtimes$
<ul> <li>I understand be rejected</li> </ul>	d that if I do not comply with the above requirem	ents my applic	cation will	$\boxtimes$
STANDARD SCA	CE, LIABLE ON CONVICTION TO A FINE UP ALE, UNDER SECTION 158 OF THE LICENSIN IENT IN OR IN CONNECTION WITH THIS APP	IG ACT 2003		
Part 5 – Signatu	res (please read guidance note 10)			
other duly author	plicant (the current premises licence holder) prised agent (please read guidance note 11). If a state in what capacity.			
Signature	Kuit Stellar Cen Ces.			
Date	24 May 2011			
Capacity	Solicitors			
premises licence	nises licence is jointly held signature of 2nd a se holder) or 2nd applicant's solicitor or other ote12). If signing on behalf of the applicant p	r authorised :	<b>agent</b> (please	; ity.
Signature				
Date				
Capacity				
			1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	
Contact name ( with this applic Kuit Steinart Lev 3 St Mary's Pars		corresponde	nce associat	ed
Post town M	anchester	Post code	M3 2RD	
Telephone num				
If you would pr	efer us to correspond with you by e-mail you	r e-mail addr	ess (optional	1)

From: S HAWKINS Sent: 09 June 2011 22:05

To: Licensing

Revolution 28A Bedford Place -require to remove Condition 1 of Annex 2 of the licence in respect of the roof terrace-- to permit the sale of alcohol to midnight, and the provision of regulated entertainment on the roof area until 10 30 p.m. ---

In regard the above application, I live at number 30 Henstead Road, a stones throw away, already we experience un acceptable late night noise from these premises, customers queing to get in, spilling onto the pavement, screaming and shouting when leaving the premises, to allow this application to go ahead would cause further impact on our quality of life!!! Therefore we object strongly to this application being approved.

Sheila, Brian and Michael Hawkins 30 Henstead Road SO15 2DD

Mr S T Eddy Flat 7 Carlton Studios 22a Upper Banister Street Southampton So15 2ee

13 June 2011

Dear Sir/Madam;

I have just noticed the application for the extension of Hours to the Roof Terrace in "Vodka Revolution" in Bedford place. The notice says that they are applying for music on the terrace until 22:30 hrs and clear the roof by Midnight. As you will know in this area we are already inundated with licensed premises and luckily but not all the time some of the noise is contained within the building. The premises in question already gives of enough noise from the crowds of smokers and reveller's that congregate on the front terrace by the front door and the roof. There is a constant Hubub of noise that comes from the front every evening and the roof in good weather but at weekends is worse with all the swearing etc that goes on we can hear it from where we live but if they are on the roof till late there will be no respite form it. I personally have lived here for 9 years and it is getting noticeable worse for the council tax payers who live in the area and I most strongly object to the granting of this license. It would mean loss of sleep as I get up for work at 05:15 which I believe I am entitled to. Please do not grant this license.

Steve Eddy



From:

Sent: 21 June 2011 18:06

To: Licensing

Subject: amendment to licence for Revolution 28A Bedford Place

Dear Sir

I wish to lodge my objection to the application to permit the sale of alcohol to midnight and entertainment on the rooftop until 10:30 p.m.

I live at Flat 37 Thorners Court Henstead Road and Henstead road is extremely noisy in the evenings and through the night with all the people going to and leaving the premises in Bedford Place as it is at the present so to have more music on the roof terrace and more late night drinking will make sleeping impossible and life unbearable.

I am appalled that the local residents have not been notified or consulted on this matter.

I would appreciate a reply

Yours Faithfully

Mrs W J Hunt

resource

RECEIVED
2 1 JUN 2011

MRS. R. Botes
21. Thorner's court
Henstead Road
Sois 20W
18th June 11

Dear Sir

I wish to object to the removal of Condition 1 of Annexe 2.

As a resident of Henstead Rd I feel we put up with so much noise already. During the warm weather we have trouble sleeping, we can't open the windows. There is so much noise with students screming te shouling knocking over refuse bins and emptying the contents everywhere and the cansy bothles thrown into the garden's.

We can't use sleeping pills or ear plugis because we can't be sure if there was a fire we might not hear the alarum going off.

yours encerely

I suggest you come 1 **0** JOX V Jarirof ta deport a week 200 of go you لعومالمعاصده Samtamos Track time, and Herstead Rd to sock om Motor & 1.06.30.F segonds Revoluer happening II. Theres too mas O smith 28, Badford place Thorners かくえると 1 object to this to the total 11 s 23 s adala 50000 Origo かと ろらいのい much noise 1 possod MOVE Se Se

Revolution 28A Bedford Place- require to remove Condition I of Annexe 2 of the licence in respect of the roof terrace – to permit the sale of al cohol to midnight, and the provision of regulated entertainment on the roof area until 10:30 p.m.

Derdutin

Licensing,
Southampton City Council
Civic Centre,
Southampton

17<sup>th</sup> June 2011

Dear Sirs.

I have heard that there is to be an extension to a particular club in the Bedford Place area. I do not feel that this is entirely necessary as the young people in this area have a variety of alternatives.

