

# Licensing (Licensing and Gambling) Sub-Committee

Thursday, 31st May, 2012  
at 9.30 am

**PLEASE NOTE TIME OF MEETING**

Civic Centre

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

Councillor Cunio  
Councillor B Harris  
Councillor Vassiliou

## **Contacts**

Democratic Support Officer  
Sharon Pearson  
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Head of Legal, HR and Democratic Services  
Richard Ivory  
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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 2012/13

<b>2012</b>	<b>15<sup>TH</sup> NOVEMBER</b>
<b>10<sup>TH</sup> MAY</b>	<b>29<sup>TH</sup> NOVEMBER</b>
<b>31<sup>ST</sup> MAY</b>	<b>13<sup>TH</sup> DECEMBER</b>
<b>14<sup>TH</sup> JUNE</b>	<b>2013</b>
<b>28<sup>TH</sup> JUNE</b>	<b>3<sup>RD</sup> JANUARY</b>
<b>12<sup>TH</sup> JULY</b>	<b>17<sup>TH</sup> JANUARY</b>
<b>26<sup>TH</sup> JULY</b>	<b>31<sup>ST</sup> JANUARY</b>
<b>9<sup>TH</sup> AUGUST</b>	<b>14<sup>TH</sup> FEBRUARY</b>
<b>23<sup>RD</sup> AUGUST</b>	<b>28<sup>TH</sup> FEBRUARY</b>
<b>6<sup>TH</sup> SEPTEMBER</b>	<b>14<sup>TH</sup> MARCH</b>
<b>20<sup>TH</sup> SEPTEMBER</b>	<b>28<sup>TH</sup> MARCH</b>
<b>4<sup>TH</sup> OCTOBER</b>	<b>11<sup>TH</sup> APRIL</b>
<b>18<sup>TH</sup> OCTOBER</b>	<b>25<sup>TH</sup> APRIL</b>
<b>1<sup>ST</sup> NOVEMBER</b>	

## CONDUCT OF MEETING

### **Terms of Reference**

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

### **Business to be discussed**

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

### **Rules of Procedure**

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

### **Quorum 3**

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.

Continued/.....

## **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.

Note: 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 **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.

Chair to move that in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 that the press and public be excluded from the meeting in respect of Item 6.

The information contained therein is potentially exempt as it relates to individual personal details and information held under the Data Protection Act 1998. In applying the public interest test the Sub-Committee should consider whether it is appropriate to disclose this information as the individuals' legal expectation of privacy and the public interest in maintaining confidentiality may outweigh the public interest in the hearing taking place in public.

**6 VARIATION APPLICATION FOR PREMISES LICENCE - DPS VARIATION**

Confidential report of the Head of Legal, HR and Democratic Services detailing an objection by Hampshire Constabulary to a DPS variation application, attached.

**7 APPLICATION FOR A VARIATION OF A PREMISES LICENCE - BAIZZ CLUB, 57-59 CASTLE WAY, SOUTHAMPTON, SO14 2AU**

Report of the Head of Legal, HR and Democratic Services detailing an application for a variation of a premises licence in respect of Baizz Club, 57-59 Castle Way, Southampton, SO14 2AU, attached.

Monday, 21 May 2012

HEAD OF LEGAL, HR AND DEMOCRATIC  
SERVICES

# Agenda Item 6

by virtue of paragraph number 1, 2 of the Council's Access to information Procedure Rules

Document is Confidential

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# Agenda Item 7



Reference: 2012/00814/01SPRV

Hearing:

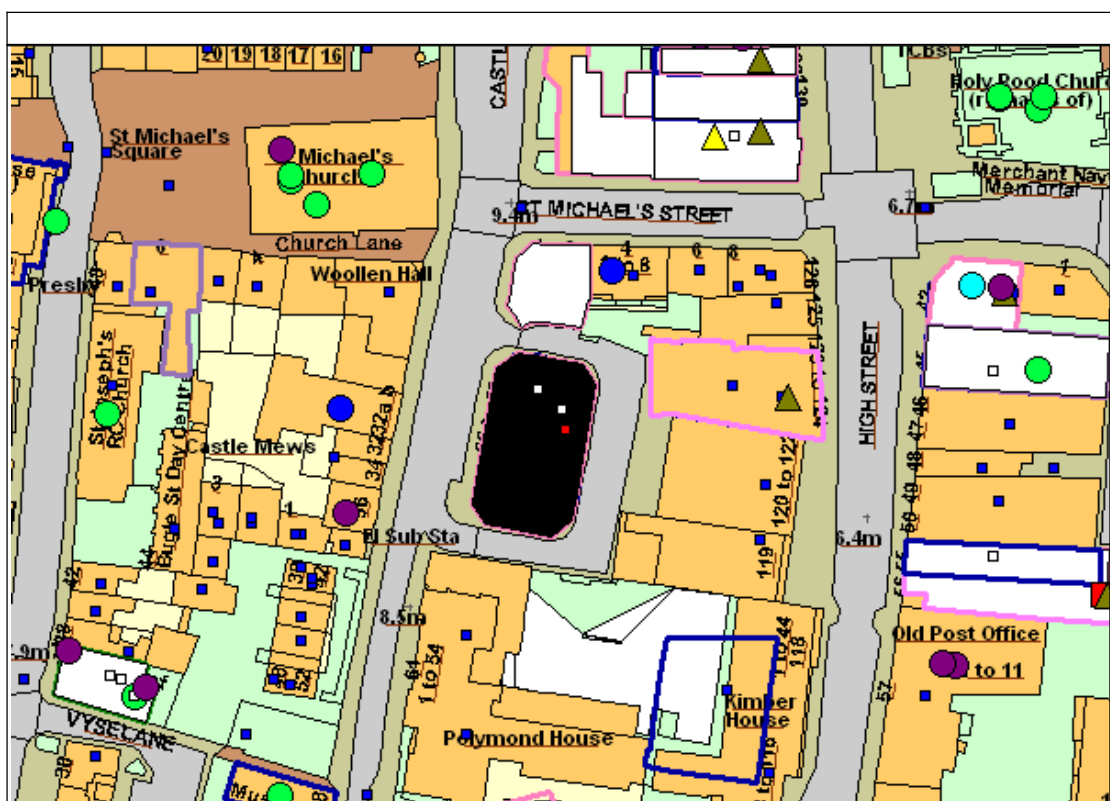
**31st May 2012**

## APPLICATION TO VARY A PREMISES LICENCE

Premises Name: Baizz Club  
 Premises Address: 57-59 Castle Way  
 Southampton  
 SO14 2AU

Application Date: 29th March 2012  
 Application Received Date: 12th April 2012

Application Valid Date: 12th April 2012



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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	Yes	
Planning & Sustainability - Building Control - Licensing	No Response Received	
Planning & Sustainability - Development Control - Licensing	No Response Received	
Police - Licensing	Yes	
Trading Standards - Licensing	Yes	

### ***Other Representations***

<b>Name</b>	<b>Address</b>	<b>Contributor Type</b>
Mr. Dan Morrison	Flat 10 Polymond House 61 Castle Way Southampton SO14 2ED	Resident
Ms. Georgie Upwood	32 Castle Way Southampton SO14 2AW	Resident
Mr. Andy Gravell	6 Merchants Walk Southampton SO14 2AS	Local Neighbourhood Group
Ms. Ros Cassy	45 Bugle Street Southampton SO14 2AG	Resident

David Abbott and Janet White	40 Castle Way Holyrood Southampton SO14 2AW	Resident
Mrs. Theresa Gover	32 Castle Way Southampton SO14 2AW	Resident
Ms. Sue Conchie	34 Castle Way Southampton SO14 2AW	Resident
Ms. Kay Labon	5 Merchants Walk Southampton SO14 2AS	Resident
Ms. Irene MacWilliam	29 Bugle Street Southampton SO14 2AL	Resident
Mrs V. Perry	Old Town Residents Association 21 Bugle Street Old Town Southampton SO14 2AL	Local Neighbourhood Group
Cllr. John Noon	Civic Centre Southampton SO14 7LY	Ward Councillor
Cllr. Sarah Bogle	Civic Centre Southampton SO14 7LY	Ward Councillor
Cllr. Matt Tucker	Civic Centre Southampton SO14 7LY	Ward Councillor
Ms. Alice Jones	Flat 8 4 St. Michael's Street Southampton SO14 2EF	Resident

Mr. Gary Jones	2 Castle Mews 36D Castle Way Southampton SO14 2AW	Resident
Ms. Tammy Boyd	Flat 12 61 Castle Way Southampton SO14 2ED	Resident
Mr. Andrew Freezer	36E Castle Way Southampton SO14 2AW	Resident
Ms. Monique Parsons	27 Polymond House 61 Castle Way Southampton SO14 2ED	Resident
Mr. Simon Johnson	Flat 20 Polymond House 61, Castle Way Southampton SO14 2ED	Resident
Ms. Rebecca Smith	32 Castle Way Southampton SO14 2AW	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 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 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.

## 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.

We D 9 8 LEISURE (SOUTHAMPTON) 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

<b>Premises licence number</b> 2011/02863/01 SPRD
--

#### Part 1 – Premises Details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> THE BAIZZ CLUB (FORMERLY THE ACADEMY CLUB) 57/59 CASTLE WAY.			
<b>Post town</b>	SOUTHAMPTON	<b>Post code</b>	SO14 2AU.

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£

#### Part 2 – Applicant details

<b>Daytime contact telephone number</b>	[REDACTED]		
<b>E-mail address (optional)</b>	[REDACTED]		
<b>Current postal address if different from premises address</b>			
<b>Post Town</b>		<b>Postcode</b>	



**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

--	--	--	--	--	--	--	--	--	--

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

1. TO ADD FIRST FLOOR AND ACCESS.  
FROM GROUND FLOOR TO THE LICENCE  
AS PER THE PLANS ANNEXED.

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

#### Part 4 Operating Schedule

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

##### Provision of regulated entertainment

Please tick 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					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
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"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Thur					
Fri			<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)		
Sat					
Sun					

**C**

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon	11.00	01.00	
Tue	11.00	01.00	<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Wed	11.00	01.00	
Thur	11.00	01.00	<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	11.00	01.00	
Sat	11.00	01.00	
Sun	11.00	01.00	

**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"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)		
Thur					
Fri			<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)		
Sat					
Sun					



E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	19.00	01.00	<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	19.00	01.00		AMPLIFIED	
Wed	19.00	01.00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)	NONE	
Thur	19.00	01.00			
Fri	19.00	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)	NONE	
Sat	19.00	01.00			
Sun	19.00	01.00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	00.00	00.00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	00.00	00.00		UNAMPLIFIED.	
Wed	00.00	00.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)	NONE	
Thur	00.00	00.00			
Fri	00.00	00.00	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 (please read guidance note 5)	NONE	
Sat	00.00	00.00			
Sun	00.00	00.00			

**G**

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

H

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



1

<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>  					
			<b><u>Will the facilities for making music be indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>		
			Outdoors	<input type="checkbox"/>				
			Both	<input type="checkbox"/>				
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for the provision of facilities for making music</u></b> (please read guidance note 4)		
Thur								
Fri						<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)		
Sat								
Sun								

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 checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
			<b>Please give a description of the facilities for dancing you will be providing</b>	
Day	Start	Finish	SMALL DANCE FLOOR.	
Mon	19.00	01.00	<b>Please give further details here</b> (please read guidance note 3)  FAMILY TYPE ENTERTAINMENT. (E.G. BIRTHDAY PARTIES AS OPPOSED TO CONCERTS)	
Tue	19.00	01.00		
Wed	19.00	01.00	<b>State any seasonal variations for providing dancing facilities</b> (please read guidance note 4)  NONE	
Thur	19.00	01.00		
Fri	19.00	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)  NONE	
Sat	19.00	01.00		
Sun	19.00	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>  LIVE MUSIC/CABARET.		
Day	Start	Finish	<b>Will the entertainment facility be indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	19.00	01.00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	19.00	01.00	<b>Please give further details here</b> (please read guidance note 3)  TO SUPPORT FUNCTIONS E.G BIRTHDAY PARTIES.		
Wed	19.00	01.00			
Thur	19.00	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	19.00	01.00	NONE.		
Sat	19.00	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)		
Sun	19.00	01.00	NONE.		