As an older resident I feel the young are given more leeway than is needed. As you are no doubt aware, Thorners Court has been in Henstead Road since 1918 and we are all retirees who hope to spend their remaining years in comparative comfort. There are many other people that have lived in this part of Southampton for a long time, and many who have moved because of the escalating furore.

The young students have no interest in their surroundings. The rubbish that is thrown into our gardens every day confirm this. And most of them lack courtesy. I have had to step off the pavement many times as they seem unaware of others.

So how can we accept a new idea that will only encourage them in their bad behaviour. I do hope that this will help you understand our predicament.

Yours sincerely Doris Chandler

13 Thorners Court Henstead Road Southampton SO15 2GW



FLAT 32 THORNERS CRT
FROM MRS & BEQUED HENSTERD RY
22 JUN 2011 Loton So1529W.
DEAR LIR OR MAYIAM
I STRONGLY OBJECT TO MORE
HRS BEING GIVEN TO "REVOLUTION" FOR
ANY REASON, LIVING HERE IS A NIGHTMARE I
TONT KNOW WHAT ITS LIKE TO GO TO BEY
AND HAUE A FULL NIGHTS PLEEP, BECAUSE
KATER. ITS ALL HELL LET LOOSE EVEN
WHEN THE NIGHT'S ARE HOT CANT HAVE
WINIJOWS OPEN THIS IS SUN TO SAT NO DAY A THIS IS A SHORT KIST WE HAVE TO POT UP
WHTH.
FOUL a FILTHY LANGUAGE.
JUMPING ON GAR ROOF TO CAR BONNETTS
Page 32 of 36

2 SMASHING TEX/BOX. VOMITING IN THE RD. TRUMS - TRUMPETS USED ANY HR THROUGH THE NIGHT. THE LIST COUNTY GO ON. THAN LAST WK I SO CALLEY YOUTH, KICKEY OUER 8 DUSTBINS, THOUGHT IT WAS GREAT WHEH TONG TO STOP THE ANSWER WAS - OFF. HE WENT ALL DOWN HENSTERD RI) AROUND BY THE CHURCH BND DOWN THE SIDERD I COULD HEAR THE BAMES AS HE WENT, THIS WAS 2.45 MM AT 4:30 I WAS STILL TRYING TO GET POACIL TO SLEEP, STILL HAD TO GETUP AT 7 TO GET READY FOR WORK. WHEN I DROVE OUT ONTO THE ROAD ALL THE RUBBLEH WAS OUT OF MOST BINS I count for ON, BUT THOSE OF YOU WHO JONT LIVE IN THIS GOT FORSAKEL AREA ARNT REALLY INTERESTED





Page 33 of 36

IF I HAI) MY WAY EVERY VEHV WOUND BE Chose ) By 1:30 (WISH FULL THINKING = KHOW) ALSO ALLOUER PASTER THE MUSIC FROM 2 VENUS WAS GOING AND DAY. INCONDING REVOLUTIONS, GOOD FRID INCLUDED IT WAS ALMOST NONK STOP DAYONIGHT IT WAS HORKHIJOSS I HAVE NO TIME FOR STUDENTS MOST ARK AWAY FROM DEAR MUMMY CANT HOND THEIR DRINK AND BEHAVE WIKE RAVING KUNATIES BUT HOT IN THEIR HOME TOWN I SUSPECT. I KNOW I SHOUNDN'T CLASS ALL STUDENTS OR YOUNG PROPRE THE SMIKE BUT I SPETK AS I FIMI). SO I STONGLY OBJECT TO ANY MORE EXTENTION TO ANY VENU INICAUDINE PRIVORU TIONS IT WOULD BE INTERESTING TO KNOW WHAT THE OMNUERS / MANAGERS OF THERSE VENU WOULD THINK IF THEY WERE IN





Page 34 of 36

OUR PLACES, WHILE THEY GO HOME TO SHERF LATE WE HAVE TO CARRY ON. WHAT ABOUT THE HUMAN RIGHTS THAT KURRYONE TANKS ABOUT THAVE HAIGHTS AND 1 15 TO EXPECT TO HAUE A GOOD NIGHT'S SLEEP WITHOUT BEING WOKEN UP EVERY NIGHT FORON SUN NIGHT THROUGHTO PAT NIGHT, (NO NIGHT IS DIFFERANT) FROM A LOT OF IGNORANT ILMAHHERED YOBO'S. YRS AGO IT WAS BEALLY SOME THING TO BE PROUD OF TO SAY "I LIVE IN THE POLYGON PRET. NOW WHEN ANYONE ASKS MOSTLY THE BERLY IS "OH THATS STUDENT LAND" OR SOMTHING LIKE THAT, HOW ITS DISGUSTING WITH KITTER AND CRAFITY EVERY WHERE AND YES I WOULD MOVE IF I COULD. SO ON THIS MOTE I STRONGLY OBJECT TO ANY EXTENTION GIVEN TO ANY VENU INCLUDING REVOLUTION AND ASIL YOU TO CONSIDED

UERY CAREFURLY BEFORE GIVING INTO THESE PROPLE WHO DON'T CARE, BUT I DON'T HOND OUT MUCH HOPE
THANKING YOU FOR PREDDING THIS FAR
T LEAUE IT IN YOUR HAMDS
YOURS VERY SIMLERRY 1. Page 36 of 36