L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – <u>please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23.00	05.00	<b>Please give further details here</b> (please read guidance note 3)  NONE	Both	<input type="checkbox"/>
Tue	23.00	05.00			
Wed	23.00	05.00	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)  NONE		
Thur	23.00	05.00			
Fri	23.00	05.00	<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)  NONE		
Sat	23.00	05.00			
Sun	23.00	05.00			



**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)</b> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)  <p style="text-align: center;">NONE</p>					
Mon	00.00	00.00						
Tue	00.00	00.00						
Wed	00.00	00.00						
Thur	00.00	00.00				<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)  <p style="text-align: center;">NONE</p>		
Fri	00.00	00.00						
Sat	00.00	00.00						
Sun	00.00	00.00						

**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)

NONE

O

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)
Day	Start	Finish	
Mon	00.00	00.00	NONE
Tue	00.00	00.00	
Wed	00.00	00.00	
Thur	00.00	00.00	
Fri	00.00	00.00	
Sat	00.00	00.00	
Sun	00.00	00.00	
			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 (please read guidance note 5)
			NONE

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

NONE

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)**

AS EXISTING. LAIVE THOAT SAVE CCTV TO BE EXTENDED TO HALL AREA UPSTAIRS. OLD ACCESS TO UPPER FLOOR TO BE CLOSED BUT RETAINED AS FIRE EXIT ONLY. ALL ACCESS TO PREMISES THROUGH EXISTING MAIN ACCESS

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

AS EXISTING

**c) Public safety**

AS EXISTING

**d) The prevention of public nuisance**

AS EXISTING

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

AS EXISTING



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	[REDACTED]
Date	29. MARCH 2012.
Capacity	DIRECTOR.

**Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

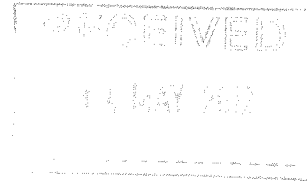
**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 13)

TIMOTHY MICHAEL SWAIN / PETER MADDER.  
6 HEREFORD ROAD.  
SOUTHSEA.

Post town	PORTSMOUTH.	Post code	PO5 2DH.
Telephone number (if any)	[REDACTED]		
If you have an email address (optional)	[REDACTED]		

29 Bugle St  
Southampton SO14 2AL  
12<sup>th</sup> May, 2012

The Licensing Team  
Southampton City Council,  
PO BOX 1344  
Southampton SO15 1WQ.



Dear Sir/Madam,

**Re: Proposed changes to 57 – 59 Castle Way, Old Town, Southampton**

I am very concerned to hear that the above premises have applied for a licence to allow live music and dancing between 19.00 and 01.00 hours every night of the week.

This would be highly undesirable for the following reasons:

Castle Way lies in a densely populated residential area. There is already noise and nuisance to local residents from people gathering outside the snooker club to smoke. There have been incidents of disturbance and aggressive behaviour.

There are many elderly and vulnerable people living in the immediate neighbourhood, particularly from the sheltered housing in streets adjoining Castle Way. Increased drinking, crowds and aggressive behaviour in the neighbourhood can be intimidating for anyone walking home in the evening.

There are already many clubs on the High Street. Further drinking establishments and clubs should be confined to this area where private security is provided and there is a greater police presence. Surrounding residential streets do not have the same level of policing, may therefore be less safe, and in the current climate of cuts it is unlikely that additional police resources could be made available to properly police Castle way, particularly at closing time.

In summary approval of this application would be highly detrimental to the surrounding community.

Irene MacWilliam



34 Castle Way  
Southampton  
SO14 2AW.

TO WHOM IT MAY CONCERN.

I object to the Academy Snooker Clubs or The Biaz Club - application for a late night drinking license and music license 7 nights a week til 1.00 a.m - on the following grounds.

The Building is not a suitable structure to contain the noise levels this will create.

Noise Already we have people lounging outside the club at all hours smoking and talking. The road is narrow and sound travels especially at night whether it is good or bad noise.

People just talking + behaving wake us up -

Taxis idling awaiting their fares again on + off all night.

Fights + arguments in the street. We have called the police on numerous occasions + also phoned 101 but they never arrive on time.

The club has no one to deal with the trouble or behaviour outside. If we phone the club to complain we are told they will deal with the situation and when it is not dealt with + we phone again they do not answer the phone anymore.

## Behaviour/nuisance.

There is a lot of drunkenness as there is already all night drinking - We thought they already had an all night license.

People who have ~~better~~ ~~have~~ nothing better to do than drink all night go there - Not to play snooker.

Again we have to put up with them standing opposite our houses smoking + drinking Day and night.

Young children walking to school often have to pass by groups of people outside, the worse for wear.

Fights break out + arguments + cars have been kicked.

My wheelie bin has been flying across the road on numerous occasions.

Cars are revved up when people leave - engines idling as people say goodbye

In the summer the club was advertised as a party venue + then at 2.00 am you have young people dancing + singing in the street.



Parking - Parking is limited + cars already park on double yellow lines + on the pavement outside the club.

This is very much a residential area. We are already suffering from poor quality sleep being interrupted most nights.

If permission is granted for a licence we will be affected by many more people using the club.

It is totally unacceptable in an area such as this.

At the moment most people going there late evening are not playing snooker, but are there to drink - I have that as good authority. We are told it is a members club, but again non members go in + drink.

~~This~~

I hope you will consider the quality of our lives as residents - we should be able to expect + have quiet evenings + not have people less than 40 feet away loitering at all hours making a noise.

ie

**From:** Rc  
**Sent:** 11 May 2012 10:44  
**To:** Licensing  
**Subject:** 57 to 59 Castle Way

Dear Sirs

I am appalled to learn that there is a proposal to establish a night club at 57 to 59 Castle Way and to have a license for music and dancing from 7pm to 1 am 7 days a week. I have lived in the Old Town (Bugle Street) for 25 years and have seen the problems caused by late night licensing and have greatly welcomed the calmer environment in more recent times. This application is totally inappropriate in this location and I object most strongly. There is a plethora of night clubs in the city centre and the night time economy has caused many problems for residents and indeed visitors. The Old Town has its own unique character which needs to be preserved and protected for the use of all. There are so many licensed premises in the lower High Street that it must surely be possible to contain such activity to that area and not allow the inevitable disruption such places cause, to seep into a residential street.

I urge the licensing team and panel to reject this application.

Yours faithfully

Ros Cassy  
45 Bugle Street  
Southampton



Licensing team

32 Castle Way

Southampton City Council

Southampton

PO box 1344

SO14 2AW

Southampton SO15 1WQ

Notification of Application for the Variation of a premises License

The Baizz Club – 57-59 Castle Way, Southampton SO14 2AU

I am writing to object against the above, planned proposal.

I own and live with my family in the property opposite these premises. It is literally the width of a small road from my front door. When I moved to this house 10 years ago, there were two snooker clubs in operation at that venue, and they were 'genuine' Snooker Clubs, places where people would come to play snooker and return home quietly. The 'Academy Club' unfortunately has been a different matter.

Twenty-four hour drinking, and no security or door staff, has caused countless complaints from me and other residents. I have called the Police, 101, Environmental Health and visited the Civic Centre.

There is often a noisy influx of partygoers looking for late night/early morning drinks, after other venues have closed for the night, all this within an area which is now, much more residential than it once was.

We are constantly being disturbed outside by patrons (members?) taxis idling, swearing, shouting, fighting and general nuisance. Anyone can wander in for a drink at any hour, although it is supposed to be a members only venue, I can provide evidence of this. The license for this property is already being violated so the extra addition of live music until 1am **is not** acceptable.

Also parking is limited, we have vehicles parked on the pavements, double yellows and in front of our entrance gate disabling access to our own vehicles.

Lastly I have observed intoxicated people congregating/smoking on the step in the mornings as children at St Johns Infant school, (150- 200m) make there way past, on the way to school.

We are all effected because of this club and I feel as a resident that the license should NOT be granted for a live music and dancing venue.

I await your comments

Mrs Theresa Gover

Also Structurally the building is primarily metal framed windows, Georges' Restaurant has these and their music can be clearly heard. Although Georges stop early and are respectful.



40, Castle Way,  
Holyrood  
Southampton SO14 2AW

Dear Sir,

We object to the premises at 57-59 Castle Way being granted a music licence. Combined with its current licence to sell alcohol we feel that it would bring an unwanted disruption into what is now a densely populated residential area.

There is already a problem with people standing outside the club smoking and holding loud conversations and shouting into mobile phones in the early hours of the morning. In bad weather customers stand in one of the entrances to Polymond house in order to shelter from the rain.

There is also the problem of pre-booked taxis sounding their horns in the early hours to alert customers inside the club.. These problems will only increase if a music licence is granted.

We are also concerned about possible noise from inside the club. The building was originally part of the old fruit market and there are fears that it will not in any way be soundproof.

This area is now a mix of sheltered accommodation, social housing, new build flats for first time buyers, and many listed buildings that are family dwellings. In fact a complete cross section of society. We think it unnecessary that the 'Entertainment Zone' should be allowed to spill over into the residential part of the old town.

Thank you for taking the time to read this letter.

Yours Sincerely,

David Abbott and Janet White.

^ A

OLD TOWN RESIDENTS ASSOCIATION

BY HAND

21 Bugle Street, Old Town, Southampton SO14 2AL

6 May 2012

The Licensing Team  
Southampton City Council  
SO15 1WQ

Dear Sirs,

Proposed changes to 57-59 Castle Way, Old Town, Southampton

The Old Town Residents Association is appalled at the idea of creating a nightclub in the premises above the SNOOKER CLUB at this address.

The notice includes 'to add 1st floor and access from the ground floor' and 'to add the facility for live music and the facility for dancing between 1900 + 0100 hours, Monday to Sunday'. (7 Days a week!)

I'm sure the licensing team is aware that there have been numerous complaints about noise nuisance late into the night, caused both from the smokers and others who sit outside and chat or row; police have had to be called on numerous occasions. Also, late, taxi cabs await customers, with their motors idling as they wait. Already, more noise than is acceptable to residents nearby.

The club is aware of noise problems because they have notices on the main door asking for customers to keep noise/nuisance levels down.

This part of Castle Way is almost all residential – houses, flats adjacent on both sides of the road and the nearby St Michaels Church. Surely there cannot be music competing with church services!

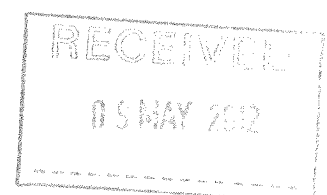
It is completely out of character to have what is, in effect, a nightclub on Castle Way. There are plenty of others on High Street already.

The Old Town Residents Association is registering a strong protest to the proposed alterations to the license for 57-59 Castle Way.

We await your r

Yours sincerely,  
Mrs V Perry (Secretary)

V.P.





26/4/12.

George Upwood  
32 Castle Way  
Southampton

Solo ZAW.

To Whom It May Concern,

I am deeply concerned by the recent licence application made at The Academy Castle Way.

This is a well known spot for people to drink until the early hours after everywhere else has stopped serving. It is in no way members only, I have NEVER been asked for membership, and neither have other customers I've watched entering. They allow their highly intoxicated customers to congregate

on the public pavement, making a racket,  
this is particularly loud between 3am - 9am.  
Often resulting in fights, This is highly audible  
from my top floor bedroom. I have made dozens  
of phonecalls that environmental health have on  
record, in the middle of the night.

I cannot see how this application can be  
granted. It's clearly just a late night drinking  
spot for people too drunk to get in anywhere else,  
and is becoming a hub for rowdiness, fights and  
unsavoury behaviour.

I trust you will help us concerned residents  
keep comfortable in our homes and bring an end  
to the misery this disrespectful venue has  
caused us.

Yours faithfully,

To File

RECEIVED  
04 MAY 2012

RECEIVED  
04 MAY 2012

1/5/12

Rebecca Smith  
32 Castle Way  
Southampton  
SO14 2AW

2012/00814/C15/PAV

To whom it may concern,

I have only just recently found out about the Academy Clubs application for a license to open a venue. I am extremely worried about the outcome of this license being granted. I have enough trouble and disruption in the night and day as it is already. There are several noisy men outside my window as I am typing this and I am already sick of the noise and rude comments made by the kind of people attending this venue.

On more than several occasions I have phoned the police (as the academy themselves are either rude or hang up the phone) at all hours of the morning to try and do something about the level of noise that is allowed to go on outside my window. The Academy are under strict instructions not to have people outside the front of the building smoking and yet they still do not abide by such instructions, allowing people out the front of the building at all hours making all levels of noise.

The club allows anyone through its doors and I have even been inside with friends from a completely different city without them even batting an eyelid.

I am already uncomfortable with drunken men shouting rude comments at me midday let alone having dozens more falling out of the doors into the street outside my house at all hours. It would be nice for once to get some sleep without drunken fights, taxis and general noise going on outside 24/7.

This application is only going to encourage more and more people to be drinking 24 hours a day and disrupting everyone in the surrounding area. Its unfair and unjust and I hope that you will consider doing something about this.

Yours Faithfully,  
Rebecca Smith



Fr  
Sent: 01 May 2012 21:21  
To: Licensing  
Subject: Proposed new license at 57 - 59 Castle Way

To whom it may concern,

We are writing to let you know our concerns regarding the proposal for a night club at 57 - 59 Castle Way (formerly The Academy, proposed to be the BIAZZ Club). We live at flat 8, 4 St Michael's Street and our flat backs onto the open area adjacent to 57 - 59 Castle Way.

We were very surprised to hear about this application via a note put through our door by another local resident. We have not received any official notice of this proposed change of license from The Council and are not aware of any official public notices in the locality. Because of this, we are concerned that many other residents that will be affected by this application have not been notified/consulted and we question whether or not the correct notification procedures have been followed.

The area behind and adjacent to the building at 57 - 59 Castle Street is enclosed by tall buildings and garages, which causes even normal-level voices to become amplified and echo. This is particularly noticeable at night when the ambient noise level is low. Our bedroom is at the back of the flat, so we get woken up reasonably regularly by users of the snooker club (The Academy) which is currently operating in the building 24 hours a day. Due to smoking laws, users of the snooker club (and the proposed new club) have to use the area outside the building to smoke (usually the area just outside the fire doors on the north and east sides). No matter which side of the building smokers use, this will cause nuisance noise to residents as there are residential buildings backing or fronting onto all sides of the building and open area adjacent to it.

We have double glazing and still get regularly woken up as things stand. I have no doubt that the new proposed club will not only attract more punters and therefore create more noise during the night; but will potentially involve music, which will certainly be disturbing.

We have reported noise disturbance from The Academy to 'nuisance control' (under environmental health services at the Council) on a number of occasions. We kept a noise diary for a month or so at the end of last year - but unfortunately didn't continue to pursue it after that as we went overseas for a couple of months. The noise generally occurs late at night (or very early in the morning) and involves people standing outside having loud conversations whilst smoking. This is very irritating and means that we are consistently getting woken up - but the noise rarely goes on for long enough for us to call out an environmental health officer (and this is a requirement within 3 months of lodging a complaint, otherwise the issue is disregarded).

We hope that you will take account of the concerns raised by us and other local residents and potentially consider re-advertising this application and re-consulting the affected residents. We look forward to hearing from you about your decision on this matter.

Yours Faithfully,

Alice Jones and Andrew Raeburn.  
(Flat 8, 4 St. Michael's Street, SO14 2EF)

**From:** |  
**Sent:** 03 May 2012 08:19  
**To:** Licensing  
**Subject:** 57-59, Castle Way, The Academy

**Importance:** High

Dear Sir/Madam,

I understand that you are considering a nightclub license with regards to the above premises. I am somewhat surprised and perplexed as this appears to be happening without the correct procedures being put in place. There has been no consultation with residences that will be directly seriously adversely affected either by the licensing team or the owners of the premises. I have only found this out from my neighbours.

There is already a problem with the snooker club with drunk smokers making noise at night outside the snooker club and I am aware the police have been called several times. This is situation that exists when children are being taken to school. As the snooker club has a 24 hour license I understand membership is supposed to be strict □ this is clearly not the case with the snooker club. This is going to be multiplied many times with a nightclub. This area of the town is actually generally very quiet and it is residential. The French Quarter □ Linden □ development is immediately adjacent.

My major concerns are as follows:

- ? Noise levels in the vicinity of the proposed □ Biazz □ club at nighttime will be significantly higher than they are at present and my family (I have a 4 year old daughter) and neighbours will be disrupted at unsocial hours. How is this going to be dealt with from a perspective of the noise from the building itself and persons using it. The normal situation with regards to planning is that the background noise level (BNL) shall not be higher than the present levels. This means that the noise level of the club and its users need to be 10 dB lower than the BNL.
- ? The entire building has only ever been a snooker club (2 clubs at one point) □ the area of the building being considered for a nightclub has not been operational for several years and there have been significant residential development in that time all with Planning Permission from Southampton City Council.
- ? There has been no consultation process and it appears to be in the process of being rushed through without due process or consultation.
- ? When there were 2 snooker clubs operating there were often issues with parking in fact there are still issues with parking sometimes. This includes the controlled gates to Castle Mews being blocked indiscriminately. Parking on double yellow lines and in the worst cases double parking.
- ? I also understand that the nightclub is to be linked by a staircase to the snooker club □ this was never the case previously □ this will lead to persons moving from the nightclub to the snooker after the nightclub is closed and continuing drinking and leaving later from the building with the noise impact both people and traffic.

I require this issue to be carefully considered to ensure that myself, my family and my neighbours are not inconvenienced in any way by this proposal and quite frankly I cannot see how this can be done.

Regards

Gary L Jones BSc(Hons) CEng MCIBSE  
 2 Castle Mews  
 36d Castle Way  
 Southampton

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F)

Southampton City Council

To: Licensing

Subject: 2012/00813/01SPRT

To whom it may concern

I write concerning a license application which I understand has been approved in order to request some more information from you regarding the implications.

The license application number is 2012/00813/01SPRT and this has been made in respect of 57-59 Castle Way, Southampton. I live in the block of flats directly adjacent to this plot: Polymond House at 61 Castle Way. I understand that this commercial premise has applied for and been granted an extended license to convert to a nightclub, play music until 1 a.m. and 'provide late night refreshment' until 5 a.m. every day of the week. I and my fellow residents are concerned about what effect this will have on our day to day lives as this is a quiet residential area with numerous surrounding flats and houses, many of which house children or professionals who work long hours.

I am concerned that residents were not notified of the prospective change in writing in order to give us recourse to make clear our point of view when the approval would have such a detrimental effect. I believe this is the case with planning applications which would create a significant change in a residential area and thought it would be the same with licensing, the aim surely being not to potentially destroy the quality of life of a whole community. I see that a notice has been pinned to the door of the club but one would not see this unless one frequented the club, which seems to be closed at the moment anyway. Furthermore, I believe that the residents have until 14<sup>th</sup> May to lodge an appeal, but it appears as though the application has been granted? Please forgive my ignorance but I have no understanding of licensing legislation and hope you can enlighten me on this.

I am extremely anxious that everyone who lives in these flats is going to be subjected to loud music in to the early hours of the morning every night and particularly at weekends and that the presence of large numbers of drunk and unruly people will mean not only will I never be at peace in my home but the quality of the area will deteriorate. I cannot possibly believe that the decision has been made to let the club owners do whatever they please and no thought has been taken as to the use of the surrounding area (residential).

I'm sure that Southampton City Council takes the wellbeing of its citizens seriously and would not take a decision which would affect a residential area in so damaging a way lightly. I would therefore be grateful if you could advise me a) what factors are taken in to consideration when processing such an application, b) what, in layman's terms, the application is actually allowing the club owners to do (is there a volume limit?) and c) what action can be taken by residents if the effect is so detrimental to us.

I hope you can allay my fears somewhat as this has been a real shock and, being happy and settled in the area, I hope I am not going to be forced to re-locate. If you would prefer to contact me over telephone, my extension is x4743.

Many thanks for your time.

Tammy  
023 808

in City Council Tel:

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**From:** Andrew F  
**Sent:** 03 May 20  
**To:** Licensing  
**Subject:** Objection to Licensing application for 57-59 Castle Way - currently The Academy Club

Dear Sirs,

We wish to register our objection to the licensing application for The Academy Club (also to be renamed The Baizz Club), 57-59 Castle Way, to open a club allowing for the performance of recorded and live music until 1 am.

Castle Way's character has changed greatly over the last decade with the French Quarter development to the south of the club, as well as the conversion of former office buildings to flats in St Michael's Street to the north, which, with the established properties opposite to the west (where we live), makes this area more residential than commercial. And ever since we moved here in 1999 it has been a pleasingly quiet area, surprisingly so when one considers the proximity of the High Street.

Further, we are concerned of the effect that the noise and disturbance on weeknights will have on the schoolchildren and workers who live in the area. Allowing live music to the early hours, with the inevitable groups of people smoking outside, will change the nature of the area significantly, and would be detrimental to the quality of life currently enjoyed by those of us who live in the area.

Finally, we are greatly concerned that the local residents were not made aware of this licensing application (nor can we examine it on your website since there are no documents posted). The notice on the door of the Academy Club is not something past which we stop by to read, particularly as there are usually at least one or two persons from the 24 hour club smoking there. We were only made aware of it by a neighbour yesterday, so we feel we are most fortunate to even have a chance to register our objections for this proposed change.

Yours,

Andrew and Elaine Freezer

36e Castle Way

Southampton

SO14 2AW



**From:** Simo  
**Sent:** 04 May 2012 09:09  
**To:** Licensing  
**Subject:** RE: Academy Snooker club, 57-59, castle way Southampton  
Hi Andy,

Full address is:

Flat 20, Polymond House,  
61, Castle Way,  
Southampton  
SO14 2ED

Rgds

Simon

---

**From:** Jeffery, Andy [mailto:Andy.Jeffery@southampton.gov.uk] **On Behalf Of** Licensing  
**Sent:** 04 May 2012 09:02  
**To:** Simon Johnson  
**Subject:** RE: Academy Snooker club, 57-59, castle way Southampton

Dear Mr. Johnson  
Can you supply me with your full address please.

Kind regards

**Andy Jeffery**

Partnership

-----  
**fax:** 023 8083 4061  
**e-mail:** [andy.jeffery@southampton.gov.uk](mailto:andy.jeffery@southampton.gov.uk)  
**web:** [www.southampton.gov.uk/licensing](http://www.southampton.gov.uk/licensing)  
**post:** Licensing - Southampton City Council  
PO Box 1344, Southampton. SO15 1WQ

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---

**From:** Simon Johi  
**Sent:** 03 May 201  
**To:** Licensing  
**Subject:** Fwd: Academy Snooker club, 57-59, castle way Southampton

Begin forwarded message:

**Fro**  
**Dat**  
**To:** [lg@southampton.gov.uk](mailto:lg@southampton.gov.uk)>  
**Cc:**  
**Subj** Southampton

To whom it may concern,

I am writing as a resident of Polymond House, Castle Way, to strongly protest against the proposed night club that the academy Snooker club have applied for. Apparently to be called the Baizz club?!

The snooker club is already a nuisance at night, with people hanging around outside, which is already intimidating, especially for females. If a night club was allowed this would be worse!

The noise pollution that a night club would cause would be unbearable! The music, people outside smoking and talking, taxi's dropping off and picking up would be constant, especially at weekends and I am already disturbed by the noise do would hate to think what it would be like.

This cannot be allowed to happen. This is a residential area, not an area where nightclubs should be allowed.

The application should be declined without question.

Please confirm receipt of this email

Rgds

Simon Johnson  
Polymond house resident

cc'd landlord of the property.



**From:** I  
**Sent:** 02 May 2012 19:44  
**To:** Licensing  
**Subject:** Re: 57-59 Castle Way  
Dear Sir/Madam,

I am writing to say that I strongly oppose the license for The Baizz Club at 57-59 Castle Way, formerly The Academy.

I have only just found out about the proposed opening of this club above the already 24/7 snooker club and am totally against it. I'm not even sure the application has been properly advertised. You normally see signs up along the street when there are proposed developments so I would have assumed the same would apply to a potential club opening. I only found out myself from another resident of the area putting a sign up in our block of flats.

I live in the flats right next to the snooker club and any noise from there is amplified around our parking yard, which we are directly above. There is often noise from people who are drunk or from the occasional fight. This is tolerable, but if a club is opened I dread to think how noisy it will be. We can already clearly hear the noise from the karaoke at the establishment that was called NV, and that is twice the distance away! It's not like we don't already have enough clubs in the town centre, and this end of town is rather out of the way for club-goers anyway.

I've never complained about something like this in my life but I feel that it will greatly disturb those of us who live nearby. I can only hope that I am not the only one to write to you and that you will perhaps reconsider granting the license.

Regards,  
Monique Parsons

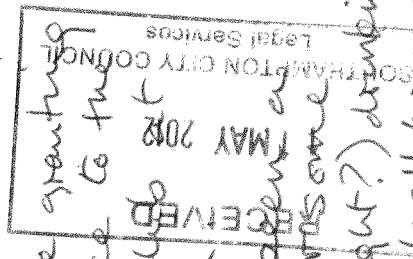
27 Polymond House  
61 Castle Way  
Southampton  
SO14 2ED

Kay Labon, 5 Merchants Walk, Southampton SO14 2AS.  
Telepho )

To the Planning Team, PO Box 1344

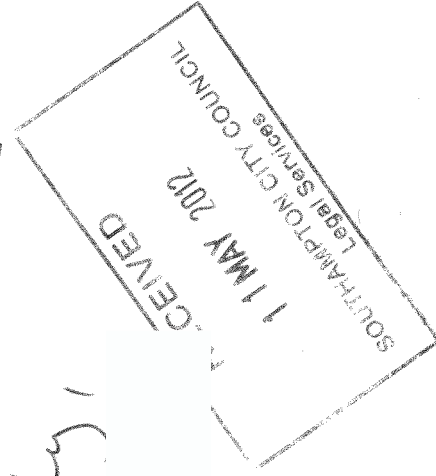
I write to object to the granting of a music + dancing licence to the premises above the Snooker club 57-59 ~~Beaumont~~ <sup>Caste Way</sup>, Old Town

The "snooker" club has been a trouble to its neighbours for some time, with late night (all night?) drinking and people leaving noisily at all hours. The application is from the same proprietors. The Old Town is being promoted as



a tourist area. Such a club  
would detract from the quiet,  
historic character of the area.  
The surprise is that the snooker  
club has survived so long.

Yours faithfully,



From: Andy G  
Sent: 11 May 2012 12:34  
To: Licensing  
Subject: Re: Extended Hours, the Academy, Castle Way

Hayley,

Many thanks for confirming this.

I will ask as many members as possible to send in their objections individually.

Meanwhile, since both Val and I have separately submitted the letter, I would be grateful if you could count this as two individual submissions, not one.

Thanks, Andy Gravell

--

On 11/05/2012 11:12, Licensing wrote:

> Dear Mr. Gravell,

>

> Although Planning and Sustainability recognise your Association the  
> Licensing Act 2003 dictates that those seeking to make representations  
> on behalf of associations must provide details of whom they purport to  
> represent. As the representation currently stands it is an individual  
> one and if you wish it to be considered as being 'on behalf of' an  
> Association we need to know who your members are. Without such  
> information the Sub-Committee will legally only be able to attach the  
> relevant weight to the representation.

>

> Yours faithfully,

>

> Hayley Montague

>

> Licensing Enforcement Officer

>

> Legal, HR and Democratic Services

>

> Southampton and Eastleigh Licensing Partnership

>

> Southampton City Council

>

>

>

> E-mail: [hayley.montague@southampton.gov.uk](mailto:hayley.montague@southampton.gov.uk)

>

> Web: [www.southampton.gov.uk/licensing](http://www.southampton.gov.uk/licensing)

>

> Post: Licensing - Southampton City Council

>

> PO Box 1344, Southampton. SO15 1WQ

>

>

>

>  
 > Please note:- This email is confidential but may have to be disclosed  
 > under the Freedom of Information Act 2000, the Data Protection Act  
 > 1998 or the Environmental Information Regulations 2004. SCC does not  
 > make legally binding agreements or accept formal notices/proceedings  
 > by email. Emails may be monitored. This e-mail (and its attachments)  
 > is intended only for the use of the person(s) to whom it is addressed  
 > and may contain information which is privileged and/or confidential.  
 > If it has come to you in error you must take no action based on it,  
 > nor must you copy or show it to anyone.

>  
 >  
 > -----Original Message  
 > From: Andy Gravell [mailto:andy.gravell@southampton.gov.uk]  
 > Sent: 11 May 2012 10:56:00  
 > To: Licensing  
 > Subject: Re: Extended Hours, the Academy, Castle Way

>  
 > Hayley,  
 >  
 > OTRA has existed for many years, and we are recognised as such by eg  
 > Rob Easton of your Planning and Sustainability section who organises  
 > meetings of residents associations in the City, as you can see from  
 > his email (attached).

>  
 > I regret that meeting your request would put me in breach of the data  
 > protection act, as I do not have permission from members to share  
 > their personal details in this way. I can confirm we currently have  
 > around 35 members, however.

>  
 > Thanks, Andy Gravell  
 > as OTRA chair

> --  
 > On 11/05/2012 09:56, Licensing wrote:

>> Dear Mr. Gravell,  
 >>

>> Thank you for your email. Following receipt of Mrs. Perry's letter I  
 >> have written to the Association requesting details (names and  
 > addresses)  
 >> of the residents you represent as Old Town Residents Association in  
 >> order for the representation to be classed as on behalf of a  
 >> Residents Association. Without being provided with your members'  
 >> data the representation is currently standing as an individual  
 >> representation from Mrs. Perry.

>>  
 >> With regards to your questions relating to Planning permissions you  
 > will  
 >> have to contact Planning who will be able to advise you on the  
 >> current consents granted by them for the premises. Planning can be  
 >> contacted

> on  
 >> [planning@southampton.gov.uk](mailto:planning@southampton.gov.uk). Regardless of any premises licence  
 > issued  
 >> by this department, premises must still abide by their Planning  
 > consent

>> as Licensing hours do not supersede those permitted by Planning.  
>>  
>> In relation to the statistics gathered by the Police as we do not  
>> have access to this data you will have to contact Hampshire  
>> Constabulary  
> (via  
>> 101) so they can advise you on their system for recording call outs.  
>> Similarly if you wish to know the data gathered by Environmental  
> Health  
>> please contact [environmental.health@southampton.gov.uk](mailto:environmental.health@southampton.gov.uk).

>> Yours faithfully,  
>>  
>> Hayley Montague  
>>  
>> Licensing Enforcement Officer  
>>  
>> Legal, HR and Democratic Services  
>>  
>> Southampton and Eastleigh Licensing Partnership  
>>  
>> Southampton City Council

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>> Web: [www.southampton.gov.uk/licensing](http://www.southampton.gov.uk/licensing)  
>>  
>> Post: Licensing - Southampton City Council  
>>  
>> PO Box 1344, Southampton. SO15 1WQ  
>>  
>>  
>>

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>> and may contain information which is privileged and/or confidential.  
>> If it has come to you in error you must take no action based on it,  
>> nor must you copy or show it to anyone.

>> -----Original Message  
>> From: Andy C [mailto:[andy.c@southampton.gov.uk](mailto:andy.c@southampton.gov.uk)]  
>> Sent: 10 May  
>> To: Licensing  
>> Subject: Extended Hours, the Academy, Castle Way

>>  
>> I am writing as chair of the Old Town Residents Association  
>> (OTRA) regarding the proposal to extend the licensing conditions to  
>> the billiard / snooker hall in Castle Way (variously known as the  
>> Academy or the Baizz?).  
>>  
>> With regard this proposal I have little to add to the letter sent in  
>> by Val Perry as secretary to OTRA, which I attach for reference.  
>>  
>> I am concerned however by two aspects of this case, however:  
>>  
>> a) residents were very happy when this was genuinely  
>> operating as a billiard / snooker hall. More recently  
>> it seems to be turning itself into a party venue, or  
>> late night drinking establishment. Surely this should  
>> require a planning application for change of use?  
>>  
>> b) there seem to be some problems gathering data about  
>> all the late night incidents from noise to fighting.  
>> when police are called, they often arrive half an hour  
>> later when the troublemakers have already dispersed.  
>> is there a log of \*call outs\* rather than crimes?  
>> and similarly for the environmental / noise line?  
>>  
>> Thanks, Andy Gravell, as OTRA chair  
>> 6 Merchants Walk, Southampton SO14 2AS



**From:** [redacted]@o.uk]  
**Sent:** [redacted]  
**To:** Je [redacted]  
**Cc:** Noon, John (Cllr); Bogle, Sarah (Cllr)  
**Subject:** Academy Snooker Club, Castle Way.  
Dear Mr Jeffery

I also share the sentiments of Cllrs John Noon and Sarah Bogle in opposing the extension of the license of the above premises.

I have been approached by residents who have great concerns about the potential impact the proposed licensing extension would have on their enjoyment of their homes and exacerbate the noise problems that already exist in the vicinity.

The extension of such a license would, in my view, be incompatible with the rights and wishes of local residents.

Yours sincerely

Cllr Matt Tucker  
Labour Councillor for Bargate Ward, Southampton.

---

Subject: RE: Academy Snooker Club, Castle Way  
Date: 1  
From:  
To: An  
CC: Cc [redacted]@rail.co.uk

Andy,

**I would like to register my objection to the application by the Academy Snooker Club for an extension for their Music, Alcohol and Food Licence on the grounds of public nuisance.**

**I understand that the club is generating already quite a lot of late night/early hours noise disturbance for residents in the vicinity, for example in new blocks like Polymond House in French Street.**

**This area has become more residential, and I know other establishments in the Lower High Street area take special care in managing the noise disturbance to their neighbours.**

**Kind regards**

**Cllr Sarah Bogle**  
Labour Councillor for Bargate ward  
Southampton City Council

[s.bogle@sccl.gov.uk](mailto:s.bogle@sccl.gov.uk)

to be disclosed under the Freedom of Information Act 2000, the Data Protection Act 1998 or the  
!004. If you are not the person or organisation it was meant for, apologies, please ignore it, delete  
it and notify us. SCC does not make legally binding agreements or accept formal notices/proceedings by email. E-mails may be  
monitored.

**Fr**  
**Se**  
**To:** Jellery, Andy  
**Cc:** Noon, John (Cllr); 'Matt Tucker'  
**Subject:** RE: Academy Snooker Club, Castle Way.  
Andy,

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**I understand that the club is generating already quite a lot of late night/early hours noise disturbance for residents in the vicinity, for example in new blocks like Polymond House in French Street.**

**This area has become more residential, and I know other establishments in the Lower High Street area take special care in managing the noise disturbance to their neighbours.**

**Kind regards**

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**From**

**Sent:** 09 May 2012 11:42

**To:** Jeffery, Andy

**Cc:** Bogle, Sarah (Cllr); 'Matt Tucker'

**Subject:** Academy Snooker Club, Castle Way.

**Dear Andy Jeffery,**

**I would like to object to the application by the Academy Snooker Club for an extension for their Music, Alcohol and Food Licence on the grounds of public nuisance.**

**Over the last few year this part of the city as become largely residential, built up round a Snooker Club. Whilst most residents did tolerate a Snooker Club, this same tolerance is not shown to this club becoming a late night venue. I have spoken to quite a few local resident near to this club and all have complaint about late night and early morning noise from people entering and leaving the club and traffic movement, which does go on until 5am in the morning.**

**I would also like to know what Licensing conditions apply to the club at the moment, which appear to be operating nearly 24 hours a day and selling alcohol at those times with music?**

**This now residential area of the city is not suitable for a late night venue; therefore wish to object to this application on the grounds of Public Nuisance.**

**With regards,**

**John Noon  
Councillor for Bargate.**

**From:** Dan Morrisor  
**Sent:** 05 May 2012  
**To:** Licensing  
**Subject:** Concerns

Dear Sir/Madam,

I am writing to you to express my great concern over the licensing agreement given to 57/59 Castle Way. As a resident of Polymond House, the building of apartments next door to the Academy Club, I find it disgusting that such an agreement would be reached without the residents of Polymond House even being consulted.

Speaking personally, my girlfriend and I moved into Polymond House a few months ago as we liked how the road was quite quiet, and out of the way from the hustle and bustle of the high street. It was a primary component of what we were searching for whilst looking for accommodation in Southampton. I believe that allowing the Academy Club to change into a Nightclub will ruin the peace not just for Polymond House, but for the whole street. I don't particularly want to be kept awake all night by the sound of drunken ramblers and walk past patches of vomit on my way to work every day and I'm sure the majority of my neighbours would agree with me.

My apartment in particular is on the first floor on Polymond House, situated in a position that makes it the third flat closest to the club, meaning if this ridiculous nightclub idea goes ahead then I can pretty much say goodbye to any sleep I can hope to get as long as I live here. I really do love my home and would think it a travesty if I would be forced to move away simply because of this gross ignorance of our opinions, which should have been your priority in the beginning.

I propose that the planning on this project be halted immediately pending further investigation, as it is unacceptable that things were allowed to progress this far whilst leaving Polymond House completely in the dark until the very last minute. We should have a chance to make our say and let our voices be heard.

Yours,

Dan Morrison  
Resident of Flat 10, Polymond House